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The City Council of the City of Charlotte, North Carolina, met in regular session on Monday, January 8, 1973, at 3:00 o'clock p.m., in the Council Chamber, City Hall, Mayor pro tem Fred D. Alexander presiding, and Councilmembers Ruth M. Easterling, Sandy R. Jordan, James D. McDuffie, Milton Short, and Joe D. Withrow present.

ABSENT: Mayor John M. Belk and Councilmen James B. Whittington.

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INVOCATION.

The invocation was given by Councilman Sandy R. Jordan.

MINUTES APPROVED.

Upon mention of Councilman Withrow, seconded by Councilman Short, and unanimously carried, the minutes of the last meeting on Monday, December 18, 1972, were approved as submitted.

PRESIDENT OF CHAMBER OF COMMERCE PRESENTS EMPLOYEE OF THE YEAR AWARD TO DEPUTY FIRE CHIEF, CLYDE W. ROBINSON.

Mr. C. C. Cameron, President of Charlotte Chamber of Commerce, stated one of their missions this year is to communicate more effectively with city and county governments. He stated Council will be hearing from him from time to time and he hopes the Chamber will be hearing from the Council. He stated the Chamber has not only a research department within the Chamber but they have a tremendous amount of talent they can harness in this city to do things they would all like to do for the community.

He stated over 200 years ago Old Tom Spratt stated this is a good place to live, and he thinks it has really gotten better over the past 200 years. One of the reasons is because of the people in the community. Not only the people in his business in industry and commerce of the city, but people in the government - our city employees, our county employees, and employees in the educational system.

Mr. Camerson stated he is here today to honor the outstanding city employee of 1972. This marks the eleventh time the Chamber has honored the outstanding employee of the city and county governments. The nominations are made each year by the employees themselves. The nominations come into a committee, then there is a Chamber of Commerce committee that actually makes the selections. The committee looked at the effort, the attitude, the contributions and the ideas of these various recommendations that came in. This year's committee, headed by Zane Jamison, was very impressed by not only the number of nominations but also the quality of recommendations. It was a very difficult task to select the most outstanding employee for 1972.

Mr. Cameron stated the 1972 outstanding city employee has served his community for over 26 years. On March 16, 1942 he became a member of the Charlotte Fire Department and quickly rose to fireman mechanic on July 1st of that same year. In 1948 he became Assistant Superintendent of the fire alarm division, and then ten years later became superintendent of that division. On June 1, 1959 he became a district fire chief, serving in that capacity until he retired last November.

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Actually he has been nominated as the outstanding city employee for two years - in 1968 and 1971. He stated while selection is based on that extra bit that an employee does for his job, it is interesting to see that this man has made quite a contribution to his community. He has been very active in the Oasis Clowns where he had made many children happy. Perhaps his most single, important contribution for the city has been the installation of Charlotte's \$300,000 communication center, the most modern of its type anywhere in the United States.

Today, the Charlotte Chamber of Commerce is pleased and honored to recognize retired District Fire Chief Clyde Walsh Robinson as the Outstanding 1972 City Employee. Mr. Cameron stated he would like to present Chief Robinson a check and a Certificate of Appreciation from the Chamber of Commerce.

Chief Robinson stated he appreciates the award very much. That he chose to wear his uniform today even though he has recently retired. Chief Robinson stated the honor really goes to the fire department; the dedicated men there have done the work for the city and in civic affairs for years and years. That he really would like for them to share in this because you do not do anything alone; it take a lot of people.

PETITION ON 72-61 BY FORREST B. LONG REQUESTING CONDITIONAL OFF-STREET PARKING FOR MULTI-FAMILY PURPOSES FOR PROPERTY IN A R-12 DISTRICT ON THE SOUTHWEST SIDE OF CROYDON ROAD, BEGINNING 122 FEET FROM QUEENS ROAD WEST, DENIED.

Councilman Jordan moved that the subject petition for off-street parking be denied as recommended by the Planning Commission. The motion was seconded by Councilman Short.

Councilman McDuffie stated in this kind of problems the facts and the arguments often used are if you do this, you do certain things to a whole street. To him, each zoning case you hear is a separate one and has to be decided on that particular issue. That he thinks in effect, we deny people use of their land when situations change in their neighborhood as it gets older. To say that because you allow parking on the back of a street and do not allow any access to it, as it will in this case, seems to him reasonable that it be allowed. That he does not feel that strongly about knowing anybody out there, but just based on what he heard and what was proposed, and the possibility they might build a building and utilize it for something less desirable is always a possibility. That he just wants the record to show that because it might have some influence of changes on the whole street, and require a decision by another council and another Planning Commission often times we take the easy way out and say no we cannot do that because of what it might do up on Selwyn Avenue.

The City Attorney advised there is a protest petition which invokes the 3/4 Rule on the petition, and Mayor pro tem Alexander will have to vote on the motion.

Councilman Short stated he believes indian style apartments on Queens Road West is not in order.

The vote was taken on the motion and carried unanimously.

RESOLUTION PROVIDING FOR PUBLIC HEARINGS ON TUESDAY, JANUARY 30, 1973 ON PETITIONS NO. 73-1 THROUGH 73-4 FOR ZONING CHANGES, ADOPTED.

Motion was made by Councilman Jordan, seconded by Councilman Short, and unanimously carried, adopting the resolution providing for public hearings on Tuesday, January 30, 1973 in the Board Room of the Educational Center.

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The resolution is recorded in full in Resolutions Book 8, at Page 485.

RENEWAL OF CONTRACT WITH YELLOW CAB COMPANY FOR AIRPORT TAXI/LIMOUSINE SERVICE AUTHORIZED.

Councilman Jordan moved approval of the renewal of the contract with Yellow Cab Company at the stated fee of \$12,000 per year for airport taxi/limousine service. The motion was seconded by Councilwoman Easterling.

Councilman McDuffie stated he thinks the system should change and he is going to vote no just on the principle; that he does not doubt the amount of money might be comparable but he thinks it is time. This is just another reflection to him of our not going the second mile and changing some of the things we have been doing for years that might prove the city was not getting all the revenue that it might possibly have. It is a fact that as the number of people increases out there that we should make the change and we could take advantage of it and keep an accurate account, with no reflection on the people who are running Yellow Cabs. That he thinks other cities our size are being a little more progressive in these things, and waiting for a new terminal building is out of the question as far as he is concerned.

Councilman Withrow stated we appointed an airport manager to take care of the city business at the airport. If Mr. Birmingham can assure him that in his opinion the Yellow Cab Company is being fair with the city in what is going on, and that he can put into effect some check system out there and assure him that the city will get its fair share of the money then he will vote for the motion.

Councilman Jordan stated he appreciates what Mr. McDuffie is saying and what the rest of the councilmembers are saying. If they want to change the system, then he thinks we should change the system and let it go at that. That he thinks it is wrong for Council to sit up here and sort of intimidate to the company or to the drivers that they might be doing something wrong; that this is real embarrassing to the Council and to the Company. If we want to make a change in the system then make the change. That he thinks they should leave out the inference that maybe the companies are not being honest with the city.

Councilman McDuffie replied he quoted the owner of Yellow Cab Company and he had a personal experience. That he wants the inference to be there if it belongs there.

Councilman Short stated he appreciates the detailed work that Mr. McDuffie spends in these matters. That he has gone into this very thoroughly. He has made suggestions on a number of matters about raising revenue. That when he is sitting down to pay that big tax bill he has to pay every year on his house then he wishes Council had paid close attention. He suggested the airport boarding fee and apparently the President of the United States agrees with him because he understands when Congress tried to stop it the President vetoed their actions. Councilman McDuffie replied he did not exactly agree to the boarding fee but he did not agree with all the other expenditures that went with it. He stated Mr. Short is right and all of these things add up and sooner or later when we holler additional sources of revenues they are going to point their figure and say you had your chance there - airport boarding tax, taxi gate, coliseum tax, higher rent at the park center - and we have not done any of these things.

Councilman Short stated Mr. McDuffie has suggested possibilities in connection with the coliseum, and it seems to him somethings when you can get this money in this sort of "nickel and dime" denominations, this is real good and less painful and this is what we all did when we were pushing for the fourth cent of the sales tax. However, he wants to vote for Mr. Jordan's motion because he is convinced that we will get more money out of the percentage of the revenue than we will out of the gate.

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Mr. Birmingham stated he is very confident in the system of requiring certified statements and in their spot checking. That the Department does make spot checks and they can accelerate that if it is the desire of Council. That he feels real confident in the certified statement and it is universally used every where and is an accepted method of checking. That he does not preclude that anyone would not turn in fees, and he cannot vouch for every driver Yellow Cab has, but he feels the intentions of Yellow Cab is to pay the city all it owes the city.

After further discussion the vote was taken on the motion and carried as follows:

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

RESOLUTIONS TO ABOLISH EXISTING REDEVELOPMENT COMMISSION AND TO TRANSFER THE RESPONSIBILITIES AND DUTIES OF THE REDEVELOPMENT COMMISSION TO A CITY DEPARTMENT.

Mr. W. J. Smith, Chairman of the Redevelopment Commission, stated he thinks the city is very wise in moving in advance of actual legislation on the part of the Congress to do specific planning. He stated he does not believe the congressional discussions are moving in the direction of combining housing with redevelopment. That he hopes Congress will reconsider this as he thinks it is very essential to combine housing with redevelopment; that it could be done so much more efficiently and he hopes Congress will make it possible and he recommends if they do make it possible that the City Council will give consideration to bringing together housing and redevelopment all under one roof.

Councilman Jordan moved adoption of a resolution abolishing the Redevelopment Commission and establishing a new department designated as the Urban Redevelopment Department of the City of Charlotte to become effective May 1, 1973. The motion was seconded by Councilman Withrow, and carried unanimously.

The resolution is recorded in full in Resolutions Book 8, beginning at Page 486.

Motion was made by Councilman Jordan, seconded by Councilman Short, and unanimously carried adopting a resolution and petition requesting the Secretary of State of North Carolina to cancel the Certificate of Incorporation of the Charlotte Redevelopment Commission to become effective May 1, 1973.

The resolution is recorded in full in Resolutions Book 8, at Page 488.

Mayor pro tem Alexander stated he thinks he agrees with the purpose and the effect of such a change. That he withholds with mixed emotions some of his thinking until he is clearly convinced that we on a city level will give proper consideration to citizens review and at the same time the place of citizens review in the community development structure as it will take place. He does not know exactly where it will fit in at the present time. He is well aware of politics of an elected body and where urban redevelopment in these type of programs deal so strongly with the welfare of the poor in our communities; and in most cases the side of the community that is affected by these problems is the black community. He is hoping as we begin to move into this format of programming for the implementation of these federal programs as it is apparent will be established now from federal levels on down with as strong authority as will be placed now in civil governments will recognize the broad responsibilities that is place upon it at these particular times, and not only recognize the broad responsibilities but earnestly see that we give just consideration to all the problems that grow out of these type community adventures which are tied up with social changes and social problems as they are affecting us in our community.

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He stated he is not saying this not from a critical point of view or not assuming that a civil authority would not assume their responsibility on a broad level; but it is always good to keep these matters before us.

Councilman McDuffie stated recently in the news there was a report the redevelopment commission had talked about overhead walkways and the possibilities of having someone to design one between two buildings. He stated he would be very much interested in having a conference session or an up-date in knowing what has been done and what is going to be done on overhead walkways. He stated Council should be involved in deciding how wide and how tall, how many windows, air conditions or whatever will be involved in paying and maintenance and whether or not there will be room enough to lease it for a stand-up sandwich shop or whether it will just be open with no commercial activity in there. He requested the City Manager to arrange a conference meeting or an up-date so Council will know where it stands.

Mr. Burkhalter, City Manager, stated he has talked with Mr. Sawyer about this and he has agreed to have the architect and the Redevelopment Board meet with Council and discuss this in a general report.

Mr. Smith stated the walkways Mr. McDuffie is referring to are the walkways in the Ponte-Travers, Wolfe plan which the Council has seen. Councilman McDuffie replied Council did approve the concept but it has not gotten into the details. Also it would be good if someone could bring to Council details of what has been done in other places.

CONTRACT BETWEEN MODEL CITIES DEPARTMENT AND CHARLOTTE AREA FUND FOR OPERATION OF THE MODEL CITIES SKILL TRAINING AND PLACEMENT PROGRAM, AUTHORIZED.

Councilman Short moved approval of a contract between the City of Charlotte Model Cities Department and the Charlotte Area Fund for the operation of the Model Cities Skill Training and Placement Program, in the total amount of \$327,186.00. The motion was seconded by Councilman Jordan, and carried unanimously.

AMENDMENT TO CONTRACT BETWEEN MODEL CITIES DEPARTMENT AND NORTH CAROLINA DEPARTMENT OF CORRECTIONS FOR OPERATION OF JOBS FOR EX-OFFENDERS, AUTHORIZED.

Motion was made by Councilman Short authorizing an amendment to the contract between the City of Charlotte Model Cities Department and North Carolina Department of Corrections for the operation of Jobs for Ex-Offenders extending the contract from December 31, 1972 to June 30, 1973. The motion was seconded by Councilman McDuffie, and carried unanimously.

AMENDMENT TO CONTRACT BETWEEN MODEL CITIES DEPARTMENT AND THE FLORENCE CRITTENDON SERVICES INC., FOR OPERATION OF TEENAGE PARENTS SERVICES, AUTHORIZED.

Councilman Withrow moved approval of the amendment to the contract between the City of Charlotte Model Cities Department and the Florence Crittendon Services, Inc., for the operation of Teenage Parents Services in the amount of \$166,274.00. The motion was seconded by Councilman McDuffie, and carried unanimously.

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CITY MANAGER REQUESTED TO INVESTIGATE THE NEED FOR WALKWAYS AND/OR SIDEWALKS FOR CHILDREN ATTENDING HOSKINS SCHOOL.

Councilwoman Easterling stated a school principal called her and asked her to come out to her school and look at the condition of streets and ways her children have to get to Hoskins School.

She stated she drove with the principal up and down those little streets - the route those children have to come to get to the school. There are a few scattered stretches of sidewalk. They have to come up Belhaven Boulevard and cross Highway 16. Ninety Six children - come down Linwood and cross the ramp to I-85 and then cross Highway 16 into Linwood and go to Hoskins School. There is one street, which she believes is Honeywood, which is off Highway 16 where there is a hill and cars turning off Highway 16 onto this street even at a slow rate of speed are right on those children because when they turned into the street they did not see a car coming; they topped the hill and started down and there was a car. These children have to walk in the road as there are no sidewalks except for the small stretches. She stated this should be looked into. That she is sure the distance for a bus is not great enough and that is not the Council's problem; but the safety of children should be something the city should look into. She stated they need one street light and there is a school light out also.

Councilwoman Easterling moved that the City Manager investigate this condition for the Council. The motion was seconded by Councilman Jordan, and carried unanimously.

The City Manager advised the walkways have already been authorized, and he will give Council a complete report on this.

Councilwoman Easterling requested that the principal, Miss Kendrick, be advised of what is planned so the children can be made aware of the route they should take.

MILTON SHORT REAPPOINTED AS A MEMBER OF COG.

Councilwoman Easterling stated our City Council representative to COG has been Mr. Short, and his term of office as President has expired. Councilman Short stated his term expired December 31, 1972 and it would be in order for Council to appoint someone as its representative to the Centralina Council.

Councilwoman Easterling stated in reading all the material she received lately from COG it appears that Mr. Short is serving on some committees that are very important.

Councilwoman Easterling moved the reappointment of Councilman Milton Short to the Centralina Council of Government as the City's representative. The motion was seconded by Councilman Withrow, and carried unanimously.

SUGGESTION THAT CONFERENCE SESSIONS BE SCHEDULED PRIOR TO DAY COUNCIL IS ASKED TO APPROVE IMPORTANT ISSUES SUCH AS THE AIRPORT AND REDEVELOPMENT MATTERS TODAY.

Mayor pro tem Alexander stated today Council approved the renewal of the airport contract, and the resolutions abolishing the redevelopment commission, and he would like to suggest on these important issues that conference sessions be established prior to the day Council will be asked to vote on such issues. Council will then be able to have some discussions and find out what it is about and understand what is being talked about. That the conference session is the proper place for this type of discussions.

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CITY MANAGER REQUESTED TO SCHEDULE CONFERENCE SESSIONS ON A NUMBER OF ISSUES THAT WILL BE COMING TO COUNCIL.

Mayor pro tem Alexander stated he thinks there should be a council session to discuss the feasibility of establishing boarding fees at the airport and this type of things to see what the city's approach will be.

He requested the City Manager to schedule a conference session as soon as possible with Mr. Edwin H. Chapin, Director of Social Services, to talk about public housing as it affects welfare recipients; or anything on that level he would like to talk to Council about as it relates to welfare recipients and housing. That we are expecting reports on housing and everyone now is giving reports on housing and he thinks Council should hear from someone who is dealing with the people we really have the problem with, and he does not think any of these reports will really touch them.

Later, the City Manager replied a detail housing study is being made now, and if someone else comes in it may be in conflict with the Council's own report. Mayor pro tem Alexander stated he does not want Mr. Chapin to make a report; he wants Council to hear from him as Director of Social Services and his views as it relates to housing and his welfare recipients.

Mr. Burkhalter stated on the Airport matters, Mr. Thompson has just told Council the city will be very much involved with the airlines in about a year and half, and we must have all this information in before we start working with them. If any member of Council has anything to be included in this study, then it should be given to him now so that it can be included in the reports.

Councilman McDuffie stated he would hope that Council would not have to wait until 1974 to talk about the boarding fees. That is a million and half dollars and a lot of our sister cities have already incorporated it. That it would please him if someone would establish a resolution in some city and offer it to the National League to set a maximum of perhaps \$3.00 that no one would exceed, and Congress would then get involved, and then cities could charge a \$1.00 or fifty cents in plane changing fees and it would not be a burden.

CITY ATTORNEY REQUESTED TO BRING RECOMMENDATION TO COUNCIL ON WHETHER OR NOT IT IS LEGAL TO ASCERTAIN IF CITIZENS APPOINTED TO VARIOUS COMMITTEES BY COUNCIL ARE REGISTERED AND PARTICIPATE IN VOTING PROCESS.

Mayor pro tem Alexander requested the City Attorney to bring to Council a recommendation on whether or not it would be legal for Council to ascertain if a person appointed to the various committees of Council is registered and participates in the voting processes of the community. That he is not interested in the individuals party affiliations; only in whether or not they participate in the voting process of the community. He stated from this point he is going to begin asking the question of whether or not they are registered and participate.

REQUEST THAT NO ACTION BE TAKEN ON REQUEST FOR TRANSFER OF CABLE T.V. FRANCHISE UNTIL COUNCIL MEMBERS RECEIVE MORE INFORMATION ON CABLEVISION IN GENERAL.

Councilman McDuffie stated councilmembers have received a request from Cable Corporation of America, and he would hope that Council would not be asked to vote on this soon. He stated at every National League meeting he has attended the cablevision meetings were most interesting; and they talked about the broad scope not being just cablevision but a communication system. He would hope that Council could spend \$2500 for someone to come in and review what Charlotte has now and where it is going with the possibilities of what it is going to give away. With the communication system cablevision is leading to pay tv and 42 different public service channels, shopping by cablevision and print-outs from the library, we are not just signing up cablevision. Once they get the lines strung, we will be left at the door. Someone should review with Council the various methods that other cities have. That based on what we have done in the past it looks as though we are going to keep just transferring and never increase our input to it.

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The City Manager replied the cable people will probably be before Council next week to ask for approval of the transfer. He stated he will suggest strongly that Council not approve it until they know what they are doing, as this is the last time Council will have any input into this at all. Once Council signs this franchise it will be complete. He stated he does not mean it is wrong and it should be changed, but he thinks Council should know it is an important thing.

Councilman McDuffie stated he would hope Council would consider asking some expert for a recommendation on this before the request to transfer the franchise is approved.

Mayor pro tem Alexander stated there has been much advancement in cablevision since the Council awarded the first contract. And he thinks it would be good for Council to sit down and discuss this and find out just where we are and what approach should be taken.

Councilman Withrow suggested that the City Manager check through the City Manager Association and find out what other cities are doing on this, and give Council a report.

RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT BETWEEN THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND THE CITY OF CHARLOTTE FOR THE OPERATION OF THE CHARLOTTE MODEL CITIES PROGRAM FOR THE 1973 FISCAL YEAR.

After discussion, motion was made by Councilman Jordan, seconded by Councilman Short, and unanimously carried, adopting a resolution authorizing the Mayor to sign a contract between the U. S. Department of Housing and Urban Development and the City of Charlotte in the amount of \$3,168,000 for the operation of the Charlotte Model Cities Program for the 1973 fiscal year.

The resolution is recorded in full in Resolutions Book 8, at Page 489.

ORDINANCE NO. 710-X AMENDING ORDINANCE NO. 520-X, THE 1972-73 BUDGET ORDINANCE AUTHORIZING ONE ADDITIONAL SCHOOL CROSSING POSITION IN THE POLICE DEPARTMENT.

Upon motion of Councilman McDuffie, seconded by Councilman Jordan and unanimously carried, the subject ordinance was adopted authorizing one additional school crossing guard position in the Police Department to be assigned to the South Boulevard and Park Avenue intersection for students attending Dilworth Elementary School.

The ordinance is recorded in full in Ordinance Book 19, at Page 474.

ORDINANCE AMENDING ORDINANCE NO. 520-X, THE 1972-73 BUDGET ORDINANCE, TRANSFERRING FUNDS FROM THE REBATE TO THE HOUSING AUTHORITY ACCOUNT TO THE GENERAL FUND CONTINGENCY, DEFERRED.

After discussion, Councilman Short moved that the matter be deferred until Council can ask Mr. Hall, Chairman of the Housing Authority, and Mr. Lowman, Director, to come and talk to Council about the use of this money. The motion was seconded by Councilman Jordan, and carried unanimously.

ORDINANCE NO. 711-X AMENDING ORDINANCE NO. 520-X, THE 1972-73 BUDGET ORDINANCE TRANSFERRING FUNDS FROM THE GENERAL FUND CONTINGENCY TO PAY FOR LIGHTS AND A FENCE AT MYERS PARK HIGH SCHOOL.

Councilman Jordan moved adoption of the subject ordinance transferring \$11,500 from the general fund contingency to pay for lights and a fence for the ball park at Myers Park High School. The motion was seconded by Councilman Short and carried unanimously.

The ordinance is recorded in full in Ordinance Book 19, at Page 475.

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

Upon motion of Councilman Withrow, seconded by Councilman Jordan, and unanimously carried, the resolution authorizing the refund of certain taxes in the total amount of \$419.09 which were levied and collected through clerical error against ten tax accounts was adopted.

The resolution is recorded in full in Resolutions Book 8, at Page 490.

RESOLUTIONS AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE LAND ACQUISITION PROGRAM FOR THE AIRPORT.

Councilman Short moved adoption of a resolution authorizing condemnation proceedings for the acquisition of property belonging to J. A. Bethune and wife, Mary E. Bethune, located at 7210 Old Dowd Road, in Berryhill Township. The motion was seconded by Councilman Withrow, and carried unanimously.

The resolution is recorded in full in Resolutions Book 8, at Page 491.

Motion was made by Councilman Withrow to adopt a resolution authorizing condemnation proceedings for the acquisition of property belonging to W. W. Hooks, Jr. and wife, Ellen A. Hooks, and North Carolina National Bank, as trustee under will of Walter W. Hooks, located on Terminal Road, at Browhill Circle, in Berryhill Township. The motion was seconded by Councilman Short and carried unanimously.

The resolution is recorded in full in Resolutions Book 8, at Page 492.

Upon motion of Councilman Short, seconded by Councilman Withrow, and unanimously carried, a resolution was adopted authorizing condemnation proceedings for the acquisition of property belonging to Costula K. Kokenes, (widow), located on Terminal Road, at Browhill Circle, in Berryhill Township.

The resolution is recorded in full in Resolutions Book 8, at Page 493.

PROPERTY TRANSACTIONS AUTHORIZED.

Motion was made by Councilman Jordan, seconded by Councilman Withrow and unanimously carried, approving property transactions, as follows:

- (a) Acquisition of 1.2 acres containing one story brick residence, on Byrum Drive, from Charles O. Courtney and wife, Miriam S., at \$34,100.00, for the Master Plan Land Acquisition Project for the Airport.
- (b) Acquisition of 15' x 1,255.82' of easement at 4000 Wilmont Road, from the N. C. Department of Corrections, at \$1,250.00, for sanitary sewer to serve Airport Industrial Park.
- (c) Acquisition of 15' x 343.28' of easement at 4114 Barringer Drive, from D. L. Phillips Investment Builders, Inc., at \$1.00, for sanitary sewer to serve Barringer Drive and Pressley Road.
- (d) Acquisition of 10' x 30' of easement at 1051 Pressley Road, from D. L. Phillips and wife, Louise E., at \$1.00, for sanitary sewer to serve Barringer Drive and Pressley Road.
- (e) Acquisition of 10' x 274.33' of easement at 901 Pressley Road, from D. L. Phillips Investment Builders, Inc., at \$1.00, for sanitary sewer to serve Barringer Drive and Pressley Road.

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- (f) Acquisition of 25' x 23' of easement at 3163 Fairfax Drive, from Charlotte Mecklenburg Board of Education, at \$23.00, for 24-inch water line, Woodlawn Road, Selwyn Road, Barclay Downs Road area.
- (g) Acquisition of 25' x 366' of easement at 3301 Barclay Downs Drive, from Charlotte Mecklenburg Board of Education, at \$366.00, for 24-inch water line, Woodlawn Road, Selwyn Road and Barclay Downs Road area.
- (h) Acquisition of 25' x 111' of easement at 2113 Starbrook Drive, from Harry Weaver and wife, Ruth, at \$286.00, for 24-inch water line on Woodlawn Road, Barclay Downs and Starbrook Drive.
- (i) Acquisition of 25' x 326' of easement at 2201 Starbrook Drive, from Charlotte Park and Recreation Commission, at \$1.00, for 24-inch water line, Woodlawn Road, Selwyn Road and Barclay Downs Road area.

ENCROACHMENT AGREEMENTS, AUTHORIZED.

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

- (a) Agreement with the State Highway Commission permitting the City to construct a 12-inch VCP sanitary sewer line within the right of way of SR 2054 (Chesapeake Drive).
- (b) Agreement with the State Highway Commission permitting the City to construct an 8-inch VCP sanitary sewer line within the right of way of US 29 and NC 49 (North Tryon Street), to serve Bi-Lo Plaza North Tryon Street.
- (c) Agreement with Queens Properties, Incorporated, permitting Queens Properties to enter into a contract with Southern Railroad Company for installation of a spur track to cross Raleigh Street, a city-owned street, to serve their new warehouse.
- (d) Agreement with State Highway Commission permitting the City to construct an 8-inch VCP sanitary sewer line within the right of way of SR 3658 (Hill Road), to serve Hunter Glen Apartments.

ANNUAL REPORT ON CITY-COUNTY UTILITY DEPARTMENT AUTHORIZED.

Councilman Short moved approval of a contract-agreement between the City and Weston & Sampson, Engineers for preparation of an annual report on the City-County Utility Department, at an estimated cost not to exceed \$12,000.00. The motion was seconded by Councilman McDuffie, and carried unanimously.

Motion was made by Councilman Short, seconded by Councilman McDuffie and unanimously carried, adopting an ordinance amending Ordinance No. 520-X, the 1972-73 Budget Ordinance, transferring \$12,000 from the contingency account of the Utilities Department Budget to be used to hire a consultant to prepare the annual report on the City/County Utility Department as agreed by both governmental units.

The ordinance is recorded in full in Ordinance Book 19, at Page 476.

Councilman McDuffie asked if this report will get into something other than counting money? Mr. Burkhalter, City Manager, replied that is right; the agreement with the County calls for having this every year; this is the third company that will review these policies and plans and the rate structure.

Councilman Short stated this agreement has been discussed with and has been agreed to by the city's regular water and sewer consultants.

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CONTRACT WITH PITOMETER ASSOCIATES, INC. FOR WASTEWATER SURVEY IN DISTRICTS NOS. 4, 23, 25 AND 30 OF THE UTILITY DEPARTMENT'S WATER DISTRIBUTION SYSTEM.

Upon motion of Councilman Jordan, seconded by Councilman Short and unanimously carried, a contract was approved with Pitometer Associates, Inc., in the amount of \$6500 for wastewater survey in Districts Nos. 4, 23, 25 and 30 of the Utility Department's water distribution system.

CONTRACTS FOR CONSTRUCTION OF WATER MAINS AND SANITARY SEWER LINES, AUTHORIZED.

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

- (a) Contract with White Stores, Inc. for the construction of 260 feet of 8-inch water main and one fire hydrant to serve property abutting on Freedom Drive, inside the city, at an estimated cost of \$1,900.00. Funds will be advanced by the applicant and refunds made all in accordance with the existing city policies.
- (b) Contract with W. Lyman Case and Company for the construction of 1,230 feet of 8-inch water main and one fire hydrant to serve property abutting on Nations Ford Road, outside the city, at an estimated cost of \$8,500.00. Funds will be advanced by the applicant and refunds made all in accordance with the existing city policies.
- (c) Contract with The Klingbeil Company for the construction of 1,636 linear feet of 10-inch sanitary sewer trunk beginning at an existing manhole on Taggart Creek Outfall, southwest of Tuckaseegee Road; in a northwest direction through the Tanglewood Glen Apartment Complex, to the entrance of Phase I of the Tanglewood Glen Complex, outside the city, at an estimated cost of \$14,100.00. The applicant has deposited 100% of the estimated cost and refund will be made in accordance with the agreement.
- (d) Contract with The Arrowood-Southern Company for the construction of 1,600 linear feet of 10-inch sanitary sewer trunk and 800 linear feet of 8-inch sanitary sewer trunk to serve Winn-Dixie site on Nevada Boulevard, near General Drive, outside the city, at an estimated cost of \$38,000.00. The applicant will construct at his own cost and the city will own and maintain the lines with no refunds to be made.
- (e) Contract with John Crosland Company for the construction of 2,820 linear feet of 8-inch sanitary sewer trunk and 5,525 linear feet of 8-inch main to serve Sardis Woods, off Monroe Road, outside the city, at an estimated cost of \$70,000. The applicant will construct at his own cost and the city will own and maintain the lines with no refunds to be made.
- (f) Contract with John Crosland Company for the construction of 7,985 linear feet of 8-inch sanitary sewer trunks, and 25,425 linear feet of 8-inch sanitary sewer mains to serve Walnut Creek Subdivision, south of Highway 51, and adjacent to McAlpine Creek, outside the city, at an estimated cost of \$250,000. The applicant will construct at his own cost, and the city will own and maintain the system with no refunds to be made.

CHANGE ORDER NO. 1 IN CONTRACT WITH ABRAMS AERIAL SURVEY CORPORATION FOR TOPOGRAPHIC MAPPING.

Councilman Jordan moved approval of Change Order No. 1 in contract with Abrams Aerial Survey Corporation increasing the contract price of \$205,920 by \$18,377.00 for 184 sheets needed to provide complete coverage of the new city in the topographic mapping. The motion was seconded by Councilman Withrow, and carried unanimously.

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ARCHITECT AGREEMENT WITH JACK P. HILL AND ASSOCIATES, INC. FOR DESIGN OF PARKS WITHIN THE MODEL NEIGHBORHOOD.

Upon motion of Councilman Withrow, seconded by Councilman Jordan and unanimously carried, an architectural agreement was authorized with Jack P. Hill and Associates, Inc. for the design of six parks within the Model Neighborhood, at an estimated cost of \$12,826.08.

STREETS TAKEN OVER FOR CONTINUOUS MAINTENANCE BY CITY.

Motion was made by Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, authorizing the following streets to be taken over for continuous maintenance by the City:

- (a) Ferncliff Road, from 217 feet east of Whilden Court to 250 feet west of Whilden Court.
- (b) Whilden Court, from Ferncliff Road to 655 feet south of Ferncliff Road.
- (c) McBride Street, from 335 feet west of Rosecran Drive to 135 feet north of Water Mill Court.
- (d) Willow Spring Road, from McBride Street to end of cul-de-sac.
- (e) Water Mill Court, from McBride Street to 197 feet east of Holston Court.
- (f) Holston Court, from Water Mill Court to end of cul-de-sac.
- (g) Somersworth Drive, from 295 feet west of Mullis Road to end of cul-de-sac.
- (h) Burleson Drive, from Somersworth Drive to 250 feet north of Somersworth Drive.
- (i) Ludwig Drive, from 84 feet east of Mullis Road to 1510 feet east of Mullis Road.
- (j) Aqua Court, from Ludwig Drive to 290 feet north of Ludwig Drive.
- (k) Quiet Cove Court, from 165 feet south of Ludwig Drive to 170 feet north of Ludwig Drive.
- (l) Pentlow Place, from Ludwig Drive to 140 feet north of Ludwig Drive.

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

After viewing pictures of the dwellings, motion was made by Councilman Jordan, seconded by Councilman Withrow to adopt the following ordinances affecting housing declared unfit for human habitation under the provisions of the City's Housing Code:

- (a) Ordinance No. 713-X ordering dwelling at 1318-20 South Church Street to be vacated and closed.
- (b) Ordinance No. 714-X ordering dwelling at 312 North Brevard Street to be vacated, demolished and removed.
- (c) Ordinance No. 715-X ordering dwelling at 114 North Cloudman Street to be demolished and removed.

No one appeared to contest the orders.

The vote was taken on the motion and carried unanimously.

The ordinances are recorded in full in Ordinance Book 19, beginning at Page 477.

RESOLUTION FIXING DATE OF PUBLIC HEARING ON MONDAY, FEBRUARY 5 ON PETITION OF REDEVELOPMENT COMMISSION TO CLOSE PORTIONS OF FONTANA AVENUE AND OLIVER STREET IN REDEVELOPMENT PROJECT N. C. R-78, GREENVILLE.

Councilman Jordan moved adoption of a resolution fixing date of public hearing on Monday, February 5, on petition of Redevelopment Commission to close portions of Fontana Avenue and Oliver Street in the City of Charlotte in Redevelopment Project N. C. R-78, Greenville. The motion was seconded by Councilman Withrow, and carried unanimously.

The resolution is recorded in full in Resolutions Book 8, beginning at Page 494.

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SPECIAL OFFICER PERMITS AUTHORIZED.

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

- (a) Renewal of permit to Coleman Green for use on the premises of Jefferson First Union Plaza, 308 South Tryon Street.
- (b) Renewal of permit to Alfred E. McKay for use on the premises of Jefferson First Union Plaza, 308 South Tryon Street.

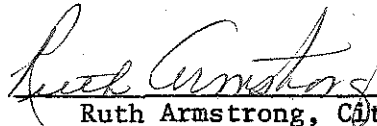
CITY MANAGER TO EXPRESS COUNCIL'S REGRET TO SAFETY ASSOCIATION FOR LUNCHEON AS IT IS IN CONFLICT WITH THE DEDICATION OF FIRE STATION NO. 4.

The City Manager reminded Council that new Fire Station No. 4 will be dedicated at 12:00 noon on Wednesday.

Councilman Jordan requested the City Manager to express Council's regrets to the Safety Association that their luncheon is in conflict with the Fire Department's dedication.

ADJOURNMENT.

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


Ruth Armstrong, City Clerk