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The City Council of the City of Charlotte, North Carolina, met in regular session on Monday, February 11, 1974, in the Council Chamber, City Hall, at 3:00 o'clock p.m., with Mayor John M. Belk presiding, and Councilmembers Fred D. Alexander, Kenneth R. Harris, Pat Locke, Milton Short, James B. Whittington, Neil C. Williams and Joe D. Withrow present.

ABSENT: None.

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INVOCATION.

The invocation was given by Reverend Ernest Glass, Pastor of Shamrock Drive Baptist Church.

MINUTES APPROVED.

Motion was made by Councilman Alexander, seconded by Councilman Whittington, and unanimously carried, approving the Minutes of the last meeting on Monday, February 4, 1974, as submitted.

MINUTES OF JANUARY 28, 1974 AMENDED.

Councilman Short requested a change in the Minutes of the Council Meeting on January 28, 1974, Minute Book 59, Page 491, 8th line down to read as follows:

"Councilman Short replied no, this item is in futherance of Council's efforts to provide water and sewer facilities here in this county."

The word "COG's" is change to read "Council's".

ANNOUNCEMENT THAT MAYOR PRO TEM WHITTINGTON'S PICTURE APPEARS ON COVER OF SOUTHERN CITIES MAGAZINE.

Mayor Belk stated in the current issue of the Southern Cities magazine, published by the North Carolina League of Municipalities, Mayor pro tem Whittington's picture appears on the cover. That Mayor pro tem Whittington is President of the North Carolina League of Municipalities, and we are very proud to have him serve as its President.

CITY OF CHARLOTTE MERIT AWARD PRESENTED TO RUSSELL SHEARIN.

Mayor Belk stated Councilman Williams has called to his attention that one of our outstanding citizens has served us well. That Police Officer C. E. Boothe will present this to Council.

Officer Boothe stated he was on patrol on Tuckaseegee Road when he received a call that a larceny was in progress at the Westerly Manor Apartments on Avalon Avenue. On arriving at the scene, Mr. Russell Shearin had the suspect under apprehension and was holding him for the police. The suspect was then arrested and taken to the Mecklenburg County Jail. Officer Boothe stated the Charlotte Police Department would like to thank him very much for his involvement.

Mayor Belk stated he and Council would like to recognize Mr. Shearin. He asked him to come forward and Mayor Belk presented him with the City of Charlotte Merit Award and congratulated him on behalf of Council, and thanked him for his involvement.

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Councilman Williams stated in this day and time when so many people do not want to get involved to help the police this is a good thing this young man has done.

Mr. Morrison stated this thing is very rare. During the ten years he has been in the apartment business there have been dozens of robberies, break-ins and acts of vandalism. This is the one time that anything like this has ever happened; that Russell Shearin is a hero of a rare, and vanishing breed. This is something that he is grateful for, and he was sure members of Council would be also, and that is why he called this to Mr. Williams' attention.

Mr. Morrison stated Miss Esther Martin, who was performing her duties as Manager at the time, helped hold the suspect, and wrestled him to the ground until Mr. Shearin arrived with his pistol. He stated Miss Martin is a very brave lady. He stated the management gave Miss Martin a reward and will continue to give her more rewards.

Mr. Morrison stated there seems to be a lot of crime in Charlotte, but he thinks there are very few criminals. When you have someone like Russell Shearin around, these crimes should be reduced.

REVIEW OF TRANSPORTATION ACTIVITIES BY HERMAN J. HOOSE, TRANSPORTATION COORDINATOR.

Mr. Hoose, Transportation Coordinator, stated he will cover the up-date on the State's priority list of the North Carolina Department of Transportation seven year improvement plan. That he will also try to cover the Thoroughfare Plan, Corridor Study, Transportation Bond Projects, Intersection Redesign Taxicab Report and present status of Transit.

Mr. Hoose stated a review of all priorities will take place before July, 1974 and the projects for the year 1981 will be reviewed and the State plan will be up-dated. That we are being delayed by the federal government due to the Environmental Impact Statements and Air Quality Reports requested by the Federal Highway Administration and the Environmental Protective Association. That Charlotte is classed as a number one city which is low in this type of classification. This phase report by the State with the input of the City is due March 15. If we do not get favorable reports back, projects in Charlotte with federal aid could be delayed from one to two years.

He stated Independence Freeway, from Fifth Street to Kenilworth Avenue, and Independence Freeway, from Kenilworth to I-77 is held up by environmental impact study, and this impact statement is due January, 1976. It is possible that it will be the Fall of 1976 before construction is started on that project.

Eastway Drive and Milton Road, which was included in the 1973 Bond Project, is scheduled for public hearing in April of this year; the right of way acquisition will begin in the Fall of 1974, and could be let in the Fall of 1975. A new cross section was submitted and the State agreed to look at the new cross section for this roadway.

The other major road is Fairview Road Extension, from Sharon Road to Sardis Road. The environmental impact study is due in February, 1974; it will require a minimum of three months to get the IAS approval, two months for public hearing, and right of way acquisition could begin this fall, with construction probably to follow in the Fall of 1975.

Another project is Central Avenue, right outside the city limits, to Albemarle Road. The right of way acquisition has been authorized and is scheduled for letting in April, 1974.

The other projects for 1975-76-77 have been slowed up because of the workload of the planning department of the State trying to get environmental impact statements out of the way.

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Mr. Hoose stated the up-date on the Thoroughfare Plan has been going on about three and half years, and includes Transit. A map has been prepared which shows the corridors of all the streets, highways and roadways that will be in the thoroughfare plan. This map is being prepared by the Charlotte-Mecklenburg Planning Commission and the City and is ready for public input. The Planning Commission will set up meetings and show various groups the proposal to obtain public input into the study. After this the draft of the final report will be completed for distribution and approval by the end of 1974.

On the corridor study of Independence Boulevard, from 7th Street east to 601, on February 27 and 28, 1974, Mr. Bill Caddell, Planning and Research Engineer with the Department of Transportation and Highway Safety and his staff will be in Charlotte to meet with Mr. Perrin Anderson, member of the Board of Transportation, Department of Transportation and Highway Safety, Mr. Bill McIntyre and his staff, Mr. Bob Hopson, the Engineering staff and himself, to see what input they can make on the study for this corridor. They hope to get this underway as soon as possible.

Mr. Hoose stated next are the bond projects, and they are street projects only. He stated this covers the following 12 projects:

1. Sharon Amity Road - the planning report is complete and preliminary engineering is in progress, project photographs are to be taken on this project next week, and plans are to be completed in May, 1974.
2. Randolph Road - planning report is virtually complete pending an alternative pavement width study; the field survey is in progress and construction plans are being prepared by the consulting firm of Consoer, Townsend and Associates.
3. Remount Road - the planning report is complete and the field survey is in progress; Wilbur Smith and Associates are presently doing the engineering and preparing construction plans.
4. Oaklawn Avenue - plans have been completed and right of way acquisition is in progress. There is a possibility of performing construction in two phases; and the project will be accelerated. Construction is scheduled to begin November, 1974, and close coordination with the Urban Renewal Department is being maintained due to the construction of the Urban Renewal Project.
5. Tyvola Road Extension - construction plans are virtually completed; right of way acquisition is nearing completion with the signing of the final slope easements and the agreement with Southern Railway for the grade separation structure being reviewed and will be presented to Council; project photographs have been taken.
6. Tyvola Road Relocation - the planning report is complete; the engineering will be performed by Ralph Whitehead and Associates, and aerial photographs have been taken of the project.
7. Kings Drive Relocation - traffic circulation plans have been accepted by the Park and Recreation Commission; the project has already received concurrence from Central Piedmont Community College; Ralph Whitehead and Associates are performing the engineering on this project.
8. Poplar Street - the Hobbs Building demolition contract is being let and engineering will begin March, 1974; a right of way surveillance will remain on the project; aerial photographs have been taken.
9. Trade-Fourth Connector - the planning report is 50 percent complete; engineering is scheduled to begin March, 1974; aerial photographs have been taken.
10. Caldwell-Brevard Connector Bridge - the rough draft of the planning report and preliminary surveying are complete on this project; project photographs have been taken; engineering is scheduled to be completed March, 1974.

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11. Caldwell Street Bridge - two of the three bents have been constructed; the third bent is estimated to be completed in two to three weeks at which time the steel superstructure will be placed; the project is on schedule and is to be completed December, 1973.
12. Old Street Creek Road Bridge - actual construction of the bridge is underway. Some delay is due to the removal of one of the major overhead cables by Southern Bell. Construction of the project is to be completed June, 1974.

Next are some 21 intersection redesigns to help speed up traffic; these are included in the capital improvement project. These are mostly widening of the intersections to provide for turns, and in some cases include the signal systems, and set up better lane capacity through the intersection.

They are as follows:

1. Old Pineville Road and Woodlawn Road.
2. McAlway Road and Monroe Road.
3. Atando Avenue and Graham Street.
4. Old Pineville Road relocation, from South Boulevard to Starbrook Drive.
5. Beatties Ford Road and LaSalle Street.
6. Coliseum Drive and Waterman Avenue, relocation of Independence Boulevard.
7. Monroe Road and Sharon Amity Road.
8. Park Road at Poindexter Drive and Cambridge Road.
9. College Street and Morehead Street.
10. Hawthorne Lane and Seventh Street.
11. Caswell Road, Pecan Avenue and Seventh Street.
12. Carmine Street Extension.
13. Fairview Road and Park Road.
14. Park Road and Seneca Place.
15. Caswell Road and Randolph Road.
16. Hillside Drive and Park Road.
17. Marsh Road and Park Road.
18. Park Road and Princeton Avenue.
19. Kings Drive and Morehead Street.
20. Camden Road, South Tryon Street.
21. Graham Street and Tenth Street.

Mr. Hoose stated there are also some City-State projects and City projects by the Public Works Department.

He stated on January 28 they sent a letter to all the taxicab companies in Charlotte asking for the following information:

1. The number of cab franchises - company owned and privately owned.
2. Insurance information - company paid or privately paid.
3. The number of cabs rented.
4. The number of cabs sold to drivers.
5. The total number of cabs operated by the company.
6. A copy of the cab company's annual report.

He stated as of today they have received all of the information with the exception of two annual reports because of their audits; these reports will be furnished at a later date. All of the information obtained from the taxicab companies has been turned over to Mr. Fennell, Finance Director, to be analyzed in reference to the rate increase request.

Mr. Hoose stated next is information on transit, and where we stand as of today. Based on the surveys taken, information obtained from City Coach Lines, and various meetings in reference to the present transit system, the following information was obtained:

1. Attitudes of present riders. Dissatisfaction was found in (1) the frequency and dependability of the bus service; (2) the cost of the service; (3) the number of transfers required; (4) the travel time; (5) the lack of bus stop signs; (6) protection from the weather at bus stops; (7) crowdedness of the bus; and (8) unclean buses and impolite drivers.

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2. Efforts being carried out by the City: (1) The City has begun installing new type bus stop signs with route information on them; at present approximately 300 of the 1800 projected have been installed. (2) Route to route field surveys are being conducted to determine the stops and proper sign erections. (3) The City is considering incorporating in new street designs, transit lanes and turnouts as warranted and bus shelters for bus lanes along curb lanes in the Central Business District to improve headway and scheduling. (5) Parking restrictions will have to be studied if warranted along other routes.
3. Efforts being carried out by City Coach Lines: (1) Eliminated some mid-block and unwarranted stops during the field investigation with the City. (2) Furnished route supervision and supervision at the Square to better aid the patrons and to attempt and maintain a constant headway and exact scheduling in route. (3) City Coach has shown a willingness to work with the City in improving the present system to analyze each route on the basis of needs, coverage, length of routes, number of stops, travel time of routes, and other information. (4) City Coach has shown a willingness to work with the City to study the unwarranted transfers at the Square. This will take a complete study involving in-line and lateral transfers. (5) City Coach has attempted to clean their buses inside and out, prohibit smoking, and improve the appearance of the drivers and the courtesy of the drivers.

Mr. Hoose stated in reply to a question from Council recently on whether or not we are prepared in case of an emergency on transit, that the present system can handle any additional passengers it can get. That in November, 1972, versus November, 1973, there was a 4.5% decrease; in December, 1972, over December, 1973, a 9.1% decrease; in January, 1973, over January, 1974, they had a reduction of 3.10%. The total for the year was a decline of 4.05% bus riders, with a possible peak hour scheduling of 15-18 minutes or off-schedule from 30 to 35 minutes, and night and Sunday schedule 40-60 minutes.

Mr. Hoose stated this is a thumbnail review of the Transportation Coordinator's Office for a 30 day period.

Councilman Harris asked what type of route studies are being conducted? Mr. Hoose replied they are attempting to do a route by route study; that he is preparing some information with the Council Committee with a cost price to do this with the Bus Company; that the city will have to have a certain amount of input. That he has asked the Company to hold up some of their surveys so that we can have some input. Councilman Harris asked if he is analyzing the existing routes, and Mr. Hoose replied yes, and where there is a demand for additional service where it can be extended to the annexed areas. Councilman Harris asked how the demand is determined? Mr. Hoose replied there are three or four ways; they will have to explore certain ways that this can be done. Councilman Harris stated last fall the Bus Company, at the Red Carpet, made the comment that they were going to do this route study, and he understands they are not financially able to do this? Mr. Hoose replied they are doing some of it. As of Thursday, they had not hired their transportation man, and they are still looking.

Mr. Hoose stated together we are trying to get a good level of service. Councilman Harris asked if he needs any help as far as staff to do the kind of thing from the standpoint of route surveys? Mr. Hoose replied he has a presentation that he will make to the Transit Committee on this.

Councilman Alexander stated he has not heard whether or not any consideration has been given to crosstown routes, which would improve the problems of existing routes now. Mr. Hoose replied that will come with the study. Councilman Alexander stated he is trying to get crosstown route service to help the present passengers which is a part of the problem. Mr. Hoose replied when they get their information on their head count as to where they get on and where they get off, they will find out whether it is feasible to put a route through the Central Downtown District. He stated of the 29,000 passengers hauled by transit, 19,000 get off in a six block area downtown; there are only 10,000 going through, including the transfers. That 19,000 of the riders get off between Stonewall and Sixth Streets, and between Mint Street and Brevard Street.

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Councilman Harris stated it sounds as if we are trying to take care of people riding the bus now; that he thinks we should be going after the fact of who would ride the bus if the service is improved. Mr. Hoose replied they have that information and they are going to update it and bring it back to Council.

BIKEWAY STUDY PRESENTATION.

Mr. Robert Deaton, Assistant Traffic Engineer, presented a review of the findings and recommendations on the interviews and surveys conducted by the Traffic Engineering Department with various cyclist's groups.

He stated the initial purpose of the study was to look at the feasibility of having a bike route from Eastway Drive-North Tryon Street intersection to UNCC. The original route was discussed as being the Old Concord Road route which connects with North Tryon Street; it became apparent during the early stages, after attending a seminar at UNCC, that the initial purpose should be much broader in scope. Consequently, the purpose became one of looking at what existing facilities might be available to initially assign as a bike route, and then look at the overall city. Bikeways are classified in three types. (1) Utilitatin, which is basically a route with a distinct purpose from home to work, school or shopping. (2) Recreational, which is a route people ride to view the countryside for exercise and pleasure. (3) Touring, which is from city to city or from some distant destination to another distant destination.

The route most cities or communities have dealt with have been the recreational type route. Cyclists contend they look for the shortest route if they ride from home to work.

Mr. Deaton then reviewed the written report, copies of which Councilmembers had before them.

Following was a discussion, and Mayor Belk requested Mr. Deaton to write the State of Tennessee and the State of Oregon for copies of their plan. Councilman Alexander stated he does not see any plans for any bike routes on the west side of town; that there are many people living on that side of town right now who are bicycle riders. He requested that some consideration be given to this area regardless of what the people at Johnson C. Smith University indicate.

Speaking on the subject were a number of citizens, including Mr. Rocky Soderberg, Mr. John Galligan, Mrs. Fran Householder, Mr. Jim McLaughlin and Mr. Jim McDuffie.

Councilman Short stated apparently Mr. Deaton did not address a study to the possibility of an exclusive or an asphalt pathway along the Old Concord Road; the study was devoted to the same sort of facility that might have been along Highways 29 and 49 on the shoulder of the road. That he does not think there is any question in anyone's mind but the genesis of this whole idea was some sort of exclusive bike path along this way. He stated he is a little reluctant to get into any other possibility anywhere in the city including west and any other place unless we actually address the problem or proposal that was the original suggestion that brought all of this emphasis about and resulted in setting aside the \$135,000.

Councilman Short moved that this very excellent studying that is being done be continued to the extent of including some specifics to us about cost, the safety factors and other factors pertinent for an exclusive route or a sort of golf cart asphalt route along the Old Concord Road. The motion was seconded by Councilwoman Locke, and after discussion carried unanimously.

Councilman Short moved that the City Manager and staff advise Council on how to go about achieving the general plan. The motion was seconded by Councilman Harris, and carried unanimously.

Councilman Short moved that Council ask the City Manager and staff to comment on what will be or can be done toward incorporating facilities for bicycles into new construction of roads being paid for with city money. The motion was seconded by Councilwoman Locke, and carried unanimously.

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ORDINANCE AMENDING CHAPTER 8, SECTION 8-13 OF THE CITY CODE PROHIBITING SMOKING IN CERTAIN PLACES OF PUBLIC ASSEMBLY, DEFERRED TO ALLOW THE PARK & RECREATION COMMISSION AND AUDITORIUM-COLISEUM-CIVIC CENTER AUTHORITY TIME TO WORK THIS OUT.

The subject ordinance proposed by Councilwoman Locke was presented for Council's consideration.

Speaking for the adoption of the ordinance was Dr. James Landis and Mr. Jim McDuffie. Dr. Francis Robicsek was scheduled to speak but was called away due to an emergency.

Mr. Everett Suddreth, Chairman of the Auditorium-Coliseum-Civic Center Authority was present and on behalf of the Authority requested that Council not adopt the ordinance as they feel the enforcement is impractical and virtually impossible. He stated the Authority has received very few complaints concerning smoking in the Coliseum. He stated Mr. Buck, Director of the Auditorium-Coliseum-Civic Center, made a survey of buildings in this general vicinity, and there is no ban on smoking in the Greensboro Coliseum and none in Winston Salem. That Columbia, S. C. has a ban but it is because of the type of construction. That Richmond, Roanoke and Norfolk, Raleigh, Baltimore, Maryland, Greenville, S. C. and Atlanta all permit smoking.

Mr. Suddreth stated he would be very receptive to posting signs in the Coliseum and also making announcements over the P.A. system and request that the people not smoke. That there is a meeting of the Authority tomorrow and this subject is on the Agenda.

Councilman Harris stated he made a request of Mr. Buck that over the weekend these announcements be made over the P.A. system but the announcements were not made. That coming out of the Coliseum on Friday and Saturday nights, and especially Saturday night, by the time the event was over, it was filled with smoke. That perhaps on Friday the equipment was used longer or something to that effect. But he is concerned about the utilization of the equipment to reduce the problem.

Councilman Harris stated he does not really see the problem at the Civic Center; it is one thing to be sitting close to an individual such as at the Coliseum, and another to be milling around at a trade fair at the Civic Center. That he would like to exclude the Civic Center from the ordinance. Councilwoman Locke stated she would agree to exclude the Civic Center.

Mr. Chet Welchel, Vice Chairman of the Park & Recreation Commission, asked that they be allowed to work out their own problem in this area; that they operate a little differently from the Auditorium-Coliseum Authority; their Commission does not sponsor any events; they lease their facilities, and it is smaller and seats only about 3500 people. That if they put a restriction on their facilities, it will drive people to commercial facilities. He stated their building is small; it is air conditioned, and they have two large fans that clear the air in a very short time. Also they would be willing to use the same signs as the Coliseum.

Also speaking for the Park Center was Mr. Jordan, the Manager of the Center.

Councilman Whittington stated he thinks Council should do what has been asked by Mr. Welchel and Mr. Suddreth; give them the opportunity to correct the problem themselves. If Council passes the ordinance it is saying to the police to get the smoker out and fine him \$50. That he does not want to do this, until these two Authorities have had an opportunity to work it out; that he does not want to place a time limit on them either. That he is not going to vote for this ordinance.

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After further discussion, Councilman Withrow moved that the matter be deferred to allow the Coliseum Authority and Park & Recreation Commission time to alleviate the problem. The motion was seconded by Councilman Whittington, and carried by the following vote:

YEAS: Councilmembers Withrow, Whittington, Alexander and Short.
NAYS: Councilmembers Harris, Locke and Williams.

ORDINANCES AMENDING CITY CODE CONCERNING ANIMALS, ADOPTED.

Motion was made by Councilman Whittington, seconded by Councilman Harris, and carried unanimously adopting Ordinance No. 86 amending Chapter 11, Section 18, Classification No. (95) of the City Code by deleting the fee of "3.00", and substituting in lieu thereof the figures "4.00", to become effective July 1, 1974.

The ordinance is recorded in full in Ordinance Book 20, at Page 431.

Councilman Short moved adoption of Ordinance No. 87 amending Chapter 3, "Animals", of the Code of the City of Charlotte changing the type of rabies vaccine being administered to dogs. The motion was seconded by Councilman Whittington, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 20, at Page 432.

SANDY R. JORDAN APPOINTED TO THE AUDITORIUM-COLISEUM-CIVIC CENTER AUTHORITY FOR A FIVE YEAR TERM.

Councilman Withrow moved appointment of Mr. Sandy R. Jordan to the Auditorium-Coliseum-Civic Center Authority for a five year term. The motion was seconded by Councilman Whittington, and carried by the following vote:

YEAS: Councilmembers Withrow, Whittington, Alexander, Locke and Short.
NAYS: Councilmen Harris and Williams.

FUNDS FOR FESTIVAL IN THE PARK TO BE INCLUDED IN CAPITAL IMPROVEMENT BUDGET AND FUNDS FOR ANNUAL OPERATING EXPENSES, AUTHORIZED.

Councilman Whittington moved approval of the request of Mr. Grant Whitney, Chairman of the Festival in the Park Program, to include \$16,657.40 in the Capital Improvement Budget for the 1974 Festival, and the \$7,500.00 required annually for operating expenses. The motion was seconded by Councilman Short, and carried unanimously.

ORDINANCE NO. 88-X TO TRANSFER FUNDS FROM THE UNAPPROPRIATED BALANCE OF THE GENERAL REVENUE SHARING TRUST FUND TO PROVIDE AN APPROPRIATION TO FINANCE THE CITY'S FY 74 OBLIGATION ON THE POLICE PARKING STRUCTURE.

Motion was made by Councilman Alexander, and seconded by Councilman Whittington, to adopt the subject ordinance transferring \$739,600 to pay architectural fees, land acquisition costs, improvements by city contract and contingencies.

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

The ordinance is recorded in full in Ordinance Book 20, at Page 433.

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RESOLUTION DECLARING AN INTENT TO CLOSE A PORTION OF EAST TRADE STREET IN THE CITY OF CHARLOTTE, AND CALLING FOR A PUBLIC HEARING ON THE QUESTION ON MONDAY, MARCH 11.

Upon motion of Councilman Alexander, seconded by Councilman Withrow, and unanimously carried, the subject resolution was adopted and is recorded in full in Resolutions Book 9, beginning at Page 398.

RESOLUTION AUTHORIZING THE DIRECTOR OF URBAN REDEVELOPMENT DEPARTMENT OF THE CITY OF CHARLOTTE TO EXECUTE RENTAL LEASES.

Councilwoman Locke moved adoption of a Resolution of the City Council of the City of Charlotte authorizing the Director, Urban Redevelopment Department of the City of Charlotte, to execute rental leases for terms of one year or less of City property within urban renewal project areas. The motion was seconded by Councilman Whittington, and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Page 400.

SUBGRANT AWARD CONTRACT BETWEEN THE CITY AND NORTH CAROLINA DEPARTMENT OF NATURAL AND ECONOMIC RESOURCES, DIVISION OF LAW AND ORDER TO FUND OPERATION OF LEAA SPONSORED STUDENT INTERNSHIP PROJECT, AUTHORIZED AND ORDINANCE NO. 89-X AMENDING ORDINANCE NO. 828-X, THE 1973-74 BUDGET ORDINANCE INCREASING REVENUES AND EXPENDITURES FOR THE OPERATION OF THE LEAA FUNDED STUDENT INTERNSHIP PROGRAM, ADOPTED.

Councilman Harris moved approval of the subject subgrant award contract, and the adoption of the ordinance increasing revenues and expenditures in the amount of \$8,611 for the operation of the LEAA funded Student Internship Program for the Police Crime Lab. The motion was seconded by Councilwoman Locke, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 20, at Page 434.

ORDINANCE NO. 90-X INCREASING REVENUE AND EXPENDITURES IN THE AIRPORT CAPITAL IMPROVEMENT FUND TO PROVIDE AN APPROPRIATION FOR THE FEDERALLY SPONSORED PORTION OF IMPROVEMENTS TO BYRUM DRIVE IN CONNECTION WITH THE AIRPORT MASTER PLAN.

Councilman Harris moved adoption of the subject ordinance increasing revenues and expenditures in the amount of \$337,500 in the Airport Capital Improvement Fund to provide an appropriation for the federally sponsored portion of improvements to Byrum Drive in connection with the Airport Master Plan. The motion was seconded by Councilman Whittington, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 20, at Page 435.

CHANGE IN CITY'S GROUP INSURANCE PLAN TO ALLOW RETIRING EMPLOYEES OR EMPLOYEES OVER AGE 65 TO CONTINUE UNDER CITY'S PRESENT POLICY, DELAYED FOR REPORT, AND CITY ATTORNEY AUTHORIZED TO PREPARE LEGISLATION TO DELETE CLAUSE FROM CITY CHARTER TO ALLOW MODIFICATION OF INSURANCE BENEFIT STRUCTURE FROM TIME TO TIME.

The following changes in the City's Group Insurance Plan were presented:

- (a) Allow retiring employees, or employees over age 65, to continue under the City's present policy at the rate of 20% or \$1,000, whichever is higher of insurance in force at the time of retirement or on reaching the age of 65.
- (b) Amend the City Charter to delete from Chapter 4, Sub-Chapter C. Section 4.42 the clause, "provided that premiums for dependent coverage shall be paid by the employee". The deletion of this clause from the Charter will allow modification of the insurance benefit structure from time to time without the necessity of changing employee contributions for dependent coverage.

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Councilman Whittington moved approval of (a) and (b). The motion was seconded by Councilwoman Locke.

Councilman Harris stated he has talked with Mr. Earle, Personnel Director, about this matter; and the concern he has is the imming liability we would have down the road and be giving to future Councilmembers. There is an alternative type of answer to this which is a generic term "Option 65" and is being used by various public employees.

Councilman Harris made a substitute motion to delay action on this and ask for a report on this program before voting on this particular increase at this time. The motion was seconded by Councilman Whittington.

Council was advised that Item (b) would require Legislative Action. The two items were separated and action taken on Item (a) and Item (b).

The vote was taken on the motion to delay Item (a) and carried unanimously.

The vote was taken on the motion to approve Item (b) and carried unanimously.

COUNCILMAN SHORT LEAVES MEETING.

Councilman Short left the meeting at this time, and was absent for the remainder of the Session.

RESOLUTION AMENDING THE PAY PLAN TO INCLUDE CLASS FOR ARBORIST, AND ORDINANCE NO. 91-X AMENDING THE 1973-74 BUDGET ORDINANCE AMENDING THE TABLE OF ORGANIZATION FOR THE PUBLIC WORKS LANDSCAPING DIVISION TO ADD AN ARBORIST POSITION.

Motion was made by Councilman Harris, and seconded by Councilwoman Locke, to adopt the following resolution and ordinance to create position of Arborist:

- (a) Resolution amending the Pay Plan of the City of Charlotte to include Class No. 317, Arborist, assigned to Pay Range 23, Steps A-F.
- (b) Ordinance No. 91-X amending the 1973-74 Budget Ordinance amending the Table of organization for the Public Works Landscaping Division to add an Arborist Position.

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

YEAS: Councilmembers Harris, Locke, Short, Whittington, Williams and Withrow.
NAYS: Councilman Alexander.

The resolution is recorded in full in Resolutions Book 9, at Page 401.

The ordinance is recorded in full in Ordinance Book 20, at Page 436.

SELECTION OF ARCHITECT FOR TRAFFIC ENGINEERING-TRAFFIC CONTROL SHOP, DEFERRED.

Motion was made by Councilman Withrow, and seconded by Councilwoman Locke approving C. L. Helt & Associates for the design and construction supervision of the Traffic Engineering-Traffic Control Shop at a fee of 7.1% of an estimated \$96,900.00.

During the discussion, Councilman Whittington asked why Ralph Mesrobian was not considered for this design work, as he had designed the building next to it. The reply was that Mr. Mesrobian is not on the approved list of engineers and architects, and he had not requested that he be included on this list; he has not expressed any interest in this.

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Mayor Belk stated the only objections he has is an architect getting that high percentage. Mr. Hopson, Public Works Director, replied it is a standard fee. Mayor Belk stated he does not like the standards. Councilman Alexander asked if you have to pay by scale as set up by A.I.A., and the reply was you do.

Councilman Harris asked if we can come up with a fee that will be paid on something like this and put it out for bid? Mr. Hopson replied they say it is unethical to bid on jobs.

Councilman Whittington stated this city built eight fire stations with the same architect and moved the plans from one building to the other. The minute we changed and went to other architects, the price went up tremendously; that he is not saying the other architects are not competent, but this is the reason he asks that Mr. Mesrobian be contacted to figure on this one as he designed the building next to it.

Councilman Whittington made a substitute motion to delay this until staff brings back to Council why Mr. Mesrobian was not considered for this. The motion was seconded by Councilman Harris, and carried as follows:

YEAS: Councilmembers Whittington, Harris, Alexander, Locke and Withrow.
NAYS: Councilman Williams.

ORDINANCE NO. 92-X ORDERING THE DWELLING AT 113 WEST LIDDELL STREET TO BE VACATED AND CLOSED.

Mayor Belk asked if anyone is present to speak for or against the order on the dwelling at 113 West Liddell Street.

No one appeared to speak.

Councilwoman Locke moved adoption of the ordinance ordering the dwelling at 113 West Liddell Street to be vacated and closed. The motion was seconded by Councilman Whittington, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 20, at Page 437.

NO ACTION TAKEN ON ORDINANCE ORDERING THE DWELLING AT 712 MATHESON AVENUE TO BE VACATED AND CLOSED.

The ordinance ordering the dwelling at 712 Matheson Avenue to be vacated and closed was presented for Council's consideration.

Mr. David Underwood, Attorney, stated he represents Mr. & Mrs. W. A. Wilson, and he asks that the matter be deferred to give them an opportunity to establish who the owners of the property are, as there is some difference of opinion. These people have lived there since 1957 and they owe about \$800. Now there is some question of a foreclosure.

Mr. Jamison, Superintendent of Building Inspection, stated they have been working with the owner of record, H. F. Lucke, since last July. The building is dangerous and should not be occupied.

During the discussion, Mr. Underwood advised that Mr. Wilson has been ill and there is very little income for this family.

Councilman Whittington asked that Council take no action and wait two weeks and ask Mr. Underwood, the Attorney, to place this information with the Social Services to see if they can find these people a place to stay and then in two weeks Council will know if they have a place. Mr. Underwood stated this will give him an opportunity to find a place for them and then he will not worry about the rest.

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Councilman Whittington moved that Council take no action and Mr. Underwood try to find a place for Mr. & Mrs. Wilson to live, and Council go out and look at the property, and this item be placed on the agenda in two weeks. The motion was seconded by Councilman Harris, and carried unanimously.

FLOODWAY MAPS ALONG MCMULLEN CREEK IN ANNEXED AREAS ADOPTED.

Councilman Harris moved the adoption of the floodway maps along McMullen Creek for the areas recently annexed. The motion was seconded by Councilman Whittington, and carried unanimously.

RESOLUTIONS ESTABLISHING MARCH 4 AS HEARING DATE FOR ADOPTION OF ZONING ORDINANCES FOR AREAS RECENTLY ANNEXED TO THE CITY.

Upon motion of Councilman Alexander, seconded by Councilman Withrow, and unanimously carried, the following resolutions were adopted:

- (1) Resolution Setting Public Hearing on Monday, March 4 to consider an amendment to the Text of the Zoning Ordinance to permit certain recreational uses in residential districts as conditional uses.
- (2) Resolution Setting Public Hearing on Monday, March 4 to consider an ordinance to establish zoning in those areas annexed by the City on January 25, 1974.

The resolutions are recorded in full in Resolutions Book 9, beginning at Page 402.

RESOLUTION PROVIDING FOR A PUBLIC HEARING ON MONDAY, MARCH 4 TO CONSIDER THE ADOPTION OF A SUBDIVISION ORDINANCE FOR AREAS ANNEXED BY THE CITY OF CHARLOTTE.

Councilman Whittington moved adoption of the resolution providing for hearing on Monday, March 4, to consider the adoption of a subdivision ordinance for areas annexed by the City. The motion was seconded by Councilman Withrow and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Page 404.

SETTLEMENT IN SUIT OF C. FRED BROWN AND WIFE, APPROVED.

Councilman Whittington moved approval of a proposed settlement in the suit of C. Fred Brown and wife, Beatrice L. Brown, in the amount of \$3,000, and the acceptance of an avigation easement from Mr. & Mrs. Brown on their remaining 40 acres for a payment of \$9,000, and the granting to Mr. & Mrs. Brown of a 60-foot right of way across the city's property to gain property access to their remaining 40 acres. The motion was seconded by Councilman Withrow, and carried unanimously.

CONTRACTS FOR THE CONSTRUCTION OF SANITARY SEWER MAINS AND RELOCATION OF CERTAIN WATER MAINS.

Upon motion of Councilman Whittington, seconded by Councilwoman Locke, and unanimously carried, the following contracts were approved:

- (a) Contract with J. W. Coggins, Jr. for the construction of 120 linear feet of 8-inch sanitary sewer main in Delshire Lane to serve Lot 10, outside the city limits, at an estimated cost of \$1,400.00. The applicant has deposited 100% of the estimated cost and refund will be as per the agreement.

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- (b) Contract with Arrowood Southern Company, a subsidiary of the Southern Railway System, for the relocation of 1628 feet of 10" C.I. water main and two fire hydrants located within the Arrowood Southern Industrial Complex, outside the city, at an estimated cost of \$29,300. The applicant agrees to finance the project to the extent of \$29,300.00, and there will be no reimbursement to the applicant for this work.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY FOR BEAL STREET PARK, DEFERRED.

Councilman Alexander stated before leaving, Councilman Short asked that the subject resolution be delayed, and he moved that it be deferred. The motion was seconded by Councilman Whittington, and carried unanimously.

PROPERTY TRANSACTIONS APPROVED.

Motion was made by Councilman Harris, seconded by Councilman Whittington, and unanimously carried, approving the following property transactions:

- (a) Acquisition of 15' x 83.04' of easement at 7601 Fayle Avenue, from Clinton C. Davis and wife, at \$250.00 for sanitary sewer to serve Annexation Area I(4), Monroe Road.
- (b) Acquisition of 30' x 89.80' of easement at 3306 Cedarhurst Drive, from William C. Hutto and wife, at \$90.00, for Derita Woods Area sanitary sewer trunks.
- (c) Acquisition of 15' x 145.81' of easement at 6510-12-14 Grove Park Boulevard, from Robert M. Oliver and wife, at \$400.00, for Hickory Grove Area sanitary sewer trunks.

CONTRACT AWARDED BEN B. PROPST FOR CONSTRUCTION OF SANITARY SEWER TO SERVE WILKINSON BOULEVARD MOBILE HOMES.

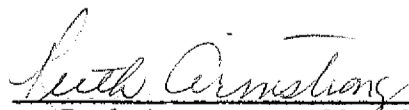
Upon motion of Councilman Withrow, seconded by Councilman Harris, and unanimously carried, contract was awarded the low bidder, Ben B. Propst, in the amount of \$93,179.00, on a unit price basis for construction of sanitary sewer to serve Wilkinson Boulevard Mobile Homes.

The following bids were received:

Ben B. Propst	\$ 93,179.00
Gas Lines, Inc.	93,324.00
Swifco, Inc.	93,359.20
R. H. Wiggins	110,419.00
Crowder Construction	119,943.00
Thomas Structure	120,107.00
R & G Construction	140,157.50

ADJOURNMENT.

Upon motion of Councilman Alexander, seconded by Councilman Williams, and unanimously carried, the meeting was adjourned.


Ruth Armstrong, City Clerk