

January 14, 1974
Minute Book 59 - Page 456

The City Council of the City of Charlotte, North Carolina, met on Monday, January 14, 1974, in the Council Chamber, City Hall, 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.

* * * * *

INVOCATION.

The invocation was given by Councilman Kenneth R. Harris.

MINUTES APPROVED AS AMENDED.

Upon motion of Councilman Whittington, seconded by Councilman Alexander, and unanimously carried, the minutes for the last meeting, on January 7, 1974, were approved as submitted, with the following addition of a resolution passed by Council in its informal session:

Councilman Short asked that the record include that at its informal meeting on January 7, 1974, Council passed a resolution requesting the Congress not to increase the gasoline tax.

CONTRACTS WITH CHARLOTTE HOUSING AUTHORITY TO EXPEND REVENUE SHARING FUNDS, AUTHORIZED.

Mr. Tom Ray of the Charlotte Housing Authority was present with other members of the Authority and made a presentation to Council on the use of Revenue Sharing Funds in the amount of \$574,000 which have been appropriated, and allocated as follows:

Piedmont Courts	\$254,000
Earle Village	100,000
Fairview Homes	100,000
Planning and site acquisition	120,000

He stated very little formal planning has been made at this point, but they plan to get into that under their new Director, Mr. Wheeler, and at least \$60,000 will be used in the planning. That no specific proposals have been made with regard to the site acquisition; that this was Mr. Hall's proposal.

He stated no monies have been allocated for Southside Homes, Belvedere Homes or any other project.

He stated with the allocation of this \$574,000, the County Commission has come through with some \$48,000 for human rehabilitation programs to be used at the Piedmont Courts; that \$48,000 is broken down in terms of \$34,000 for upward mobility program, and \$14,000 to be spent for drug education program. The upward mobility program is being handled by a non-profit corporation called Mecklenburg Inner City Committee and is run and funded primarily by Myers Park Baptist Church, Myers Park Presbyterian Church and Christ Episcopal Church. The Drug Education Program is being headed by Dr. Johnnie McLeod and Deke Kirpatrick.

He stated another thing the City's money has initiated is that a Methodist Church has come up with a two year lease and has indicated a longer period of time of a four acre tract of land and church building contiguous to Belvedere Homes. There is not a community center in that area primarily because it was one of the early projects. Mr. Ray stated the Methodist Church has also come through with \$75,000 cash money and a tract of land comprised of three lots if

January 14, 1974
Minute Book 59 - Page 457

the Housing Authority will come up with another \$50,000 to develop a child care center. He stated there is not a child care center in that area. There are child care centers in Fairview Homes and Piedmont Courts; there is not a child care center at Earle Village.

He stated the Methodist Church has given the Authority a tract of land carte blanche, at the Belvedere Homes, and another gift for the Southside Homes is contingent upon the Authority locating the \$50,000.00.

Mr. Ray stated they have attempted to do two things - combine physical rehabilitation with human rehabilitation in order that public housing not become a nesting place for any young group of people, but to become a resting place to give them the training and equipment to move into the life style that we are accustomed to; basically upward mobility in one form or another.

Mr. Pete Peterson, member of the Housing Authority, then presented the plans for Piedmont Courts Project. Mr. Bob Bryant, member of the Housing Authority, made a presentation on the plans for Earle Village, and Mr. Paul Braswell presented the plans for Fairview Homes.

After the lengthy presentations, Councilman Short moved approval of the following contracts with the Housing Authority to make the improvements as outlined. The motion was seconded by Councilwoman Locke:

- (1) Contract in the amount of \$254,000 for Piedmont Courts to be used to provide centralized garbage collection, construction of a service road, outdoor lighting, bus shelters, underground wiring and a central laundry facility.
- (2) Contract in the amount of \$100,000 for Earle Village Improvements to initiate environmental improvements to Earle Village resulting from the public housing improvement planning process.
- (3) Contract in the amount of \$100,000 for Fairview Homes to be used to initiate environmental improvements to Fairview Homes.
- (4) Contract in the amount of \$120,000 for public housing improvement planning and land acquisition, with \$60,000 to be used for planning the environmental improvement to a number of Housing Authority projects, and the other \$60,000 to ratify the appropriation made by Council on December 17, 1973 for land acquisition purposes.

The vote was taken on the motion and carried unanimously.

During the discussion, Councilman Short asked if there was anything involved that would have a tendency to increase the rent? Mr. Ray replied there would be nothing involved that would increase the rent. Councilman Short asked if there will be increased operational expenses and maintenance expenses? Mr. Ray replied there will be some, but not allocated to the people. He stated they are happy to have the \$574,000, but they could use more money that would go along the same lines. He stated a day care center is badly needed at Earle Village, and it would cost about \$125,000; that several churches in the area are running one but he understands they are about to terminate this service. In addition, they are sitting on "go" as far as Southside Homes is concerned, as they have a tract of land and \$75,000 ready, but they need another \$50,000. To do the job in the future would take another \$100,000. To deal with the garbage problem, and the refuse collection problem in Fairview Homes would be from \$50,000 to \$100,000. If there are priorities, he would consider Southside as the money is available on a contingent basis. That in Earle Village he would consider a day care center as having the priority.

Mr. Ray stated none of this will get off the ground without the approval of their new executive director who will be on the job on or before February 1.

January 14, 1974
Minute Book 59 - Page 458

Councilman Whittington gave Mr. Ray an article from the Christian Science Monitor about what they are doing in Wilmington, Delaware, and asked him to go over it and to bring it back to him.

Mayor Belk thanked Mr. Ray, Mr. Peterson, Mr. Bryant and other members of the Housing Authority for this presentation and for the outstanding job they are doing, and also on their selection of the new Executive Director.

PETITION NO. 73-46 BY E. C. GRIFFITH COMPANY FOR A CHANGE IN ZONING FROM R-12 TO R-6MFH OF PROPERTY AT THE SOUTHEAST CORNER OF EAST BOULEVARD AND MARYLAND AVENUE, EXTENDING TO QUEENS ROAD WEST, DENIED.

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

RESOLUTION APPROVING MODIFICATION OF THE REDEVELOPMENT PLAN, GREENVILLE URBAN RENEWAL AREA, PROJECT NO. N. C. R-78, TO PROHIBIT ADVERTISING SIGNS IN THE PROJECT AREA, DEFERRED.

Councilman Alexander moved that decision on the subject resolution be deferred. The motion was seconded by Councilman Whittington, and carried unanimously.

Councilman Short requested that while this is being deferred, that Mr. McIntyre, Planning Director, give Council information about billboards and signs, in general, along the Northwest Expressway, from Independence Boulevard to I-85. How many signs can be placed - will we have a lot or a few.

PROPERTY TRANSACTION AUTHORIZED.

Motion was made by Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, authorizing the purchase of property located in the Greenville Urban Renewal Project Area by the Urban Redevelopment Department from Brandon Presbyterian Church, U.S.A., in the amount of \$65,000.00.

OPEN NON-EXCLUSIVE CONTRACTS FOR REAL ESTATE BROKER'S SERVICES IN CONNECTION WITH THE DISPOSITION OF PROJECT LAND, APPROVED.

Councilman Alexander moved approval of Open Non-Exclusive Contracts for Real Estate Broker's Services in connection with the disposition of project land with the following brokers, which motion was seconded by Councilman Whittington, and carried unanimously:

- (a) Gibson Smith Realty Company
- (b) Motley Realty and Insurance Company.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE DESIGNATING THE MECKLENBURG COUNTY TAX SUPERVISOR AS THE PERSON AUTHORIZED TO RECEIVE REQUESTS FOR EXEMPTIONS FROM CITY AD VALOREM TAXES.

Upon motion of Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, the subject resolution was adopted designating the Mecklenburg County Tax Supervisor as the person authorized to receive requests for exemptions from City Ad Valorem Taxes.

The resolution is recorded in full in Resolutions Book 9, at Page 374.

January 14, 1974
Minute Book 59 - Page 459

CONSIDERATION OF AGENDA ITEM NO. 9 AND AGENDA ITEM NO. 10 REVERSED.

Councilman Harris called for a point of order stating that Items 9 and 10 are reversed according to the Minutes he received.

Councilman Alexander moved that the items be reversed for consideration. The motion was seconded by Councilman Whittington, and carried unanimously.

MAYOR AUTHORIZED TO APPOINT THREE MEMBERS OF COUNCIL TO TRANSIT STUDY COMMITTEE.

Councilman Williams moved adoption of a motion to instruct the City Manager and his staff to present Council with a Comprehensive Plan to do the following two things:

- (1) For the City to acquire and operate our bus system;
- (2) The possible creation of a Transit Authority to operate the bus system in Charlotte and Mecklenburg County.

The motion was seconded by Councilwoman Locke.

Councilman Short stated the Mayor and all the Councilmembers have stated their views repeatedly on the subject of the city acquiring the bus line, and it is obvious there are several different views. The City Manager has told him at some length of the rather intense indepth investigation he and his staff are giving the subject, and the City Manager proposed to give Council his findings and his opinion on February 4. Councilman Short stated he has some doubts as to whether Council should interfere with the Manager's freedom to investigate during the insuing three weeks by having the Councilmembers tell him in effect what the outcome of his investigation should be. For this reason he will offer a substitute motion.

Councilman Short made a substitute motion that the Mayor designate three members of Council to work with the City Manager in studying transit and that this group study all possibilities. The motion was seconded by Councilman Alexander.

Councilman Withrow stated he would like to amend the motion to add that the city employ a top-notch professional planner immediately. Councilman Short stated he would accept the amendment, but after discussion, Councilman Withrow withdrew the amendment.

Councilman Williams stated he is afraid that to get into one of these studies will postpone Council's action for an indefinite period of time. For that reason he will vote against the substitute motion. In his original motion, it is contemplated that the Manager's hands not be tied, but to ask him to present Council with at least two plans. That he views these plans as one introduced in the legislature. Once the bill is before Council, it can be adopted, rejected, modified or amended in any way. This is the way that he sees Council can start the ball rolling. He stated the motion also includes a provision requesting the Manager to look to the organization and management required under any plan he would submit, including the recruitment of an expert in the field of urban transportation.

Councilman Williams stated recently the Planning Commission received a grant from the State Department of Public Transportation in the amount of something over \$38,000 for the purpose of planning transportation facilities, including roads, airports and mass transportation. That he would suggest that some of that \$38,000 could be used to hire a consultant, and the consultant could help the city's professional staff in drawing up a proposal. He stated today, and a long time before, Council has heard about the problems created due to inadequate public transportation system; it is not just a matter of increased fares and cost of living, it is where we are putting our resources in building roads, streets and parking garages. This problem is more far reaching than just buying a bus system; this is a start; a step he considers to be in the right direction for all these reasons. That for these reasons he will vote for the original motion and not the substitute motion, not trying to tie the staff's hands, but to give something definite to work with, within a reasonable amount of time.

January 14, 1974
Minute Book 59 - Page 460

Councilman Harris stated he will oppose the substitute motion for the same reasons stated by Mr. Williams. That he thinks one of the areas Staff will be reporting on at the meeting on February 4 will be public ownership and a transit authority. If they are not reporting on that, he thinks they are leaving out a large segment of the report. That Council has to decide whether it will run this public transportation as a business or as a service for the people. That he wants to be open to every idea, every conceivable approach. But if Council continues to make the committee approach, he thinks it will slow down Staff by putting our thoughts into their planning. That Council's thoughts should come about when the plan is presented.

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

YEAS: Councilmen Short, Alexander, Whittington and Withrow.

NAYS: Councilmembers Harris, Locke and Williams.

EMPLOYMENT OF TOP-NOTCH PROFESSIONAL TRANSPORTATION PLANNER AUTHORIZED IMMEDIATELY.

Councilman Withrow moved that Council immediately employ a top-notch professional transportation planner. The motion was seconded by Councilman Harris, and carried unanimously.

APPOINTMENT OF THREE MEMBERS OF COUNCIL TO TRANSIT STUDY COMMITTEE.

Mayor Belk appointed Mayor pro tem Whittington, and Councilmembers Short and Williams to the Transit Study Committee.

Councilman Williams asked if there are any time restrictions? Mayor Belk replied he does not see any time restrictions; that he does not see any deadline as we will always have transportation problems with us. Councilman Williams stated the County Commissioners are also interested in this problem; that he has been approached by various Commission members requesting that maybe the Commission have some input into this. That transportation goes beyond the boundary of the City Limits, and he thinks they should be included. That he is suggesting that the Committee be enlarged to four, and invite one member of the County Commission to participate. Mayor Belk replied we have our own problems, and the County Commissioners do not have these; that he is sure the County Commissioners are on standby to help Council in any way. But he thinks Council has a problem of getting together before going to another governmental body. That he would suggest that Council get together before going out to someone else.

Councilman Withrow stated he has talked to Chairman Harris about the motion he has made, and he very definitely concurred that this was the first step the City should take, and then if the County Commissioners wanted to be involved it would come later.

Councilman Harris stated he would like for the report to Council to include the legal structure, capital costs, operating costs, the availability of funds, and other cities' approaches to the same problem, and the integration of our system with expected things of the future.

Mr. Burkhalter, City Manager, stated he would like to proceed in a general way of getting all of the things that are available to Council, and see what can be done with it. That he is looking for Council or this committee to give some directions as to what the objective is in the bus system.

Councilman Alexander stated he sees nothing wrong with the Administration coming back to Council on February 4 with a report they are now working on. That he does not agree if the city bought the bus company tomorrow it would improve the bus system. If the City bought the company tomorrow, the service capacity of the bus company would not improve; the city would not run it in a more improved service capacity than it is being run now. That he is more concerned with finding out the directions in which we are going. That he is back to the statement that was made at the National League Meeting that federal funds will be allocated to cities who come up first in an innovative plan that

January 14, 1974
Minute Book 59 - Page 461

will attempt to relieve the service capacity of transportation in their immediate areas. That he thinks we are on the road to that now, and what we have done today comes closer to moving towards that direction, plus the employment of a professional to put all these things together.

Councilman Withrow stated he would like for this committee to look into subsidizing fares for the elderly. Councilman Alexander suggested that Council not give them any instructions at the moment and let them meet with the Staff and come back to Council.

Mr. L. F. Snyder suggested that before Council decides to buy the bus system, it should study it, and perhaps the city could subsidize the company for a short period of time only.

CITY ATTORNEY INSTRUCTED TO PREPARE RESOLUTION TO BE SENT TO CHAIRMAN OF UTILITY COMMISSION EXPRESSING COUNCIL'S OPPOSITION TO FARE INCREASE.

Councilwoman Locke moved that the City Attorney be instructed to prepare and forward a resolution the Chairman of the Utilities Commission expressing the Council's opposition to any increase in fares by the Queen City bus lines. The motion was seconded by Councilman Short, and carried unanimously.

RESOLUTION ADOPTING ROBERT'S RULES OF ORDER NEWLY REVISED EDITION, AS RULES OF PARLIMENTARY PROCEDURE FOR THE CONDUCT OF COUNCIL MEETINGS.

Motion was made by Councilwoman Locke, seconded by Councilman Whittington, and unanimously carried, adopting the resolution relative to adopting Robert's Rules of Order, Newly Revised Edition, as Rules of Parlimentary Procedure for the Conduct of Council Meetings.

The resolution is recorded in full in Resolutions Book 9, at Page 375.

CONTRACT WITH HEZEKIAH ALEXANDER HOME FOUNDATION TO PROVIDE PARTIAL FUNDING FOR CONSTRUCTION OF RECEPTION CENTER, DEFERRED.

Councilman Whittington moved approval of the subject contract. The motion was seconded by Councilman Alexander.

Councilman Harris made a substitute motion that decision be deferred and someone be present to explain this project to Council. The motion was seconded by Councilman Withrow, and carried unanimously.

SUBGRANT AWARD CONTRACT BETWEEN THE NORTH CAROLINA DEPARTMENT OF NATURAL AND ECONOMIC RESOURCES DIVISION OF LAW AND ORDER AND THE CITY OF CHARLOTTE, APPROVED.

Upon motion of Councilman Alexander, seconded by Councilwoman Locke, and unanimously carried, the subject subgrant award contract was approved between the North Carolina Department of Natural and Economic Resources Division of Law and Order and the City of Charlotte to sustain the operation of the LEAA-funded Community Crisis Center.

ORDINANCE NO. 67-X AMENDING ORDINANCE NO. 828-X, THE 1973-74 BUDGET ORDINANCE, AMENDING REVENUES AND APPROPRIATIONS FOR THE OPERATION OF THE LEAA-FUNDED COMMUNITY CRISIS CENTER PROJECT.

Motion was made by Councilman Whittington, seconded by Councilman Short, and unanimously carried, adopting the subject ordinance amending Revenues and Appropriations for the operation of the LEAA-funded Community Crisis Center Project, in the amount of \$57,786.00.

The ordinance is recorded in full in Ordinance Book 20, at Page 411.

January 14, 1974
Minute Book 59 - Page 462

CONTRACT FOR PROFESSIONAL AND TECHNICAL SERVICES BETWEEN THE CITY OF CHARLOTTE AND OPEN HOUSE, INC. FOR THE OPERATION OF THE COMMUNITY CRISIS CENTER, APPROVED.

Councilman Whittington moved approval of the subject contract between the City of Charlotte and Open House, Inc. for the operation of the Community Crisis Center, which motion was seconded by Councilman Short, and carried unanimously.

CONTRACT WITH PITOMETER ASSOCIATES, INC. FOR WASTEWATER SURVEY, APPROVED.

Upon motion of Councilman Alexander, seconded by Councilwoman Locke, and unanimously carried, subject contract was approved with Pitometer Associates, Inc., for Wastewater Survey, in the northwestern section of the city by the Utility Department, in the amount of \$6,800.00.

CONTRACT BETWEEN THE CITY OF CHARLOTTE AND THE NORTH CAROLINA DEPARTMENT OF NATURAL AND ECONOMIC RESOURCES TO SUSTAIN THE OPERATION OF THE LEAA-FUNDED HOME OF ASSURANCE PROJECT, APPROVED.

Motion was made by Councilman Harris, seconded by Councilwoman Locke, and unanimously carried, approving the subject contract with the North Carolina Department of Natural and Economic Resources, in the amount of \$36,000.00, to sustain the operation of the LEAA-funded Home of Assurance Project.

Councilman Withrow requested that the person in charge of this facility be instructed to adhere to good public relations with the people of this neighborhood.

CONTRACT BETWEEN THE CITY OF CHARLOTTE AND UNITED CHRISTIAN PRISON MINISTRIES FOR THE OPERATION OF THE HOME OF ASSURANCE PROJECT, APPROVED.

Councilwoman Locke moved approval of the subject contract with the United Christian Prison Ministries for the operation of the Home of Assurance Project, in an amount not to exceed \$36,000.00, which motion was seconded by Councilman Whittington, and carried unanimously.

ORDINANCE NO. 68-X AMENDING ORDINANCE NO. 828-X, THE 1973-74 BUDGET ORDINANCE, AMENDING APPROPRIATIONS AND EXPENDITURES TO PROVIDE FUNDS FOR THE OPERATION OF THE LEAA-FUNDED HOME OF ASSURANCE PROJECT.

Upon motion of Councilman Alexander, seconded by Councilman Harris, and unanimously carried, the subject ordinance was adopted amending appropriations and expenditures to provide funds in the amount of \$36,000 for the operation of the LEAA-funded Home of Assurance Project.

The ordinance is recorded in full in Ordinance Book 20, at Page 412.

ENCROACHMENT AGREEMENTS WITH THE BOARD OF TRANSPORTATION, APPROVED.

Motion was made by Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, approving the following encroachment agreements with the Board of Transportation:

- (a) Encroachment Agreement permitting the City of Charlotte to construct an 8" VCP sanitary sewer line within the right of way of Arrowood Boulevard (SR 1138) and Nations Ford Road (SR 1164) for sanitary sewer to serve Arrowood Boulevard and Nations Ford Road at Texland Industrial Development.
- (b) Encroachment Agreement permitting the City of Charlotte to construct an 8" VCP sanitary sewer line to serve Arrowood Road and Elks Lodge #302.

January 14, 1974
Minute Book 59 - Page 463

STREETS TAKEN OVER FOR CONTINUOUS MAINTENANCE BY THE CITY.

Councilman Harris moved the following streets be taken over for continuous maintenance by the City, which motion was seconded by Councilman Whittington, and carried unanimously:

- (a) Golf Acres Drive, from Morris Field Drive to 1,745 feet west.
- (b) Blairhill Road, from Barringer Drive to 510 feet east.

RESOLUTION AUTHORIZING THE REFUND OF TAXES COLLECTED THROUGH ILLEGAL LEVY AND CLERICAL ERROR.

Upon motion of Councilman Harris, seconded by Councilman Withrow, and unanimously carried, the subject resolution was adopted authorizing the refund of taxes collected through illegal levy and clerical error, in the amount of \$6,289.51, from twenty-two accounts.

The resolution is recorded in full in Resolutions Book 9, at Page 376.

ORDINANCES AFFECTING HOUSING DECLARED "UNFIT" FOR HUMAN HABITATION.

No one was present to protest any of the orders affecting housing declared unfit for human habitation.

Motion was made by Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, adopting the following ordinances affecting housing declared "unfit" for human habitation:

- (a) Ordinance No. 69-X ordering the dwelling at 4309 Plaza Road to be closed.
- (b) Ordinance No. 70-X ordering the dwelling at 2904 Clemson Avenue to be closed.
- (c) Ordinance No. 71-X ordering the dwelling at 314 W. 8th Street to be vacated and closed.
- (d) Ordinance No. 72-X ordering the dwelling at 1316 Downs Avenue to be closed.

The ordinances are recorded in full in Ordinance Book 20, beginning at Page 413.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO BEATRICE B. BEARD, (WIDOW), LOCATED ON BYRUM DRIVE, IN MECKLENBURG COUNTY FOR THE BYRUM/WILMOUNT WIDENING PROJECT.

Councilman Whittington moved adoption of subject resolution authorizing condemnation proceedings for the acquisition of property belonging to Beatrice B. Beard (widow), located on Byrum Drive, in Mecklenburg County for the Byrum/Wilmount Widening Project, which motion was seconded by Councilman Withrow, and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Page 377.

AMENDMENT TO THE CONDEMNATION IN THE CITY VS. CAROLINA GOLF CLUB, INC., APPROVED.

The amendment to the condemnation in the City vs. Carolina Golf Club, Inc., et al to show damages of \$34,500, and that the difference of \$30,400 be deposited with the Court was presented for Council's consideration.

Mr. Woodard, Attorney for the Club, was again present and expressed objections to taking a portion of the golf course.

January 14, 1974
Minute Book 59 - Page 464

After discussion, Councilman Harris moved approval of the amendment to the condemnation to show damages of \$34,500, and that the difference of \$30,400 be deposited with the Court. The motion was seconded by Councilwoman Locke, and carried as follows:

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

During the discussion, Mr. Woodard stated they are open to consideration of whether the current action has to go forward. He knows it is not a question of law, but they contend the service of the papers was ineffective. Whether or not the mere filing of the action was enough to get title to the proceeding is a question of law. He is not certain that it has been decided in this jurisdiction. He stated there may be some way, to the satisfaction of both parties, to undo what has been done, and go back to the slow take if the city should choose to follow that route, but he understands that would be up to the City Attorney's office, or for someone on Council to ask them to proceed along that line.

Also during the discussion, Councilman Whittington asked if anyone knows when Council will get the Wilbur Smith Thoroughfare plan? That Council was supposed to receive it in November. Mr. Bobo, Assistant City Manager, replied the land use plan and the thoroughfare plan will be brought to Council at the same time; this is planned for around the 1st of February. Councilman Whittington stated a lot of people have been promised an answer by this Council, and the land use plan may have something to do with it; but specifically, it does not answer the questions that a lot of people are hung up on. One of them is this road. We do not have any assurance that this road is going anywhere beyond West Boulevard. It has been said it might go up Donald Ross Road - well that is ridiculous. A bridge has just been torn down over the railroad track and another one built. If you go Ashley Road, you have all the people on that side of town who will oppose it there, plus another railroad bridge. This is in the Thoroughfare Plan and this is what Council should have before the City Attorney goes too far. Mr. Bobo stated this is also a part of the old Thoroughfare Plan. Councilman Whittington stated it still does not go anywhere, and has not told anybody anything. Mr. Bobo stated Staff is shooting for the first of February to make this presentation, and they are also trying to get it televised so the public will have the opportunity to see the whole plan. Councilman Whittington stated this should all be tied together.

PROPERTY TRANSACTIONS AUTHORIZED.

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

- (a) Acquisition of 449' x 14' x 443' x 10' of property on Byrum Drive, from F. L. Herrin & wife, Betsy Hawkins Herrin, at \$900.00, for Byrum/Wilmount Widening Project.
- (b) Acquisition of 414' x 17' x 407' x 15' of property on Byrum Drive, from Herman L. Clanton and wife, Marie Cook Clanton, at \$1,433.00, for Byrum/Wilmount Widening Project.
- (c) Acquisition of 359' x 15' x 356' x 15' of property on Byrum Drive, from Ralph E. Sloan and wife, Thelma E. Sloan, at \$1,080.00, for Byrum/Wilmount Widening Project.
- (d) Acquisition of 277' x 15' x 276' x 15' of property on Byrum Drive, from Aubrey J. Elam and wife, Jackie C. Elam, at \$850.00, for Byrum/Wilmount Widening Project.

January 14, 1974
Minute Book 59 - Page 465

- (e) Acquisition of 225' x 259' x 6' x 201' x 89' x 284' x 11' of property on Byrum Drive, from Caroline Hovis Stillwell, (widow), at \$1,900.00, for Byrum/Wilmount Widening Project.
- (f) Acquisition of 173' x 10' x 173' x 10' of property on Byrum Drive, from William T. Hammer and wife, Dora S. Hammer, at \$975.00, for Byrum/Wilmount Widening Project.
- (g) Acquisition of 15' x 729.23' of easement at 5416 Elizabeth Road (Derita Woods), from Forrest Clay Lacy and wife, Eunice E., at \$730.00, for sanitary sewer to serve Derita Woods Area Sanitary Sewer Trunks Project.
- (h) Acquisition of 15' x 122.20' of easement at 5301 Manning Road (Derita Woods), from John C. Thompson and wife, Ann L., at \$125.00, for Derita Woods Area Sanitary Sewer Trunks Project.
- (i) Acquisition of 15' x 1,820.19' of easement at 3650 Nevins Road (Statesville Avenue Area), from Kate M. Bolick (widow), at \$2,400.00, for Derita Woods Area Sanitary Sewer Trunks Project.
- (j) Acquisition of 15' x 111.16' of easement at 3201 Interstate 85 North, from American Artos Corporation, at \$115.00, for Derita Woods Area Sanitary Sewer Trunks Project.
- (k) Acquisition of 15' x 189.84' of easement at 2716 Milton Road (off Milton Road), from Monumental Properties of North Carolina, Inc., at \$190.00, for sanitary sewer to serve 4400 Dillard Drive Project.
- (l) Acquisition of 0.6' x 249.01' x 183.91' x 432.59' of easement at 6916 Plaza Road Extension (Hickory Grove Area), from Walter S. Kisiah and wife, Phyllis, at \$370.00, for Hickory Grove Area Sanitary Sewer Trunks Project.

RESOLUTION APPROVING THE EXECUTION OF A LEASE-PURCHASE AGREEMENT WITH MCGUIRE PROPERTIES, INC. FOR AN OFF-STREET PARKING FACILITY, SUBJECT TO THE APPROVAL OF THE NORTH CAROLINA LOCAL GOVERNMENT COMMISSION.

Mr. Herman Hoose, Traffic Planning Coordinator, Mr. Jim Hemphill, Architect, Mr. Bill McGuire, Builder, and Mr. Jack Fennell, Finance Director, presented the plan for an off-street parking facility, 5½ levels, containing 460 parking spaces and surface parking lot with 247 parking spaces to be located on land immediately across South McDowell Street from the Law Enforcement Center.

The proposal is as follows:

- (1) McGuire Properties, Inc. will construct a 5½ level parking garage containing 460 parking spaces.

The City shall lease/purchase the garage from McGuire Properties, Inc.
Annual rent payment - \$250,300
Number of annual payments - 11
Total amount of payment - \$2,753,300
Completion time - 420 days from date of agreement.

- (2) The City shall purchase from McGuire Properties, Inc. land adjacent to the garage sufficient to construct an additional 247 parking spaces. The amount of land to be purchased is approximately 81,413 square feet and shall be purchased for \$360,000.
- (3) The City shall enter into a contract with James C. Hemphill, Jr., Architect, for design and construction supervision of the complete parking facility. The amount of this contract shall be \$58,000.00.

January 14, 1974
Minute Book 59 - Page 466

(4) At the appropriate time during the construction of the parking garage, the City shall let construction contracts for certain lease/hold improvements. These contracts and their estimated costs are:

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| (a) Pedestrian overwalk to Law Enforcement Center | \$ 23,000 |
| (b) All painting necessary to the facility | 72,000 |
| (c) Installation of elevator in garage | 37,000 |
| (d) All construction of surface parking lot, street improvements (McDowell, Trade), landscaping, etc., to provide a complete facility | \$ 136,000 |

At the end of the eleven year period, the facility becomes the property of the City without further compensation.

Mr. McGuire stated Item 1 is the lease; Item 2 is the purchase of the property; Item 3 is the contract with Mr. Hemphill, and Item 4 includes items that the city will do at its expense and it will have to solicit bids to do them.

During the discussion, Mr. Fennell stated if the lease-purchase agreement is used, the State Law requires that it must reasonably compare with bond financing. He stated under the proposal that has been received it will require annual payments of \$250,000 for eleven years which will make a total of \$2,753,300. This would be the full cost under the proposed lease-purchase method. Under bond financing there are other costs that would have to be considered and the total costs under bond financing approach would be \$2,761,260.

He stated this facility could be put into operation approximately 12 months earlier if you proceed immediately with the lease-purchase approach, compared to the delay that would be involved in the bond financing. He stated the two alternatives are roughly equated in that the total financial cost would make very little difference in whether you proceed with the lease-purchase agreement or use bond financing. However, under the lease purchase, if you consider the time element, the facility is needed now, therefore, it could likely become operational 12 months earlier at approximately the same costs.

During the discussion, Councilman Short asked if the \$250,300 a year will show as debt service on the budget; and if it will increase it beyond the 25? Mr. Fennell replied it will show as debt service; that it will not increase it beyond the 25. That he is concerned not only with the amount of debt, but our ability to pay for this debt. That is to schedule this debt in such fashion that we do not build a balloon of debt problems down the road; that he is trying to get a balance approach between current financing and bond financing so that it will not build a financial dilemma down the road. He stated these bonds were figured on the same time as the lease-purchase approach; it is on a 12 year period because they would have to borrow one year for construction period.

Councilman Short stated he thinks four members of Council are absolutely committed, and he thinks eight on the matter of the amount tax rate that goes for debt service. Mr. Fennell stated this has been one of their basic objectives, and he feels they have been successful so far to stabilize the tax rate for debt purposes. That they schedule the bond sales in a manner to do this. It may be that if annexation does not occur on schedule then we may have to spread out the schedule on the bond issues. But their basic objective is to stabilize the rate, and they have been doing it.

Councilman Harris asked where the \$1.0 million is coming from in the next year? Mr. Fennell replied they have set up the bond payment schedule in such fashion to accommodate any projected debt service in that 25 cents and still provide for reasonable periodic bond sales within that same rate.

January 14, 1974
Minute Book 59 - Page 467

Mr. Terence Roche, Attorney, stated he is speaking as a citizen and not in his official role. That in listening to the entire agenda this afternoon, it struck him that what is asked here is much the same thing as Councilman Williams asked on Agenda Item 10. This is asking Council to get into the business of parking, and thereby making the driving for certain people in Charlotte easier. In fact, what Mr. Williams seemed to be asking was if the City could not get into the mass transportation business and make it easier for bus riders to get downtown and to other places. If Council agrees this is the same sort of thing, would it not be wise at this point to put over the consideration of this motion together with other reports that will be coming out of the city manager's office in the future. That these things should all be considered in one package for the benefit of all the taxpayers in the city.

Councilman Williams asked how many proposals the city received? Mr. Bobo replied two; one did not qualify as to specifications and could not be considered. In the proposal they asked that the bidders bid on lands they owned or land they had under option. The one bid that did not meet the specifications did not either own the land or have it under option. Mr. Bobo stated the specifications were determined by staff people in developing the proposal. The task force consisted of himself, the Public Works Director, City Engineer, Traffic Engineer and Mr. Fennell.

After further discussion, Councilman Whittington moved adoption of the Resolution approving the execution of a lease-purchase agreement with McGuire Properties, Inc., for an off-street parking facility, subject to the approval of the North Carolina Local Government Commission. The motion was seconded by Councilman Alexander, and carried as follows:

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

NAYS: Councilman Harris.

The resolution is recorded in full in Resolutions Book 9, beginning at Page 378.

CONTRACT AWARDED PIEDMONT GRADING COMPANY FOR SITE GRADING OF GREENVILLE URBAN RENEWAL AREA PROJECT NO. N. C. R-78.

Upon motion of Councilman Withrow, seconded by Councilwoman Locke, and unanimously carried, the subject contract was awarded the low bidder, Piedmont Grading Company, in the amount of \$17,500.50, for Site Grading of Greenville Urban Renewal Area Project No. N. C. R-78.

The following bids were received:

Piedmont Grading Company	\$17,500.50
Bradford Brothers, Inc.	26,250.00
J. M. Furr Landscaping	38,500.00

CONTRACT AWARDED CASE POWER AND EQUIPMENT COMPANY FOR ONE BACKHOE LOADER.

Motion was made by Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, awarding contract to the low bidder, Case Power and Equipment Company, in the amount of \$15,341.90, on a unit price basis, for one backhoe loader.

The following bids were received:

Case Power & Equipment Co.	\$15,341.90
Queen City Equipment Corp.	16,330.20
Charlotte Ford Tractor Sales	16,535.78

January 14, 1974
Minute Book 59 - Page 468

CONTRACT AWARDED QUEEN CITY EQUIPMENT CORPORATION FOR ONE TRACTOR WITH BACKHOE AND BUCKET.

Councilman Withrow moved award of contract to the low bidder meeting specifications, Queen City Equipment Corporation, in the amount of \$11,404.57, on a unit price basis, for one tractor, with backhoe and bucket, to be used by the Airport for maintenance and repair of runways. The motion was seconded by Councilman Short, and unanimously carried.

The following bids were received:

Queen City Equipment Corp.	\$11,404.57
Charlotte Ford Tractor Sales	12,650.37

Bids received not meeting specifications:

Case Power & Equipment Company	\$10,602.05
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CONTRACT AWARDED CHARLOTTE FORD TRACTOR SALES FOR ONE TRACTOR WITH SIDE MOWER ATTACHMENT.

Upon motion of Councilman Alexander, seconded by Councilman Harris, and unanimously carried, contract was awarded the only bidder, Charlotte Ford Tractor Sales, in the amount of \$6,907.82, on a unit price basis, for one tractor, with side mower attachment, to keep grass and weeds cut at airport.

CONTRACT AWARDED CHARLOTTE FORD TRACTOR SALES, INC. FOR ONE TRACTOR, INDUSTRIAL TYPE WITH FRONT MOUNTED ROTARY BROOM.

Motion was made by Councilman Short, seconded by Councilman Alexander, and unanimously carried, awarding contract to the only bidder, Charlotte Ford Tractor Sales, Inc., in the amount of \$3,928.93, on a unit price basis, for one tractor, industrial type, with front mounted rotary broom, to be used in cleaning streets in preparation for resurfacing by the Public Works Department.

CONTRACT AWARDED WESTERN CAROLINA TRACTOR COMPANY FOR ONE MOTOR GRADER.

Councilman Withrow moved award of contract to the low bidder, Western Carolina Tractor Company, in the amount of \$26,340.00, on a unit price basis, for one motor grader to be used by the Engineering Street Division. The motion was seconded by Councilman Whittington, and carried unanimously.

The following bids were received:

Western Carolina Tractor Co.	\$26,340.00
Mitchell Distributing Company	26,997.00
Interstate Equipment Co.	28,023.00
E. F. Craven Company	35,677.00

CONTRACT AWARDED E. F. CRAVEN COMPANY FOR ONE CRAWLER TRACTOR WITH STANDARD SEMI-U BLADE.

Upon motion of Councilman Whittington, seconded by Councilman Alexander, and unanimously carried, contract was awarded the only bidder, E. F. Craven Company, in the amount of \$54,964.00, on a unit price basis, for one crawler tractor with standard semi-u blade.

January 14, 1974
Minute Book 59 - Page 469

CONTRACT AWARDED E. F. CRAVEN COMPANY FOR ONE TRACTOR WITH ELEVATING SCRAPER.

Motion was made by Councilman Whittington, seconded by Councilman Short, and unanimously carried, awarding contract to the low bidder, E. F. Craven Company, in the amount of \$80,218.00, on a unit price basis, for one tractor, with elevating scraper to be used by Sanitation Division at the landfill.

The following bids were received:

E. F. Craven Company	\$80,218.00
Interstate Equipment Co.	90,000.00
Spartan Equipment Co.	124,000.00

CONTRACT AWARDED WESTERN CAROLINA TRACTOR COMPANY FOR ONE TANDEM ROLLER.

Councilman Alexander moved award of contract to the low bidder, Western Carolina Tractor Company, in the amount of \$12,348.00, on a unit price basis, for one tandem roller, 8-10½ ton, to be used by Engineering Division for maintenance and repair of streets. The motion was seconded by Councilman Whittington, and carried unanimously.

The following bids were received:

Western Carolina Tractor Co.	\$12,348.00
Arrow Equipment, Inc.	12,695.00
Interstate Equipment Co.	14,284.00
Spartan Equipment Co.	14,500.00

CONTRACT AWARDED CASE POWER AND EQUIPMENT COMPANY FOR ONE FRONT END LOADER.

Upon motion of Councilman Short, seconded by Councilman Withrow, and unanimously carried, contract was awarded to the low bidder meeting specifications, Case Power and Equipment Company, in the amount of \$24,100.00, on a unit price basis, for one front end loader, rubber tired, articulated.

The following bids were received:

Case Power & Equipment Co.	\$24,100.00
E. F. Craven Company	26,064.00
Spartan Equipment Co.	27,740.00

CONTRACT AWARDED INTERSTATE EQUIPMENT COMPANY FOR ONE STUMP CUTTER.

Motion was made by Councilman Short, seconded by Councilman Withrow, and unanimously carried, awarding contract to the low bidder, Interstate Equipment Company, in the amount of \$5,955.00, on a unit price basis, for stump cutter to be used by Engineering Division for removing stumps.

The following bids were received:

Interstate Equipment Company	\$5,955.00
Vermeer Carolina Sales & Service	6,332.00

RESOLUTION OF APPLICANT AUTHORIZING FILING OF APPLICATION FOR GRANT TO ACQUIRE BICENTENNIAL PLANNING FUNDS.

Councilman Short moved approval of the submission of a Planning Grant for some of the initial planning activities of the Bicentennial Committee and adoption of the resolution authorizing the filing of the application to acquire funds. The motion was seconded by Councilman Withrow, and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Page 383.

January 14, 1974
Minute Book 59 - Page 470

SPECIAL OFFICER PERMITS, AUTHORIZED.

Motion was made by Councilman Withrow, seconded by Councilman Whittington, and unanimously carried, approving the following Special Officer Permits for a period of one year:

- (a) Renewal of permit to Alvin D. Sides, Sr. for use on the premises of Northwood Park and Eastbrook Woods Subdivision.
- (b) Issuance of permit to Gregory Ray Nance for use on the premises of Douglas Municipal Airport.

RODDY DOWD APPOINTED TO AIRPORT ADVISORY COMMITTEE FOR THREE YEAR TERM.

Councilman Short moved the appointment of Mr. Roddy Dowd to the Airport Advisory Committee for a three year term. The motion was seconded by Councilman Whittington.

No other nominations were received.

The vote was taken on the motion and carried unanimously.

MOTION TO EXPAND THE MEMBERSHIP OF THE AIRPORT ADVISORY COMMITTEE TO NINE MEMBERS TO BE PLACED ON AGENDA FOR NEXT MEETING.

Councilman Harris moved that the Airport Advisory Committee membership be expanded from six to nine members. The motion was seconded by Councilman Williams.

The motion is to be placed on the agenda for the next Council Meeting.

ADJOURNMENT.

Upon motion of Councilman Harris, seconded by Councilwoman Locke, and unanimously carried, the meeting was adjourned.


Ruth Armstrong, City Clerk