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The City Council of the City of Charlotte, North Carolina, met in regular session on Monday, June 10, 1974, at 3:00 o'clock p.m., 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.

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INVOCATION.

The invocation was given by Reverend Bobby G. Ross, Eastway Drive Church of God.

MINUTES APPROVED.

Upon motion of Councilman Whittington, seconded by Councilman Alexander, and unanimously carried, the minutes of the Council Meeting on Monday, May 27, 1974 were approved as submitted.

CITY OF CHARLOTTE EMPLOYEE PLAQUE PRESENTED TO HERBERT SOUTHERLAND.

Mayor Belk recognized Mr. Herbert Southerland, Laborer II, with the Central Services Division of the Public Works Department, and presented him with the City of Charlotte Employee Plaque, for his services to the City from January 16, 1959 until his retirement May 28, 1974. Mayor Belk and each member of Council thanked Mr. Southerland for his services, and wished him well in his retirement.

HEARING ON PROPOSED FISCAL YEAR 1975 BUDGET.

The public hearing on the proposed fiscal year 1975 budget was held as required by the North Carolina Fiscal Control Act.

Mr. R. L. Middleton, President of the Local 660 Firefighters' Union, stated he would like to get some ideas to the Council. That he would like to emphasize the excellent record of the Charlotte Fire Department; that they have taken on many new duties; they have attempted to put on a computer the building record of every building in the City of Charlotte - the old city limits, as well as the new. This is a vast expansion of the duties the men have performed in the past over what they are performing now. The personnel have considerable new duties; they are forced to maintain a man strength of 3.7 men per company, adding four new companies to cover the annexed territory, bringing about a vast difference in the work performed by each firefighter. He stated he does not need to mention inflation to Council as he is sure they know what inflation has done to them. In last year's budget it was requested that the salaries of this Department be brought into line with the average maximums of the nation. The Bureau of Labor Statistics reported, in a release of December 17, 1973, that in January, 1973 firemen's minimum annual salaries averaged \$9,515, compared to \$8,120 in Charlotte. Average maximums reported by the BLS in January 1973, was \$11,604; Charlotte Fire Department maximum was \$10,120. These salary statistics resulted from a study covering 153 cities, of 100,000 population and over, and was limited to firefighter classification only. Salary levels were lowest in cities between 100,000 and 250,000 population, and increased as the city's size category increased. The cities of 1.0 million or more have the highest paid firefighters. The cost of living in the past five years has increased disproportionately to wages in the fire department. The personnel has lost considerable buying power with their weekly pay checks.

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According to an Associated Press release of December 17, 1973, maximum scales for firefighters were \$11,604 in 1973 while our maximum was \$10,120. He stated the workload per firefighter has increased tremendously as a result of this requirement to maintaining an average of 3.7 men per company, the addition of fire control inspections to company duties, and annexing 32 square miles, and adding only sufficient personnel to man three fire companies.

Mr. Middleton stated this request will bring salaries in line with work performed, and responsibilities held. He stated this is from the Fire Chief's budget. He stated each Councilmember has this, and he is here to back the Chief's request 100 percent.

Mr. Bill Brawley, also of the Local 660, stated their problems go back further than just this year. That seven and half percent increase this year goes on top of over four years with four and half to five percent increases when inflation was always outstripping what they were getting in increase. Then this gigantic inflation. That seven and half percent is not a realistic figure to take care of the current cost of living. That they cannot maintain the high quality of people it takes to put out fires and it takes a high quality of people to put out fires. You can hire men but you cannot hire the quality of people it takes to be innovative enough to fight fires. This in conjunction with the rising cost of living is forcing good people to leave the fire service. In some cases, other services in the city are equal to it; that he does not know of a survey that says that the average salary the City of Charlotte pays to everybody except the police and fire departments is on a medial scale for a city this size. The fire department is several percent behind the medial scale and the police department is one percent behind. He stated they continue to fall further and further back, and there is just so far they can fall back before it hurts the quality of service.

Ms. Lynda Ferreri stated she is here to speak on an idea that originated with a Chamber of Commerce Task Force, which she chaired. The idea responded to what they felt was the need to take art to the people, who otherwise are not exposed, and to people otherwise not participating in the arts.

She stated their idea for exposure needed two elements. First being mobility, and the second being entertainment. She stated in the two months they have been working on this the following things have occurred. The concept of an art van, which would be an enormous moving van, with graphics, matching and grouping systems, to go throughout the Charlotte-Mecklenburg area, into any residential areas, and into the high traffic areas. It is taking, what they feel are the arts that exist in Charlotte, to the people who perhaps do not get to Ovens Auditorium, or college auditoriums or to the Mint Museum.

Ms. Ferreri stated Standard Trucking Company has committed to do the renovation, labor free, of a van upon purchase. The trucking industry has made a commitment to donate a cab on a weekly basis. She stated their budget includes a cab driver to take the van to perhaps 20 or 21 different locations throughout the city in a week's period of time. The graphics on the truck would match, perhaps signage all over the city. She believes the van could be a routing point for the arts in Charlotte. The United Arts Council has endorsed the idea, and feel very strongly they would like to consider it in the future upon the City Council's recommendation as a member agency of United Arts Council. She stated her Company, First Union, has offered office space, free of charge, for a coordinator and a maintenance person. United Arts Council, upon space availability, has made a commitment to give space at the usual low rent that member agencies enjoy. All it will take is a coordinator. A task force would back up that coordinator, which would ultimately be the Board of Directors that would change from year to year, whose sole purpose would be promotion, auditions and coordinations.

Ms. Ferreri stated she is asking Council to give this City a chance to show itself off, and asked them to consider the very small expenditure for this van. She stated they are asking for \$7500 from the City and \$7500 from the County. She asked them to let them try; that there are a lot of dedicated artists in the County who want to give this a chance.

Ms. Ferreri stated the County will consider this request next week.

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Mr. Sydnor Thompson stated he would like to talk about the Charlotte Opera Association. That his purpose in coming is two fold. One is to thank Council for its support to the Charlotte Opera Association, and second is to increase its support this year. That he has already written to each member of Council twice, and has spent some time with the City Manager interpreting their program.

Mr. Thompson stated last year Council appropriated \$8,500 to the Charlotte Opera Association; that money has been put to good use in particular in support of their Sunday Matinee. The monies that were appropriated last year were used especially for the Sunday Matinee and to make it possible for the Association to offer "Scholarship" tickets to the junior and senior high school students. They had something over 700 to attend the operas last year, largely due to the Council's generosity.

This year their costs have increased, and in making application for \$12,500 they have had to take into account the fact that in opera they are dealing with the most expensive medium of entertainment there is. You have the cost of the orchestra, the costumes, the cost of the sets, and the cost of the soloist which you have to bring in, and the cost of the chorus. Because of the expense, it is impossible for the tickets to pay for the entire production.

Mr. Thompson stated Charlotte has one of 36 professional opera companies in the United States. We are the only professional opera company between Washington, D. C. and Miami, Fla., which covers a great deal of territory, and which makes it possible to draw people here from up and down the Carolinas, Virginia and Georgia. Even Atlanta does not have a professional opera association.

Mr. Thompson stated in order to be able to sustain their Sunday Matinee, they need increased support from the City Council.

Mr. Henry Fisher, Member of the Board of the Legal Aid Society, stated he understands that each member of City Council has been furnished with several letters setting out the nature of the work of the Legal Aid Society. That he can see why there would be some question on the part of some people as to this service. In the criminal field, the Supreme Court has ruled that an individual cannot be tried with a serious misdemeanor or felony charge without Court appointed representation, if he, himself, cannot afford it. He stated he has heard some opposition to this that you did not believe in helping or furnishing money to an organization that will turn around and sue you. All he can say is, if a man breaks into your place of business and steals your property, you as a taxpayer, if he has to have a lawyer appointed to represent, will have to pay for that lawyer's fee. This service deals only with the civil aspect, not the criminal, and it is analogist to the appointment by the judge of a lawyer to represent a person charged with a crime.

Someone else has said they are opposed to this because this organization may sue the city or the county. That he understands there has been some such suits; but he understands further that they have been minimal. His only reply to that is that if the city or county is in violation of the law, and commits a wrong he does not see why they should have any immunity from the consequences of their own doings.

Mr. Fisher stated he is on this Board and has been for a number of years; that he is familiar with the nature of its work, and he thinks it is doing a worthwhile job, and he does not claim perfection for it in its activities. It is operated by human beings, and we all make mistakes. They are doing a job for people who are indigent and who cannot provide for themselves.

He stated we need to raise locally around \$21,500. That he understands a request has been made of the County who is now considering it. If the City Council can see its way clear to help out to the extent the county may help, he feels they will get the necessary funds.

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Councilman Short asked if there is anything in the budget for Legal Aid? Mr. Burkhalter replied there is not. Councilman Short asked if it is an enabled expenditure? Mr. Underhill, City Attorney, replied he does not know and he would like to look into it; that he does not know of anything specific that enables Council to appropriate funds; there may be some general provisions that would authorize them to do so. Mr. Burkhalter, stated it has been done indirectly through Model Cities. Councilman Williams asked if the same constraints are applicable to revenue sharing? Mr. Underhill replied you cannot use revenue sharing for anything you cannot spend your local money for.

Councilman Whittington asked if he is asking for \$21,500, and half of this is to come from the County? Mr. Fisher replied that is what they need; that he understands the County has been approached in this matter. That they are very hopeful they will give half of that sum; and they are hopeful the City Council can match it for the total amount.

Councilman Williams stated he thinks the day might not be too far away when some appellant court is going to require representation for indigents in civil cases as they have in criminal cases in the past. Until that day comes, he would hope that Council will match what the County might do. If Council can legally appropriate it, he would propose that it be done on a matching basis with the county.

Councilman Short requested the City Attorney to advise Council whether or not this is enabled.

MOTION TO HOLD TELEVISED ZONING MEETING ONE MONTH AND ALTERNATE WITH A BUSINESS MEETING THE FOLLOWING MONTH.

The discussion of televised Council Meetings was called as requested by Councilman Williams.

Councilman Williams moved that Council adopt a procedure to have a zoning meeting and one business meeting per month on television if it can be arranged by staff. The motion was seconded by Councilwoman Locke.

Councilman Short asked if Council has not raised the possibility of continuing one meeting per month, with some of them zoning meetings and some business meetings. Councilman Williams replied that is open for discussion by Council; the main thrust of what he is suggesting is that Council try to portray a more accurate picture to the public of what we do, and not indicate or give the misrepresentation that we only do zoning.

Councilwoman Locke stated Council could alternate and have zoning one month and a business meeting one month.

After discussion, Councilman Williams withdrew his original motion and Councilwoman Locke agreed to the withdrawal.

Councilman Harris stated he would like to have the hearings, and then the action Council will take on the petitions; that Council could have one meeting a month, with the idea of having one action meeting and one zoning meeting on an alternate basis.

Councilman Williams moved that Council have a televised zoning council meeting one month, and in the alternate month have a business meeting. The motion was seconded by Councilwoman Locke, and carried unanimously.

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EXTENSION OF SERVICE OF CITY EMPLOYEES 65 AND OVER, AUTHORIZED.

Motion was made by Councilman Alexander, seconded by Councilman Short, and unanimously carried, approving extension of service through June 30, 1975 to the following employees:

- (a) Milton Clapp, Industrial Waste Engineer, Utility Department.
- (b) R. L. Gregg, Water Serviceman, Utility Department.
- (c) T. E. Kimrey, Meter Reader, Utility Department.
- (d) W. C. Lee, Service Dispatcher, Public Works Department, Street Division.
- (e) J. E. Lowe, Plant Operator, Utility Department.
- (f) S. P. Woodard, Housing Inspector, Building Inspection Department.

NOMINATIONS TO CIVIL SERVICE BOARD, DEFERRED.

Councilman Whittington moved that consideration of the nominations to the Civil Service Board be postponed. The motion was seconded by Councilwoman Locke, and carried unanimously.

WAIVER OF ITEMS PURCHASED WITH MODEL CITIES FUNDS, AUTHORIZED.

Upon motion of Councilman Withrow, seconded by Councilwoman Locke, and unanimously carried, waiver of items purchased with Model Cities Funds, were authorized as follows:

HORNETS' NEST GIRL SCOUT UNIT

Bookcase, Swivel chair, two pedestal desk, filing cabinet and mimeograph machine.

CULTURE AND RECREATION PROGRAM AT JOHNSON C. SMITH UNIVERSITY.

Cabinet, L-shaped desk, two swivel chairs, electric typewriter, electric adding machine, mimeograph machine, three bowling sets, two tennis nets, two ping pong tables, one exercise bike, one pole standard, six starting blocks, two stop watches, one slide projector, one measuring tape, inflator, track liner and one portable amplifier.

RESOLUTION DECLARING AN INTENT TO CLOSE PORTIONS OF JOHNSON STREET, SNOWBALL STREET, MCCALL STREET, PHARR STREET, VOGEL STREET AND POLK STREET, IN GREENVILLE PROJECT NO. N.C. R-78 AND CALLING A PUBLIC HEARING ON THE QUESTION ON MONDAY, JULY 15, 1974, ADOPTED.

Councilman Whittington moved adoption of the subject resolution calling for a public hearing on Monday, July 15, 1974. The motion was seconded by Councilman Short, and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, beginning at Page 490.

RESOLUTION CALLING FOR A PUBLIC HEARING ON AMENDMENT NO. 2, REDEVELOPMENT PLAN FOR REDEVELOPMENT SECTION NO. 4, BROOKLYN URBAN RENEWAL AREA, PROJECT NO. N.C. R-43, ON MONDAY, JULY 15, 1974.

Upon motion of Councilman Short, seconded by Councilman Harris, and unanimously carried, the subject resolution was adopted calling for a public hearing on Monday, July 15, 1974.

The resolution is recorded in full in Resolutions Book 9, beginning at Page 492.

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RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE AUTHORIZING THE FILING OF AN AMENDATORY NEIGHBORHOOD DEVELOPMENT PROGRAM APPLICATION FOR PROJECT NO. N.C. A-3, ADOPTED.

Councilman Withrow moved adoption of the subject resolution authorizing the filing of an amendatory Neighborhood Development Program Application for Project No. N.C. A-3, in the amount of \$870,593. The motion was seconded by Councilman Whittington, and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Page 495.

RESOLUTION APPROVING CHANGES IN THE MAXIMUM RATES AND CHARGES AS SET FORTH IN THE ORIGINAL CATV FRANCHISES: AND ORDINANCE AMENDING CHAPTER 6, BUSINESS AND TRADES, OF THE CODE OF THE CITY OF CHARLOTTE TO MODIFY THE PRESENT TERMS OF THE FRANCHISE FEE PAID TO THE CITY.

Mr. Underhill, City Attorney, stated as to the legal considerations proposed and what is before Council is his recommendation. Mr. Fennell, Finance Director stated he believes the request for the changes is reasonable in view of rising costs; some of the cities the size of Charlotte have already granted equivalent increases.

After discussion, motion was made by Councilman Harris, seconded by Councilman Short, and unanimously carried, adopting the following Resolution and Ordinance:

- (a) Resolution approving changes in the maximum rates and charges for American Cablevision of Carolina, Inc., a subsidiary of American Television and Communications Corporation, doing business as Cablevision of Charlotte.

The resolution is recorded in full in Resolutions Book 9, at Page 496.

- (b) Ordinance No. 196 amending Chapter 6, "Business and Trades" of the Code of the City of Charlotte to modify the present terms of the franchise fee that is paid to the City by American Cablevision of Carolina, Inc., as an annual privilege license tax.

The ordinance is recorded in full in Ordinance Book 21, at Page 58.

CONTRACTS WITH HASKINS & SELLS, CERTIFIED PUBLIC ACCOUNTANTS, FOR AUDITS OF VARIOUS ACCOUNTS, AUTHORIZED.

Motion was made by Councilwoman Locke, and seconded by Councilman Withrow to approve the following contracts to conduct audits of various accounts:

- (a) Contract with Haskins & Sells, Certified Public Accountants, for the audit of Neighborhood Centers Project N.C. N-14.

Under HUD regulations, the City must provide an independent audit of project costs before final payment will be made by HUD. The fee for these services will not exceed \$2,100.00, and is a reimbursable project expense.

- (b) Contract with Haskins & Sells, Certified Public Accountants, for the examination and audit of the expenditures of open space projects: OSC-32, OSC-51 and OSC-73. HUD regulations require they be provided with an independent audit of project expenditures before the projects can be considered complete. The fee for these services will not exceed \$2,500 and is a fully reimbursable project expense.

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Councilman Short stated his wife's sister's husband works at Haskins & Sells, and he asked if he has a conflict of interest? Mr. Underhill, City Attorney, replied the conflict, if any, is so remote, that it does not constitute a direct conflict, and would not disqualify him from voting.

The vote was taken on the motion and carried unanimously.

CONTRACT AGREEMENT BETWEEN THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION AND THE CITY OF CHARLOTTE FOR \$100,000 FOR DEVELOPMENT OF THE AIRPORT MASTER PLAN, AUTHORIZED.

Upon motion of Councilman Alexander, seconded by Councilman Harris, and unanimously carried, the subject contract with the North Carolina Department of Transportation for \$100,000 for development of the Airport Master Plan was authorized.

ORDINANCE NO. 197-X TRANSFERRING FUNDS WITHIN THE GENERAL REVENUE SHARING TRUST FUND TO PROVIDE A SUPPLEMENTAL APPROPRIATION TO COMPLETE CONSTRUCTION OF THE METHODIST HOME COMMUNITY CENTER, ADOPTED.

An ordinance transferring \$100,000 within the General Revenue Sharing Trust Fund to provide a supplemental appropriation to complete the construction of the Methodist Home Community Center, in the amount of \$100,000 was presented.

Councilman Alexander asked what is going to happen to the Beal Street Center? Councilman Whittington stated he was going to ask if the Beal Street people have been notified that the Park and Recreation Commission is going to do this.

Mr. Warren of the Park & Recreation Commission replied they have received bids on the Methodist Home Center, and the bids were high, and they are trying to get funds today to get this under contract before the 30 days run out. Beal Street is in a very schematic stage, and the money will be needed possibly a year from now; they are not ruling out the possibilities of the completion of the Beal Street Center, and would like to get future revenue sharing funds for that. The land for Beal Street has already been purchased and they are committed to that.

Councilman Alexander asked how the Methodist Home Park got ahead of Beal Street? Mr. Warren replied they were not able to get the property in time and had to go through condemnation; they did not have to do this on the Methodist Home. That they could not go ahead on the engineering until the property was completely cleared, and that was only about three months ago.

After further discussion, Councilman Whittington moved adoption of the ordinance transferring \$100,000 for the completion of the Methodist Home Community Center. The motion was seconded by Councilman Withrow, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 21, at Page 59.

REAFFIRMATION OF COUNCIL'S INTENTION TO CONSTRUCT A COMMUNITY CENTER AT BEAL STREET PARK.

Councilman Alexander moved that the City Council reaffirm its intention to construct a community center at Beal Street Park and to appropriate additional funds, if and when necessary, once plans for the center are complete and bids are received for the construction. The motion was seconded by Councilman Whittington, and carried unanimously.

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DISCUSSION OF NEED FOR PARK FACILITIES IN THE AREA OF DALTON VILLAGE AND BOULEVARD HOMES.

Councilman Harris stated he would like to talk about the Boulevard Homes and Dalton Village, and the recreational plans for this area. He asked what plans the Park & Recreation Commission has for that area?

Mr. Diehl, Park Director, replied he has just talked with the Housing Authority, Jack Bullard, and Mr. Pete Peterson. That Mr. Peterson has some money he is going to get from the Rotary Club. That they have asked him to go out and work with them on this. Mr. Diehl stated on the other side they have some land and they tried to get BOR to go along with them on this for the Jackson Home Parks. As soon as they get the money, they plan to develop this area.

Councilman Harris stated Mr. Hall of the Housing Authority brought this to Council's attention recently, and he would like to know what the Park & Recreation Commission has planned. That he knows of no park facilities in that area to sustain the people who live out there.

Mr. Warren of the Park Commission stated they have nothing on the board at this moment for that area.

ORDINANCE NO. 198-X AMENDING ORDINANCE NO. 828-X, THE 1973-74 BUDGET ORDINANCE ESTABLISHING REVENUES AND APPROPRIATIONS FOR THE U.S. DEPARTMENT OF LABOR FUNDED 1974 SUMMER PROGRAM FOR ECONOMICALLY DISADVANTAGED YOUTH.

After explanation by Mr. Williams, Assistant City Manager, Councilwoman Locke moved adoption of the subject ordinance in the amount of \$694,900 to provide employment for some 1100 youths this summer. The motion was seconded by Councilman Withrow, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 21, at Page 60.

ORDINANCE NO. 199 AMENDING CHAPTER 4, ARTICLE I OF THE CODE OF THE CITY OF CHARLOTTE WITH RESPECT TO LANDING FEES OF SUPPLEMENTAL AIR CARRIERS.

Motion was made by Councilwoman Locke, and seconded by Councilman Williams to adopt the ordinance with respect to landing fees of supplemental air carriers.

Mr. Birmingham, Airport Manager, stated they will probably be back to Council next year for another increase. Councilman Harris stated he would like for him to stay on top of this because this is where you can get new revenue, and these flights are going to come into Charlotte anyway. After further discussion the vote was taken on the motion, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 21, at Page 61.

ORDINANCE NO. 200 AMENDING CHAPTER 20 OF THE CITY CODE BY PROVIDING A NEW SECTION TO PROHIBIT RIGHT TURNS ON RED TRAFFIC SIGNALS AT CERTAIN INTERSECTIONS.

Councilman Alexander moved adoption of the ordinance. The motion was seconded by Councilman Whittington.

Councilman Whittington stated the paper said this Bill was passed by the Legislature, and then later found they had made a mistake and right turns would not be allowed.

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Mr. Corbett, Traffic Engineer, replied in early April the Legislature passed a new law which makes it mandatory to permit right turns on red at all signalized intersections within the State of North Carolina. Later that month, they adopted a new Bill dealing with the "Rules of the Road". Under that Bill they eliminated all previous legislation dealing with the rules of the road. One of the things they eliminated was the right turn on red they had just passed, and they made no provision for it in the new rules of the road law. Unfortunately this law goes into effect on July 1 of this year, and will expire at the end of the year. He stated they expect that the new Legislature will, in its first week, adopt a new law putting it back into effect.

Mr. Corbett stated, at the moment, we are required to put right turns on red into effect beginning July 1; but the law does provide that certain intersections, because of specific problems, may be exempt. This ordinance is a recommendation to exempt some 159 intersections from this law, which must be signed by July 1.

During the discussion that followed, Mr. Corbett was requested to look at the intersections where homes for the elderly are located in the area and bring back a recommendation on these. Several were mentioned. Providence and Laurel Road, Hawthorne Lane, Sharon Road, and the Methodist Home.

The vote was taken on the motion, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 21, at Page 62.

RESOLUTION AUTHORIZING A MUNICIPAL AGREEMENT BETWEEN THE CITY AND NORTH CAROLINA BOARD OF TRANSPORTATION COVERING INTERSECTION IMPROVEMENTS AT WOODLAWN AND OLD PINEVILLE ROADS, AND MCALWAY AND MONROE ROADS, DEFERRED.

At the request of the City Manager, Councilman Alexander moved that the subject resolution be deferred. The motion was seconded by Councilman Withrow, and carried unanimously.

ORDINANCE NO. 201-X TRANSFERRING FUNDS FROM THE 1973-74 GENERAL FUND CONTINGENCY AND THE UNAPPROPRIATED BALANCE OF THE AUTO TAG ACCOUNT TO PROVIDE AN APPROPRIATION TO COMPLETE THE PUBLIC WORKS VEHICLE WASHING FACILITY, ADOPTED.

Upon motion of Councilman Harris, seconded by Councilwoman Locke, and unanimously carried the subject ordinance was adopted transferring \$26,000 to complete the public works vehicle washing facility.

The ordinance is recorded in full in Ordinance Book 21, at Page 63.

CONTRACT WITH WILBUR SMITH AND ASSOCIATES, INC. FOR PHASE II OF REMOUNT ROAD WIDENING PROJECT, AUTHORIZED.

Motion was made by Councilman Withrow, and seconded by Councilman Short to approve an engineering contract with Wilbur Smith and Associates, Inc., to proceed with Phase II of the Remount Road Widening Project.

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

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ORDINANCES ORDERING THE REMOVAL OF WEEDS AND GRASS.

Upon motion of Councilman Whittington, seconded by Councilman Withrow and unanimously carried, the following ordinances were adopted ordering the removal of weeds and grass pursuant to the City Charter, City Code and General Statutes of North Carolina:

- (a) Ordinance No. 202-X ordering the removal at the corner of Laurel Avenue and Randolph Road.
- (b) Ordinance No. 203-X ordering the removal on property adjacent to 3600 School House Drive.
- (c) Ordinance No. 204-X ordering the removal on property adjacent to 4215 Morris Field Drive.
- (d) Ordinance No. 205-X ordering the removal on the vacant lots adjacent to 3012 Clemson Avenue.
- (e) Ordinance No. 206-X ordering the removal on the vacant lot at Cameron & Seventh Street.
- (f) Ordinance No. 207-X ordering the removal at 1120 Pamlico Street.
- (g) Ordinance No. 208-X ordering the removal on vacant lot at Seventh Street and N. Laurel Avenue.

The ordinances are recorded in full in Ordinance Book 21, beginning at Page 64.

SETTLEMENT IN CITY VS. CAROLINA GOLF CLUB, INC. ET AL, FOR CLANTON ROAD EXTENSION PROJECT, AUTHORIZED.

Councilman Whittington moved approval of the proposed settlement in the City vs. Carolina Golf Club, Inc., et al, for Clanton Road Extension Project, in the amount of \$65,000, as recommended by the City Attorney. The motion was seconded by Councilman Harris, and after discussion, the vote was taken on the motion and carried as follows:

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

RESOLUTIONS AUTHORIZING CITY MANAGER TO FILE APPLICATIONS REQUESTING STATE GRANT ASSISTANCE FOR WATER WORKS IMPROVEMENTS TO ASSIST IN THE CONSTRUCTION OF SIX PROJECTS.

Motion was made by Councilman Short, seconded by Councilwoman Locke, and unanimously carried, adopting the following resolutions:

- (a) Resolution authorizing David A Burkhalter, City Manager, to file application requesting State Grant Assistance for Water Works Improvements for Annexation Area I(1), Sharonview Road - Sharon to Carmel Road.
- (b) Resolution authorizing David A. Burkhalter, City Manager, to file application requesting State Grant Assistance for Water Works Improvements for Annexation Area I(2), Sharonview Road - Old Providence Road.
- (c) Resolution authorizing David A. Burkhalter, City Manager, to file application requesting State Grant Assistance for Water Works Improvements for Annexation Area II(7), Derita Woods Section, Trunk Lines.
- (d) Resolution authorizing David A. Burkhalter, City Manager, to file application requesting State Grant Assistance for Water Works Improvements for Annexation Area II(7), Derita Woods Section, Collector Mains.

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- (e) Resolution authorizing David A. Burkhalter, City Manager, to file application requesting State Grant Assistance for Water Works Improvements for Annexation Area III(6), Hickory Grove Area, Collector mains.
- (f) Resolution authorizing David A. Burkhalter, City Manager, to file application requesting State Grant Assistance for Water Works Improvements for Annexation Area III(6), Hickory Grove Area, Trunk Lines.

The resolutions are recorded in full in Resolutions Book 9, beginning at Page 500.

PROPERTY TRANSACTIONS AUTHORIZED.

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

- (a) Acquisition of 20' x 32.88' of property from Capitol Funds, Inc., east of Berryhill Road, at \$75.00, for sanitary sewer to serve Berryhill Road Trunk.
- (b) Acquisition of 15' x 106.80' of easement from Sloan Boothe Warner and husband, Harold E., at 722 Wilbrow Circle, off Nations Ford Road, at \$110.00, for Annexation Area I (11) Sanitary Sewer Trunks.
- (c) Acquisition of 15' x 70.83' of easement from Gary E. Gregg and wife, Jane W., at 732 Wilbrow Circle, west off Nations Ford Road, at \$75.00, for Annexation Area I (11) Sanitary Sewer Trunks.
- (d) Acquisition of 15' x 65.10' of easement from Robert Francis Powers and wife, Louise C., at 800 Wilbrow Circle, west off Nations Ford Road, at \$65.00, for Annexation Area I (11) Sanitary Sewer Trunks.
- (e) Acquisition of 15' x 79.09' of easement from Tony Coleman Raborn and wife, Jo Nan, at 718 Wilbrow Circle west off Nations Ford Road, at \$80.00, for Annexation Area I (11) Sanitary Sewer Trunks.
- (f) Acquisition of 15' x 65.05' of easement from Danny Willie Hardwick and wife, Jenelle, at 750 Wilbrow Circle west off Nations Ford Road, at \$65.00, for Annexation Area I (11) Sanitary Sewer Trunks.
- (g) Acquisition of 15' x 30.36' of easement from James H. Wooster and wife, Peggy S., at 808 Wilbrow Circle west off Nations Ford Road, at \$230.00, for Annexation Area I (11) Sanitary Sewer Trunks.
- (h) Acquisition of 15' x 72.65' of easement from Grady E. Britt and wife, Lucille W., at 6510 Randy Drive, off Newell-Hickory Grove Road, at \$365.00, for Hickory Grove Area Sanitary Sewer Trunks.
- (i) Acquisition of 15' x 39.04' of easement from Sharon West Community Limited Partnership, at 8001 Block of Pineville Road (U. S. #21 South), at \$1.00, for Sanitary Sewer to Eliminate Pump Station on Thorncliff Drive.
- (j) Acquisition of 15' x 102.16' of easement from Gaston M. Norris and wife, Pearl M., at 1236 Marlwood Circle, (off Albemarle Road), at \$200.00, for Sanitary Sewer to serve Albemarle Road at Lake Forest Road.
- (k) Acquisition of 15' x 81.16' of easement from B. J. Barbee and wife, Raydell R. Barbee, at 1211 Robinhood Road, at \$182.00, for Sanitary Sewer to serve Albemarle Road at Lake Forest Drive.
- (l) Acquisition of 15' x 132.56' of easement from William Clyde Howie and wife, Daphne W., at 1175 Robinhood Circle, at \$265.00, for sanitary sewer to serve Albemarle Road at Lake Forest Drive.

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- (m) Acquisition of 15' x 87.47' of easement from Grace M. Dinkins, at 1171 Robinhood Road, at \$290.00, for Sanitary Sewer to Serve Albemarle Road at Lake Forest Road.
- (n) Acquisition of 15.44' x 0.90' x 15.45' of easement from William Allen McGinnis and wife, Joyce B. McGinnis, at \$150.00, for sanitary sewer to serve Albemarle Road at Lake Forest Road.
- (o) Acquisition of 15' x 57.09' of easement from Orchard Lake, at 7230 Albemarle Road, at \$57.00, for Sanitary Sewer to serve Albemarle Road at Lake Forest Road.
- (p) Acquisition of 4.27' x 314.80' x 7.51' x 315.14' of property from Charlotte Mecklenburg Board of Education, at 1810 Oaklawn Avenue, at \$550.00, for Oaklawn Avenue Widening.
- (q) Acquisition of 19.89' x 101.60' x 18.83' x 101.40' of property from Roy Spurgeon Wynn and wife, Maria Ellis Wynn, at 1721 Oaklawn Avenue, at \$8,000.00, for Oaklawn Avenue Widening.
- (r) Acquisition of 29.78' x 46.63' x 29.34' x 46.50' of property from Nannie Alston Nelson & husband, John L., at 2012 Oaklawn Avenue, plus a construction easement, at \$8,050.00 for Oaklawn Avenue Widening.

CONTRACTS FOR WATER MAINS AND SANITARY SEWER MAINS, AUTHORIZED.

Motion was made by Councilman Short, seconded by Councilman Harris, and unanimously carried, authorizing the following contracts for the construction of water mains and sanitary sewer mains:

- (a) Contract with Amerada Hess Corporation, for the construction of approximately 550 feet of 8" C. I. water main and two (2) fire hydrants in Mount Holly Road, outside the city limits, at an estimated cost of \$4,300.00. Funds will be advanced by the applicant under the terms of existing city policies as related to such water mains.
- (b) Contract with J. A. Richardson Co., Inc., for the construction of 560 linear feet of 8" sewer mains in Fruehauf Drive, outside the city, at an estimated cost of \$6,830.00. The applicant has deposited 100% of the estimated cost and city forces are to construct. The applicant is to be refunded as per agreement; no money is needed from the city.
- (c) Contract with Reule-Fonville Investments for the construction of 300 linear feet of 8" sewer main in Pressley Road, outside the city, at an estimated cost of \$4,605.00. The applicant is to finance the entire construction cost and refund is as per agreement.
- (d) Contract with The John Crosland Company for construction of 239 linear feet of 8" trunk sewer line in Frederick Place, inside the city, at an estimated cost of \$5,993.00. The applicant will finance the entire cost of this trunk sewer and is non-refundable. The City will own, maintain and operate this sewer extension at no cost to the City.

SPECIAL OFFICER PERMIT, AUTHORIZED.

Councilman Harris moved approval of the renewal of a Special Officer Permit for a period of one year to Stephen J. Wilson for use on the premises of Charlotte Eye, Ear, Nose and Throat Hospital. The motion was seconded by Councilman Withrow and carried unanimously.

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CONTRACT AWARDED PROPST CONSTRUCTION COMPANY FOR LONG TERM PARKING FACILITIES AT DOUGLAS MUNICIPAL AIRPORT.

Motion was made by Councilman Harris, seconded by Councilman Whittington, and unanimously carried, awarding contract to the low bidder, Propst Construction Company, in the amount of \$368,459.75 on a unit price basis for construction of long term parking facilities at Douglas Municipal Airport.

The following bids were received:

Propst Construction Company	\$368,459.75
Rea Construction Company	394,223.75
Bradley-Jenkins	396,748.00
Crowder Construction Company	398,406.25
Blythe Brothers	410,801.00
D. W. Flowe	415,661.50

CONTRACTS AUTHORIZED.

Upon motion of Councilwoman Locke, seconded by Councilman Withrow, and unanimously carried, contract was awarded the low bidder, Lynchburg Foundry Company, in the amount of \$509,731.53, on a unit price basis for cast iron pipe.

The following bids were received:

Lynchburg Foundry Company	\$509,731.53
U. S. Pipe & Foundry Co.	521,944.00
Glamorgan Pipe & Foundry Co.	524,451.00
Clow Corporation	530,861.50
American C. I. Pipe Co.	531,103.64

Councilman Short moved award of contract to the low bidder, G & L Janitorial Supply and Service, in the amount of \$117,480.00, for janitorial service for airport. The motion was seconded by Councilman Withrow, and carried unanimously.

The following bids were received:

G & L Janitorial Supply & Ser.	\$117,480.00
Better Cleaning Janitor Ser.	128,966.40
Southern Building Maintenance	205,186.80

Councilman Alexander moved award of contract to the low bidder, Love & McClure, Inc., in the amount of \$9,850.00 for furnishing earth fill in the Greenville Urban Renewal Area, Block 4, Parcel 9. The motion was seconded by Councilman Short, and carried unanimously.

The following bids were received:

Love & McClure, Inc.	\$ 9,850.00
Piedmont Grading & Wrecking Co., Inc.	18,750.00
W. H. Robertson Const. Co.	23,250.00

Motion was made by Councilman Whittington, seconded by Councilman Short, and unanimously carried, awarding contract to the low bidder, D. A. Davis, in the amount of \$23,800, on a lump sum basis for general construction work for the vehicle washing facility.

The following bids were received:

D. A. Davis	\$ 23,800.00
William R. Morris	29,389.00
Moretti Construction Company	31,805.00
Rodgers Builders	44,950.00
James E. Harris	48,500.00

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Councilman Williams moved award of contract to the low bidder Austin Electric Company, in the amount of \$6,301.00, on a lump sum basis for the electrical work for the vehicle washing facility. The motion was seconded by Councilwoman Locke, and carried unanimously.

The following bids were received:

Austin Electric Company	\$ 6,301.00
Bagby Electric Company	6,500.00
Driggers Electric Company	6,500.00
Reid Electric Company	7,824.00
Ind-Com Electric Company	7,894.00

Upon motion of Councilman Short, seconded by Councilman Alexander, and unanimously carried, contract was awarded the low bidder, Acme Plumbing Company, in the amount of \$4,873.00 on a lump sum basis for the plumbing work for the vehicle washing facility.

The following bids were received:

Acme Plumbing Company	\$ 4,873.00
Harry White Plumbing Company	5,298.00
Carolina Mechanical Contractors	5,659.00
Thompkins-Johnston	6,513.00

Councilman Alexander moved award of contract to the low bidder, William R. Morris Co., Inc., in the amount of \$121,154.00 for the general construction of Fire Station No. 19, Sardis Lane. The motion was seconded by Councilman Withrow, and carried unanimously.

The following bids were received:

William R. Morris Co., Inc.	\$121,154.00
Butler & Sidbury, Inc.	126,954.00
G. T. Barnes Construction Co.	129,313.00
Vannoy Construction Company	134,330.00
Flynnco. Inc.	150,071.00
American Builders, Inc.	152,840.00

Motion was made by Councilman Withrow, seconded by Councilman Short, and unanimously carried, awarding contract to the low bidder, Patterson Coal and Oil Company, in the amount of \$9,941.00, for mechanical work for Fire Station No. 19, Sardis Lane.

The following bids were received:

Patterson Coal & Oil Company	\$ 9,941.00
Moore Air Conditioning	10,273.00
A. Z. Price & Associates	11,482.00
Adams Heating & Air Conditioning	11,500.00
Air Masters, Inc.	11,864.00
Ross & Witmer, Inc.	11,970.00
Carolina Mechanical Systems	13,500.00

Councilwoman Locke moved award of contract to the low bidder, City Plumbing Company in the amount of \$20,466.00 for plumbing work for Fire Station No. 19, Sardis Lane. The motion was seconded by Councilman Williams, and carried unanimously.

The following bids were received:

City Plumbing Company	\$ 20,466.00
Carolina Mechanical Systems	21,250.00
A. Z. Price & Associates	22,000.00

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Councilwoman Locke moved award of contract to the low bidder, Robinson Electric Company, in the amount of \$20,949.00 for electrical work for Fire Station No. 19, Sardis Lane. The motion was seconded by Councilman Whittington, and carried unanimously.

The following bids were received:

Robinson Electric Company	\$ 20,949.00
Air Masters, Inc.	21,343.00
Driggers Electric Company	21,439.00
Austin Electric Company	25,230.00

AMENDMENT TO SITE PLAN FOR B-1SCD DISTRICT AT LAWYERS ROAD & DELTA ROAD EXTENSION AUTHORIZED.

Councilman Whittington moved that amendment to the site plan for the B-1 Shopping Center District located at Lawyers Road and Delta Road Extension be approved as requested by B. & L Investment Company. The motion was seconded by Councilman Harris, and carried unanimously.

PLANNING DIRECTOR REQUESTED TO PREPARE ORDINANCE CONTROLLING HEIGHT OF NURSING HOMES SIMILAR TO THE ONE FOR APARTMENTS AND BRING IT BACK TO COUNCIL AS SOON AS POSSIBLE.

Councilman Whittington requested the Planning Director to bring back to Council an ordinance for consideration similar to the one that Council passed on the height of apartments for nursing homes. He stated a nursing home can be built in a residential neighborhood or anyplace else, and under this request Council would have the plan, and there would be a public hearing on it and those who would like to oppose it or appear in favor of it could be heard. That he thinks it is very important, before we get into any more nursing home construction, to have such an ordinance.

NOMINATION OF MATT SNORTON TO SUCCEED HIMSELF FOR TERM ON AUDITORIUM-COLISEUM-CIVIC CENTER AUTHORITY.

Councilman Alexander placed in nomination the name of Matt Snorton to succeed himself to the Auditorium-Coliseum-Civic Center Authority, for a term of five years.

DISCUSSION OF STAFF MEMBERS OF PLANNING APPEARING BEFORE COUNCIL AND EXPRESSING THEIR THOUGHTS ON THE ZONING PETITIONS, DISCOURAGED BY CHAIRMAN OF THE PLANNING COMMISSION.

Councilman Withrow stated he would like for Council to consider asking the Planning Commission to come up with some plan whereby the City Council will know how the staff feels on zoning matters - whether it should be a committee to sit in with the Planning Commission or whether there should be a conference agenda prior to the vote - on just the ones that are in contention.

Mr. Tate, Chairman of the Planning Commission, replied Councilmembers can talk to the Commissioners themselves and to staff; but he would not recommend that the Staff be brought over here to make any kind of report. This would put them in a very bad situation when Staff comes in and says one thing, and the Commission's recommendation says another. That he is sure Staff would feel free to discuss it with councilmembers privately.

ADJOURNMENT UNTIL TUESDAY NIGHT ON JUNE 11.

Councilman Harris moved that the meeting be adjourned until the conclusion of the public hearing on the proposed budget on Tuesday evening, June 11, in the Council Chamber for the purpose of establishing a Manpower Department and the appropriations for the Department. The motion was seconded by Councilwoman Locke, and carried unanimously.


Ruth Armstrong, City Clerk