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The City Council of the City of Charlotte, North Carolina, met in a televised meeting on Monday, February 3, 1975, at 8:00 o'clock p. m., in the Board Room of the Educational Center, with Mayor pro tem James B. Whittington presiding, and Councilmembers Harvey B. Gantt, Kenneth R. Harris, Pat Locke, Milton Short, Neil C. Williams and Joe D. Withrow present.

ABSENT: Mayor John M. Belk.

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INVOCATION.

The invocation was given by Councilman Joe D. Withrow.

APPROVAL OF MINUTES.

Motion was made by Councilman Harris, seconded by Councilwoman Locke, and unanimously carried, approving the minutes of the last meeting, on January 27, 1975, as submitted.

ANNUAL REPORT ON CRIME PREVENTION BY J. C. GOODMAN, JR., CHIEF OF POLICE.

Chief Goodman, Charlotte Police Department, stated he will report on the crimes in our community, some of its causes, what the police department has done, is doing, and plans to do about it in the future. He stated he has provided Council with relevant statistical data for the calendar year 1974, depicting crimes reported to the police, the number cleared by arrest, and arrests made. These statistics are compared with 1973 figures which was the year just prior to annexation, and it must be noted that some increases must be expected. He stated he does not intend to dwell on statistics at this point except to bring to their attention that as the police workload increases, due to increases in population, the clearance rate goes down as it relates to the ratio of officers in the field, and our population.

Since annexation, the police has provided the same level of service with the "team policing concept" to all sections of our city. This concept, which is aimed at public involvement with police, has generated an increase in the reporting of criminal offenses in all areas of our city.

Chief Goodman stated he has been asked to report on the accelerated crime rate in our city and their efforts to combat it; but first he must remind them that the repression of crime is the responsibility of the entire criminal justice system, and that law enforcement is only one part of that system. Our role is prevent crime, apprehend offenders, and bring them to trial. The rest is up to someone else.

He stated they are especially aware that crimes of violence, those crimes that threaten our physical well-being, are of greatest concern to the public. These crimes, and their causes, must be attacked by all elements of the system, and the public as well, if we are to expect a significant decrease in crime in our community and in our nation.

He stated the criminal justice system was designed to require those who voluntarily operate outside our laws, to give some accountability for their actions; we must remember that laws are broken by criminals voluntarily. At some point, their conduct would no longer be tolerated. Society

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would impose in the nature of punishment, some dire circumstances as a consequence of their action. Swift justice is also a major goal of the system. The ultimate goal being a rehabilitated useful citizen who would no longer be a burden on our society.

Sounds great, but the system just does not work that way today. Proof that law enforcement is doing its part, is the tremendous backlog of cases awaiting trial in many courts, the overcrowded jail conditions, which are occupied by 70% to 80% recidivist. The repeater offender, the career criminal, represents a grave danger to the public and should be the prime target of the criminal justice system.

Chief Goodman stated that Councilman Neil Williams, who recently served as an assistant prosecutor in our court system, heard our District Attorney state last Friday that today, Monday February 3, he is going to present 370 bills of indictment to the Grand Jury, 70 of which were for armed robbery. He stated when you add that to the workload the courts are faced with today, you can see they have more than they can handle. Mr. Gilchrist further stated that last year, two Superior Courts ran full time and tried 200 jury cases. Add these 370 bill of indictments to the thousand or better cases that are now pending in Superior Court and you will see that their workload is cut out for years to come. They are in dire need of some assistance.

He stated he is not attempting to blame all our crime problems on the inability of the system to handle, but would like to point out to them a few of the inadequacies that come to the attention of the police that do exist, and of which all responsible citizens of our community should be concerned:

1. Sheriff Stahl stated on January 4, that he had 285 felons in jail awaiting trial, this was 90% of his total jail population, many on multiple felonious charges - these felons are in addition to those who manage to make bond and those who are released through the Pre-Trial Release Program.
2. Sheriff Stahl further stated he had one kid in jail, age 16 or 17, that had aged a year while he was awaiting trial.
3. He quoted from the Charlotte News, January 31.

"A Charlotte man charged with armed robbery last week that occurred while he supposedly was under 24-hour supervision at Open House, has been sent back to the center without having to post bond. The story further stated that this was his seventh arrest on armed robbery charges since August and that his most recent prior arrest was on December 19, when City Police charged him with five armed robberies. . ."

Police Investigator was quoted as saying "All we can do is gather the evidence and take him to court. It's out of our hands after that."

4. He quoted from another article (Charlotte News, October 3)

"Convicted major heroin dealer arrested nine times in the past 29 months for 17 felonies charges, five of which were counts of possession and sale of heroin, and one count of murder and he was out on bond."

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5. Another quote.

"Armed robber shoots it out with police in Gastonia when he was surprised in an armed robbery attempt. One officer was wounded, he was later released on bond the same day and the next day held up a bank in Harrisburg and shot it out with police again."

6. Picked up on Police teletype after Christmas:

"Twice-convicted murderer, serving two life sentences, paroled for Christmas holidays, did not return - now listed as escapee."

Chief Goodman stated that guy didn't escape, he just walked off, turned loose.

7. Another quote from a TV editorial.

"Over 300 inmates were in Mecklenburg County jail awaiting trial on felonious charges and at least 40 have been there for more than 3 months, it stated further that with the backlog of 900 cases still to be tried in superior court, it is time some improvements are made." He stated they agree with Sheriff Stahl's suggestion that more judges are needed, they would go one step further and recommend night court sessions to clear the cases that are piled up.

8. He also noted in a December Newsletter that the State of Florida had closed its State Prison to new inmates because of overcrowding and Governor Askew was going to appoint a "Blue Ribbon Committee" to seek ways to alleviate prison crowding.

Chief Goodman stated he had mentioned only a few of the inadequacies in the system which tend to increase crime. He is certain that the police officers that are present here tonight could literally quote you hundreds of others.

To alleviate some of these conditions, and problems, the Attorney General of North Carolina is soon to introduce legislation, which is endorsed by the Police executives of the state, to limit the time from arrest to trial on a felonious charge to 120 days. He urged Council's endorsement of this legislation which he is sure will meet opposition from Defense Attorneys and possibly District Attorneys who are not equipped to add on to their present workload.

Chief Goodman stated as their Police Chief, he has consulted with members of his staff and the "cop on the beat", and others in the criminal justice system, and friends outside the system with the question: "What else can we, as police, do to reduce crime in our community?" He has arrived at the conclusion that the police should devote more efforts to the prevention of crime which is a part of their responsibility. They are tired of chasing rabbits, they would like to get around in front and head them off the tracks. If we can prevent crimes, the number of victims of crime would be reduced, the other elements of the system would be better able to cope with their workload, and the average citizen would feel safer in his personal well-being.

Frankly, to spend more of our time on crime prevention will require additional resources, or a cutback of some of their non-police functions, which he does not recommend. He stated he has taken some steps. He has written Col. E. W. Jones, Commander of the North Carolina Highway Patrol, to assume responsibility for enforcement of traffic laws and investigation of traffic accidents on our interstate system, which is

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inside our city limits; some 17 miles of I-85 and I-77 is located in city limits of Charlotte. It has become apparent that the officers of their department are spending a disproportionate amount of their time enforcing traffic laws and investigating traffic accidents on these heavily traveled interstates. If we could be relieved of these responsibilities, we could devote more of our time to other duties. He stated he trusts they will back him in this request and lend their support on the state level, if needed.

He stated they have developed plans in crime prevention programs in their forthcoming budget request; in the meantime they are seeking other ways to further involve the general public in crime prevention programs. After all, crime prevention is an individual and community responsibility.

For a number of years they have been involved in quite a number of crime prevention programs on a limited basis. Since implementing the team police concept, about a year ago, they have received significant number of requests for these programs in the various team areas. Programs such as: Merchant - How do you protect yourself against shoplifting, bad checks, burglaries? Citizen - How can you protect your home or business from burglars? Women - How can you protect yourself from assault, rape? They have developed a School Resource Officers Program in the high schools within this city; they have also been conducting some Armed Robbery Seminars; and many other similar programs - all aimed at crime prevention.

One such program, which he is pleased to comment on tonight, is the further involvement of city employees and members of our community in our crime prevention efforts. Police have been involved in the past in radio communication with Traffic Engineering Department, Public Works Department, Fire Department and several others, reporting of street lights out, malfunctioning signal lights, and hazardous street conditions. They are now planning to expand this program by requesting that the 550 plus city-owned vehicles that are equipped with 2-way radio, that the drivers of these vehicles be trained, go through a training course, and they act as eyes and ears of the Police Department. Report to them on the unusual, things that create their suspicions, things that don't look just right.

The Police Department will provide these employees with training or instructions and these employees will be designated by the department heads. The first such program begins tomorrow at the Sanitation Department.

He stated the city is going to provide bumper stickers and pamphlets for city vehicles and for members of the public who wish to participate. He stated they have a generous supply - the word leaked out and they have already received requests from several citizens. He had given each councilmember one for illustration.

He concluded by thanking them for their past support of the Police Department and requested their continued support. He stated they can be no better, or worse, than they would have them be.

Mayor pro tem Whittington thanked Chief Goodman for the report and stated he thought he would have an attentive ear from the Council and that he would like to request that he make copies of this report so that each Councilmember could have a copy of it.

Councilman Williams stated that he agreed with Chief Goodman entirely that prevention should receive the primary focus from this Council and from the Department. It doesn't do any good to continue to pump people

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into the system, and the system is not equipped to receive them. He stated he noticed from some of the statistics that are attached to the agenda that in the last few years the number of police personnel has remained fairly constant with a slight increase, specifically in 1973 when the population was 255,000 approximately, the total number of sworn police personnel was 530. Then, of course, we have moved ahead and annexed some people and our population has increased to something over 300,000, but we only had an increase in the number of policemen to 539. That's nine additional people for approximately 45,000 new citizens or, to express it another way, approximately one police officer for 5,000 citizens. That compares with some other figures that he has of about one policeman to 582 citizens. It would seem to him that you are quite right when you say additional manpower might help. He asked Chief Goodman how many men he thought he would need?

Chief Goodman stated that is a tough question and he does not think anyone could properly answer that of how many police are enough. How many can you afford! He stated they would like to see their police ratio at least 2 per thousand in our city, which it was in 1970 - it is 1.2 now. Councilman Williams asked if he had calculated how many men that would take. Chief Goodman stated he had not. Chief Goodman stated he might explain this slight decrease - during the year they lost several federal programs such as LEAA where they lost 9 men and the Model Cities Program where they lost 4 or 5 more; they did get additional people for annexation, but not enough; in the meantime they lost some 17 people.

Councilman Short stated Chief Goodman mentioned that the Superior Court might be a thousand or more cases behind. He stated that he asked Mr. Blackburn last week about this and he said that the Superior Court is approximately 2,500 criminal cases behind. Councilman Short stated that he had in his hand an article from the press of a speech made by Judge Clifton Johnson recently in which he said that the district is 5,244 criminal cases behind. And he has done a little arithmetic on the arrests that occur - Chief mentioned in the material he presented to them about the number of arrests made in the course of a year - well, he figured out that the courts have to try about 21 serious crimes a day, just in order to keep up with the arrests that the Police Department brings in, without eating into this 7,000 and more backlog at all. He thinks it is proper for Councilman Williams and himself and Chief Goodman and all of us to talk about the courts a little - we are not in the court business anymore, but as Chief said, this is supposed to be all a part of a system, and if the citizens look upon this Council and this City Manager and this Police Chief to fight crime, because we are in the police business, he thinks it is only fair that we try to make it a part of the system and that they discuss the situation with the courts just a little bit.

Councilman Short stated he does not believe the local courts are disposing of serious crime cases at the rate of 21 a day, which is what is required to keep up with the number of arrests that are made. He thinks the situation may be comparable a little bit to what Roddey Brandes used to mention to us about the ambulance service - he is hauling in people who have been injured faster than the emergency ward at Memorial Hospital can handle them - about that situation; you are arresting people clearly faster than the courts are able to handle them. He stated that he thinks we are in good order to try to get into this matter a little bit with some of the court personnel, right at this time, particularly because we are doing our share through the community development program, in trying to implement some real good preventative programs and social programs, so he thinks it is appropriate for us to consider those who do go ahead and commit crimes and wind up in the courts. He does not think this is meddling for them at all.

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Councilman Short stated he would suggest to the Chief and to the City Manager that they have a conference with Judge Hasty and Judge Johnson and Larry Dagenhart, President of the Bar Association, Max Blackburn and others involved in that part of the system to see what can be done. Obviously, we need more court capacity here. Chief mentioned the legislature, if this requires some effort of our legislative delegation, he thinks this is a good group to try to implement that a little bit. Those folks are all friends of ours, and if we are going to be in charge of police and crime fighting, it is appropriate for us to talk to the legislative delegation about this.

Councilman Gantt stated Chief Goodman seems to be saying, in one sense, that we do need more police personnel; on the other hand, there are some problems with the court system. Councilman Gantt stated he wondered whether or not Chief's community relations arm of the Police Department has come up with definitions as to why we are committing the crimes - he just doesn't know whether this is part of Chief Goodman's department objective or not; that is, the causes of crime might be something that we ought to look at, and maybe there are other agencies in the city or county that should be looking at them. But one way one might begin to look at that problem, in his opinion is to find out whether or not we are in fact getting a new kind of offender; are we getting a certain group of people who are continuing to commit crimes and whether or not there are other kinds of programs that would eliminate those causes. He agrees that we have to have preventative programs; he agrees that we may need more police officers in view of the ratios that we have had in the past compared to the population of Charlotte, but he wonders whether or not it is the responsibility of the police through their community relations programs or working with other agencies, developing certain kinds of linkages to see whether we can get at the root cause of some of the problems. He just wondered whether or not Chief Goodman might elaborate on what his community relations wing is doing in the area of trying to bring the police closer to certain communities.

Chief Goodman stated they are concerned about the causes of crime, but they feel the causes lie outside their areas. They have begun to see a new kind of criminal. They have begun to break all rules; they have begun to shoot women, they have begun to lay people on their stomachs and shoot them in their backs, execute them; and this is fairly new in our society; and they are certainly concerned about it. Programs such as armed robbery seminars are put on with their crime prevention people with our merchants and they try to instruct the merchant how to react if they are confronted with an armed robbery - their instructions do not work always. They are involved in many community type projects involving people - showing them how they can prevent crimes and the causes are so tremendous out there that they do not feel that this is in their area.

Councilman Gantt stated he would be curious to see the number of first time offenders in relationship to their total arrests; and see whether or not there is a pattern developing that would indicate that people are committing crimes because of the economy or for other kinds of reasons, if that is possible.

Chief Goodman stated that he is sure there are many reasons - economy, drugs. Councilman Gantt asked if they have a community relations section? Chief Goodman stated they have had one for years. Councilman Gantt asked what primarily are their responsibilities - what is the specific function of that particular group?

Chief Goodman replied they go into the various communities of the city and present programs such as he mentioned - how to protect yourself; merchant, how to protect your store, your place of business; citizen, protect your home. And they have a lot of literature and pamphlets, etc.

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Councilman Harris stated he followed the data that Chief Goodman had given them and looking at the 73-74 data, he asked the date that they went to the police team concept? Chief replied, March 1974. Councilman Harris stated he noticed the drop in crime offenses in 71-72 - burglary, auto theft, just to pick out a few - there was a substantial drop in those two crimes in those two years, and then the percentage rise like in the last year. He shares concern with Councilman Williams about the number of police on the beat and he was wondering if he had any comment about those two areas, burglary for instance.

Chief Goodman stated in 1971 and 1972 we experienced a 25% decrease in these offenses in the City of Charlotte. They are very proud of this; they received national recognition. In 1973 they started up again. Councilman Harris asked Chief Goodman what he contributed the decrease in 1971-72 to? Under the district system there was a decrease in the first two years and in the third year it went up again. Chief replied you must remember that nationally crime rose 200% in the 60's and during the first three years of 1970's rose 40%. If we go back in Charlotte and compare a census tract to 1970 we only see a 10% increase in overall crime in Charlotte at this time. Councilman Harris stated he is concerned about the number of police. Listening to his scanner Saturday night, repeatedly he heard that "we are too busy, we can't go as a back-up." He is wondering if we are stretching ourselves too thin. Chief Goodman replied he hopes not, but at times they possibly are. They are still providing a lot of non-police type functions, which they would like to get out of with Council's help. They do not think they should be in the taxicab inspection business; they do not think they should be out quieting the barking dog at all hours of the night; and there are many other areas. Councilman Harris stated he joins Mayor pro tem Whittington in commending him for their efforts. All he is trying to say is that he is concerned that they are over-using this concept of the idea of citizen crime watch. He is wondering if they get the calls and do not have the policemen to go, he is just wondering what effect it will be. We can say that is great as far as being on the scene and getting the call; but sometimes he wishes we would reverse it and have the police call the sanitation people to come out and pick up the garbage.

Chief Goodman replied they have priorities also. But when you hear it took them so long and it does take them sometimes 25 or 30 minutes to answer a call, but then it might be about a bicycle that was stolen two weeks ago. Councilman Harris stated he heard a first degree burglary on Euclid Avenue and that concerned him.

Councilman Short asked Chief Goodman if there was a rule that Police Officers have two days a month to appear in court? Chief Goodman replied they designated two days per month. They try to set as many of these cases on as they possibly can; they ask the cooperation of the court if the case is to be continued, continue it on his days off if at all possible. Councilman Short asked if this is enough, if we are going to have more and more cases, more and more arrests?

Councilman Withrow asked if Council could get a list of these non-police activities the Chief has been talking about?

Mayor pro tem Whittington stated as he had said before, Council is giving Chief Goodman an attentive ear tonight: Mr. Short has made some suggestions; Mr. Williams has questioned the number of policemen that you have; so has Mr. Harris; Mr. Gantt has discussed some of the causes. He stated that he thinks he should say as Mayor pro tem of this city that the Council is concerned about the report. That he would hope the citizens who have watched this program are concerned, and that they will join Chief Goodman, his department, and this Council to do all we can.

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to see that this crime rate comes down and that we do a better job of detection of crime and prevention of crime. And he would hope that Mr. Burkhalter would follow through with the suggestion made by Mr. Short that a meeting be held with the court officials to let them know that we are doing our part, now what can they do to do their part, and again they thank him very much.

Mr. Louis Snyder stated he is a member of the Community Radio Watch, which is a chartered non-profit organization, chartered by the State of North Carolina. He stated his attire was their uniform except for the hat, they also have I. D. cards. All of their members have two-way radios in their cars and they have base stations that are always on to intercept their calls if they need to make a call through to the police station. They work with the Police and Fire Departments, observing, reporting, helping in any way that they can, to help make our city a better place to live. They go to the Ovens Auditorium and the Coliseum parking lots when they have large crowds there. He stated they have prevented several car break-ins out there since they have been doing this. And on weekends they try to watch as many convenience stores as they can. They do not try to do any police work - they just observe, call the base station, and the dispatcher in turn calls the police station, who handle it from there. They do not get a thing out of this; in fact it costs them money; the only thing they do get is the satisfaction of knowing that they are doing something that will help our city be a better place to live. Mr. Snyder stated there were six or eight from his organization present and asked them to stand. He stated a police officer acts as a liaison between their organization and the Police Department; they meet once a month with him and go over problems and go from there.

Later in the meeting Mr. Burkhalter, City Manager, stated that Chief Goodman was modest in some of this talk; he talked about the technical matters, but he did not point out to us the excellent calibre of the Police Department and he did not brag about his men enough - not because he is not proud of them, it's just that he is a little bit modest in doing so.

Mr. Burkhalter stated he thinks our Police Department is composed of some of the best trained, best qualified police officers that you will find in any city this size or larger in this country. The Council has been unusually good to this Police Department in furnishing equipment, training and supplies. One of the real problems and one of the concerns that was expressed tonight is the manpower, and one of the real concerns that the police have is pay. It is a very difficult thing to reconcile pay vs. number of additional men. So one of the things they will be forced to consider in the time to come is what to do when this decision arises before you.

The Chief pointed out to them that they were in the District System; as you know now we are using the Team Concept and very few people are familiar with this. That he thinks more people in this city are familiar with our Police Department today than they were a year ago because of this concept. But he wants to point out a couple of things, because this is the unusual part of this department. They were one of the leaders in the nation in going to the district system, people from all over the country and outside the country came to this city to see how the district system operated. He stated he was somewhat surprised when the Chief and his staff visited him at the beginning of last year and were studying the team concept. As a person involved in this, he was almost tempted to approve it before he understood it, because he is sure they are not as familiar with this as some others, but for police to be innovative and want to change, is an unusual factor. The police departments are conservative across the country. They do not like to change

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much. Our police are innovative, they do want to change, they saw the district effect was beginning to wane in this city, the crime was not going down, as it had in the first two years of this operation, they wanted to try something else. This is why through their study of the various departments that have experimented with this across the country they came up with the team concept. He stated we are still in the experimental stage, it is a new concept, and the police are sort of feeling their way around. We are beginning now to gather some statistics that you can view objectively and report to the people on how it is working, but these are things they are doing inside.

The change in their system of reporting on the complaints against police departments. People are beginning to have more respect for their disciplinary measures, the activities they are taking to keep their police department on its toes. He stated he thinks they have a lot to be proud of and he thinks they are doing a very creditable job and he just would like to say so publicly to thank the Chief and all of his people.

AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO ADOPT AND ENACT ORDINANCES REGULATING THE REMOVAL, REPLACEMENT AND PRESERVATION OF TREES WITHIN THE CITY OF CHARLOTTE, APPROVED.

Councilman Withrow moved that the subject bill authorizing the City of Charlotte to adopt and enact ordinances regulating the removal, replacement and preservation of trees within the City of Charlotte be approved. The motion was seconded by Councilwoman Locke.

Mr. Underhill, City Attorney, explained the bill stating it is a proposed act which upon Council's approval, will be added to the City's legislative package; and which, if enacted by the General Assembly, will authorize the city to adopt ordinances which would regulate the removal, replacement and preservation of trees within the corporate limits of Charlotte. He stated this is enabling legislation only. It is asking the General Assembly to authorize the Council to consider ordinances which would cover the removal, replacement and preservation of trees on private property. The passage by the General Assembly of this act does not automatically put any ordinance into effect. In fact, one of the provisions of the act requires that before Council adopts an ordinance that is authorized by this act that they must hold a public hearing, and notice must be given of a public hearing. The general purpose of the act would allow the City to adopt ordinances which would regulate the removal, replacement and preservation of trees from both improved and unimproved real property - both publicly and privately owned.

There is a major exception to that. That exception is that if Council should adopt an ordinance after this legislation is passed, it could not include property developed and actually used for single family or duplex residential purposes, or undeveloped property zoned for single family or duplex residential use, and when developed is improved as the principal residence of the owner or his tenant. This is new language which was put there at the request of certain members of Council last week. The effect of this is that property already developed for single family use and used for single family use would be exempted from the coverage of this act or any ordinance adopted pursuant to the act. In addition, all undeveloped property which was zoned for single family use and when developed, was developed as the principal residence or dwelling of the owner of the property, would also be exempted from the provisions of any ordinance adopted. This would exempt an individual who had a piece of unimproved property and desired to build on that

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property a residence. He would not be required to obtain any permits, or present to the city any proposed plans for the removal and preservation of trees. To the contrary, a developer of a subdivision, be it single family residential subdivision or industrial subdivision, or the developer of any commercial use would be required if ordinances were adopted, pursuant to this law, to present Council with plans that would show the trees that were to be removed and any proposals to preserve and replace those trees if removal did take place.

Mr. Underhill stated the ordinance can take any form Council would want it to take. This act merely authorized Council to draft and adopt such an ordinance. If Council wishes to include other restrictions at the time they adopt the ordinance, or if they wish to add other exemptions at the time they adopt the ordinance that is Council's prerogative. This is merely seeking legislative authority to prepare, consider and adopt an ordinance which would regulate trees on private properties.

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

CONTRACT WITH LEWIS CLARK AND ASSOCIATES, APPROVED.

The contract with Lewis Clark and Associates for an in-depth study of the problems of improving the environment of busy thoroughfares was presented for Council consideration.

Councilman Short stated this came before Council for handling previously and Council did not take the last piece of action on it, which would be to authorize the contract, although the money was budgeted. Since then Mr. Lewis Clark has appeared before Council. That he thinks this man is very knowledgeable in this field, and that we are fortunate that someone managed to locate him. That he made the point with him that he has a lot of things he can do if we would employ him to do them. He stated he sees no other answer to this problem; and he believes this suggestion is an answer that will be used wide spread about the United States.

Councilman Short moved approval of the contract with Lewis Clark and Associates in the amount of \$10,544.00. The motion was seconded by Councilman Gantt for discussion.

Councilman Harris stated this item came up in July of last year about Woodlawn Road, and the language at that time was a study of Woodlawn Road. Now we have a recommendation of a contract for problems on busy thoroughfares. That he agrees with that much more than singling out one street. He wonders about the change and if we are talking about the same money. Councilman Short replied he feels sure we are talking about the same money which was \$15,000. While this was generated from the Woodlawn Road situation, he had hoped previously that it could come through as a program for the entire city. That he thinks it was written for Woodlawn Road, but this time it is not.

Councilman Gantt stated it is a worthwhile kind of effort. It almost seems to indicate that it is something that we as government owe the citizens because we have ended up in situations where we have developed these major arterials through residential neighborhoods. Now that we are considering a new thoroughfare plan, he hopes that we will not get into that same kind of situation again that is going to bring about a less than ideal solution. As talented as Mr. Clark is, the solution he is going to come up with is not going to be the optimum; it is at best

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a palatable measure that will alleviate a situation that now exists. The other concern he has is that residents in these neighborhoods are going to be required to do something in addition to the city doing its part in its part of the right-of-way. We might want to consider what assistance we can give certain residents that are not going to be able financially to afford to come up with some of the measures. He does think the study is justified and is something we should do, not only on Woodlawn Road but on other places.

Councilman Withrow stated when we talked about the Woodlawn Road problem he asked if there was not an information bank. This is a nationwide problem, and he is sure that every city in the United States has a similar problem of thoroughfares. Here we are making a study, and perhaps other cities are making the same studies. There should be an information bank where each city could get the same information instead of each city spending for studies and studies because the problem is the same.

Mr. Hopson, Public Works Director, stated there is no study that we know of at present.

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

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

Mayor pro tem Whittington broke the tie voting in favor of the motion.

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

Motion was made by Councilman Harris, seconded by Councilman Short, and unanimously carried, adopting the subject resolution authorizing the refund of certain taxes, in the amount of \$620.91, which were levied and collected through clerical error and illegal levy against nine (9) tax accounts.

The resolution is recorded in full in Resolutions Book 10, on Page 304.

RESOLUTIONS ACCEPTING STATE CLEAN WATER BOND FUND GRANTS AND AUTHORIZING THE SUBMISSION OF REQUEST FOR GRANT.

Councilwoman Locke moved adoption of the following five resolutions accepting State Clean Water Bond Fund Grants and one resolution authorizing the submission of request for grant amounting to 25% of the total project costs, which motion was seconded by Councilman Short, and carried unanimously:

- (a) Resolution accepting a State Grant Offer of financial assistance for wastewater collection system at Hickory Grove Area Collector Trunks, in the amount of \$156,472.
- (b) Resolution accepting a State Grant Offer of financial assistance for wastewater collection systems at Hickory Grove Area Collector Mains, in the amount of \$174,668.
- (c) Resolution accepting a State Grant Offer of financial assistance for wastewater collection system at Newell-Hickory Grove Area Force Main and Pumping Station, in the amount of \$50,708.

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- (d) Resolution accepting a State Grant Offer of financial assistance for wastewater collection system at Parkview East Area Trunks, in the amount of \$24,394.
- (e) Resolution accepting a State Grant Offer of financial assistance for wastewater collection systems at Derita Woods Area Collector Mains, in the amount of \$91,995.
- (f) Resolution authorizing Mr. David A. Burkhalter, City Manager, to file application requesting State Grant Assistance for Sanitary Sewer Improvement at Parkway Avenue Trunk Project.

The resolutions are recorded in full in Resolutions Book 10, beginning on Page 305 and ending at Page 310.

CONTRACT WITH CAROWINDS FOR CONSTRUCTION OF SANITARY SEWER, APPROVED.

Upon motion of Councilman Short, seconded by Councilwoman Locke, and unanimously carried, subject contract with Carowinds Corporation was approved for construction of approximately 618 linear feet of 8-inch sewer, outside the City, at an estimated cost of \$6,000.00. The applicant is to construct the entire system at his own proper cost and expense and the City is to own, maintain and operate said system.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO MARY WILLIAMSON LITTLE AND HUSBAND, ROBERT S. LITTLE; MARGARET WILLIAMSON RITCH AND HUSBAND, VAN M. RITCH; AND JAMES A. WILLIAMSON, LOCATED AT THE BACK OF 911 LOUISE AVENUE, IN THE CITY OF CHARLOTTE, FOR FUTURE EXPANSION OF THE MOTOR TRANSPORT FACILITY AND RELATED ACTIVITIES.

Motion was made by Councilwoman Locke, seconded by Councilman Williams, and unanimously carried, adopting the subject resolution authorizing condemnation proceedings for the acquisition of property belonging to Mary Williamson Little and husband, Robert S. Little; Margaret Williamson Ritch and husband, Van M. Ritch; and James S. Williamson, located at the back of 911 Louise Avenue, in the City of Charlotte, for future expansion of the Motor Transport Facility and related activities.

The resolution is recorded in full in Resolutions Book 10, on Page 311.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO CHARLES M. CARROLL AND WIFE, PAULA Y. CARROLL; LLOYD F. BAUCOM, TRUSTEE; FIRST AMERICAN NATIONAL BANK; AND THIRD NATIONAL BANK IN NASHVILLE, LOCATED AT 6000 MONROE ROAD, IN THE CITY OF CHARLOTTE, FOR THE ANNEXATION AREA I (4) SANITARY SEWER TRUNK AND COLLECTOR MAINS PROJECT.

Councilman Withrow moved adoption of subject resolution authorizing condemnation proceedings for the acquisition of property belonging to Charles M. Carroll and wife, Paula Y. Carroll; Lloyd F. Baucom, Trustee; First American National Bank; and Third National Bank of Nashville, located at 6000 Monroe Road, in the City of Charlotte, for the Annexation Area I (4) Sanitary Sewer Trunk and Collector Mains Project, which motion was seconded by Councilman Harris, and carried unanimously.

The resolution is recorded in full in Resolutions Book 10, at page 312.

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RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO DODO, INCORPORATED, LOCATED AT 1131 EAST FOURTH STREET, IN THE CITY OF CHARLOTTE, FOR THE KINGS DRIVE RELOCATION PROJECT.

Upon motion of Councilman Harris, seconded by Councilman Withrow, and unanimously carried, the subject resolution was adopted authorizing condemnation proceedings for the acquisition of property belonging to Dodo, Incorporated, located at 1131 East Fourth Street, in the City of Charlotte, for the Kings Drive Relocation Project.

The resolution is recorded in full in Resolutions Book 10, at Page 313.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO BILLY J. STACKS, AND WIFE, EARLENE J. STACKS; CHARLES RAPER JONAS, TRUSTEE; AND FRECK REALTY COMPANY, LOCATED AT 208 SOUTH POPLAR STREET, IN THE CITY OF CHARLOTTE, FOR THE POPLAR STREET WIDENING PROJECT.

Motion was made by Councilwoman Locke, seconded by Councilman Withrow, and unanimously carried, adopting the subject resolution authorizing condemnation proceedings for the acquisition of property belonging to Billy J. Stacks, and wife, Earlene J. Stacks; Charles Raper Jonas, Trustee; and Freck Realty Company, located at 208 South Poplar Street, in the City of Charlotte, for the Poplar Street Widening Project.

The resolution is recorded in full in Resolutions Book 10, at Page 314.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO B. J. STACKS AND WIFE, EARLENE J. STACKS, LOCATED AT 212 SOUTH POPLAR STREET, IN THE CITY OF CHARLOTTE, FOR THE POPLAR STREET WIDENING PROJECT.

Councilman Withrow moved adoption of the subject resolution authorizing condemnation proceedings for the acquisition of property belonging to B. J. Stacks and wife, Earlene J. Stacks, located at 212 South Poplar Street, in the City of Charlotte, for the Poplar Street Widening Project, which motion was seconded by Councilwoman Locke, and carried unanimously.

The resolution is recorded in full in Resolutions Book 10, at Page 315.

ACQUISITION OF EIGHT PARCELS OF SANITARY SEWER EASEMENTS FOR THE ANNEXED AREAS, APPROVED.

Upon motion of Councilman Harris, seconded by Councilman Williams, and unanimously carried, the following parcels were approved for acquisition:

- (a) Annexation Area I (2) Sanitary Sewer Additions
3 parcels
- (b) Annexation Area I (4) Sanitary Sewer Trunk and Collector Mains
2 parcels
- (c) Annexation Area II (7) Collector Main Additions
2 parcels
- (d) Annexation Area I (11) Sanitary Sewer Trunks
1 parcel

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PROPERTY TRANSACTIONS, AUTHORIZED.

Motion was made by Councilman Withrow, seconded by Councilman Gantt, and unanimously carried, authorizing the following property transactions:

- (a) Acquisition of 2,281 sq. ft. of property, plus a construction easement, at 1515 Remount Road, from First Mt. Zion Baptist Church of Charlotte, at \$3,225.00, for the Remount Road Widening Project.
- (b) Acquisition of 16.38' x 64.88' x 16.11' x 60.00' of property, plus a construction easement, at 1500 Remount Road, from Waldo L. Hall and wife, Lucy B., at \$2,600.00, for the Remount Road Widening Project.
- (c) Acquisition of 10.32' x 79.81' x 15.44' x 85.30' of property, plus a construction easement, at 1508 Remount Road, from Mary C. Bennett (widow), at \$1,500.00, for the Remount Road Widening Project.
- (d) Acquisition of 127.32' x 25.90' x 31.31' x 107.45' x 6.00' of property, plus a construction easement, at 4401 North Sharon Amity Road, from Michael Anthony Swinson and wife, Toni M., at \$675.00, for the Sharon Amity Road Widening Project.
- (e) Acquisition of 8.35' x 7.00' x 4.00' of property, at 2001 West Boulevard, from Marsh Realty Company, at \$1.00, for the West Boulevard-Walton Road Intersection Project.
- (f) Acquisition of 15' x 86.05' of easement of 3201 Northampton Drive, from John H. Bowers, Jr. and wife, Theresa J., at \$1,200.00, for Sanitary Sewer Trunk to Eliminate Lift Station at Frederick Place.
- (g) Acquisition of 15' x 69.03' of easement at 6420 Sharon Road, from Cynthia Elliott DeArmon (widow), at no cost to the City, for Sanitary Sewer to serve Sherbrook II Subdivision.
- (h) Acquisition of 15' x 129.86' of easement at 3948 Riverbend Road (off Park Road), from Charles L. Winterer and wife, Eileen D., at \$800.00, for Sanitary Sewer to serve Sherbrook II Subdivision Project.
- (i) Acquisition of 15' x 15.13' x 15' x 98.17' of easement, at 6025 Park Road, from South Executive Park, a Partnership, at \$115.00, for Sanitary Sewer to serve Park Road and Pine Valley Road.

SPECIAL OFFICER PERMITS, APPROVED.

Councilman Gantt moved approval of the following Special Officer Permits, which motion was seconded by Councilman Harris, and unanimously carried:

- (a) Renewal of permit to Alfred A. Davis, Sr. for use on the premises of Stroupe Security Patrol, Inc., 413 South Cedar Street.
- (b) Issuance of a permit to Michael Lloyd Conklin for use on the premises of Richway, Inc.
- (c) Renewal of permit to Woodrow Freeman for use on the premises of Park and Recreation Commission.
- (d) Renewal of permit to Charles R. Goodman for use on the premises of K-Mart, 6025 Pineville Road.
- (e) Renewal of permit to Joseph Albert Green for use on the premises of Charlottetown Mall, One Charlottetown Center, Cargill Building.
- (f) Issuance of permit to Shirley Helms Griffin for use on the premises of K-Mart, 3700 East Independence Boulevard.

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- (g) Renewal of permit to Gregory Ray Nance for use on the premises of Douglas Municipal Airport.
- (h) Renewal of permit to Herschel Peck for use on the premises of Charlotte Park and Recreation Commission.
- (i) Issuance of permit to Robert Gregg Surratt for use on the premises of Charlotte Branch, Federal Reserve Bank of Richmond.

CHARLES F. RITCH, JR. AND HEATH B. HOWIE REAPPOINTED TO THE HOUSING APPEALS BOARD.

Upon motion of Councilman Short, seconded by Councilwoman Locke, and unanimously carried, Charles F. Ritch, Jr. and Heath B. Howie were re-appointed for three year terms each to the Housing Appeals Board.

MS. MARTHA SHAW REAPPOINTED TO FIREMEN'S RELIEF BOARD OF TRUSTEES.

Motion was made by Councilman Short, seconded by Councilman Withrow, and unanimously carried, reappointing Ms. Martha Shaw to the Firemen's Relief Board of Trustees for a two year term.

JOHN G. NEWITT, JR. REAPPOINTED TO ZONING BOARD OF ADJUSTMENT.

Councilman Short moved reappointment of John G. Newitt, Jr. to the Zoning Board of Adjustment for a three year term, which motion was seconded by Councilman Gantt, and carried unanimously.

ROBERT SATTERFIELD APPOINTED TO INSURANCE ADVISORY COMMITTEE.

Upon motion of Councilman Harris, seconded by Councilman Short, and unanimously carried, Mr. Robert Satterfield was appointed to the Insurance Advisory Committee for a three year term to expire March 1, 1978.

NOMINATION OF MS. WILLIAM M. (JANE) MARLEY TO THE PARADE PERMIT COMMITTEE.

Mayor pro tem Whittington placed in nomination the name of Mrs. William M. (Jane) Marley, 1323 Townes Road, to the Parade Permit Committee.

REQUEST THAT NEXT AGENDA INCLUDE AN ITEM FOR APPOINTMENT OF CHAIRMAN AND VICE CHAIRMAN FOR PARADE PERMIT COMMITTEE.

Councilman Short stated this Committee will be appointed in full with the help of the City Manager with reference to staff personnel. He suggested that the agenda for next week include a discussion as to which of the members of this Committee will be designated as Chairman.

COMMENTS ON PRELIMINARY PLANS FOR COMMUNITY DEVELOPMENT REVENUE SHARING FUNDS AND PROPOSAL THAT FUNDS BE USED FOR A MODEST COMMUNITY CENTER.

Councilman Williams stated he would like to congratulate and commend the staff for the splendid work they did in preparing the preliminary plans for the expenditures of the Community Development Revenue sharing funds. They were laboring under severe time restraints, and they did a good job, especially Jerry Coffman and Joe Michie who were active in the preparation of the document.

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Councilman Williams stated he will not be here at the time of the public hearing on February 12. This is a public hearing designed for public reaction to the staff's plan; therefore, he would like to make a comment at this time about it.

He stated the proposal for the expenditure of funds in Third Ward contemplates a substantial urban renewal clearance and demolition. That he noticed there is no provision for a community center in that neighborhood. He would like to go on record and suggest that some of the money earmarked for demolition and clearance be used for a community center in that neighborhood. There are plenty of funds allocated to Third Ward, and he would think a modest community center would do a lot of good in that neighborhood.

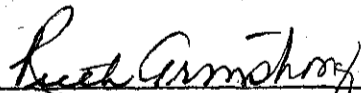
INFORMATION REQUESTED ON THE POSSIBILITY OF FUNDS FOR BUILDING HOUSING IN THE CORE OF THE CITY, AND RE-FINANCING MULTI-FAMILY PROJECTS, SUCH AS POPLAR APARTMENTS UNDER FHA.

Mayor pro tem Whittington stated he would like to ask a question, and request the City Manager to give Council an answer at the next meeting. In Houston, at the National League of Cities Conference, Council heard from HEW and HUD Secretaries, Mr. Weinberger and Secretary Lynn. One of the men said that FHA now has the authority to re-finance multi-family projects such as the Poplar Apartments, or any multi-family unit here in Charlotte. That he went on to say that Congress and the Community Block Grant gives cities the opportunity to build housing in the core of our city. If this means anything that would help the City of Charlotte he would hope the City Manager would give the information to Council at its next meeting.

Mr. Burkhalter, City Manager, replied that Congress has not funded any housing programs; they have not given us all of the administrative information about the programs. When the CD plan was presented it was pointed out that it was not the housing plan. As soon as the information is received, it will be in Council's hands.

ADJOURNMENT.

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



Ruth Armstrong, City Clerk