

July 28, 1975
Minute Book 62 - Page 149

The City Council of the City of Charlotte, North Carolina, met in regular session on Monday, July 28, 1975, at 3:00 o'clock p.m., in the Council Chamber, City Hall, with Mayor John M. Belk presiding, and Councilmembers Harvey Gantt, Kenneth Harris, Pat Locke, Milton Short, James Whittington, Neil Williams and Joe Withrow present.

ABSENT: None.

* * * * *

Sitting with the Council as a separate body to hear the zoning petitions, was the Charlotte-Mecklenburg Planning Commission, with the following members present: Chairman Tate, Commissioners Boyce, Ervin, Finley, Heard, Kirk and Marrash.

ABSENT: Commissioners Jolly, Ross and Royal.

* * * * *

INVOCATION.

The invocation was given by Councilman James B. Whittington.

MINUTES APPROVED.

Upon motion of Councilwoman Locke, seconded by Councilman Short, and unanimously carried, the minutes of the last meeting on Monday, July 14, were approved as submitted.

CITY OF CHARLOTTE EMPLOYEE PLAQUE PRESENTED TO FULTON A. CHASTAIN.

Mayor Belk recognized Mr. Fulton A. Chastain, Equipment Operator II, Traffic Control Division, Traffic Engineering, and presented him with the City of Charlotte Employee Plaque for his services with the city from March 21, 1957 until his retirement June 25, 1975.

Mayor Belk and each Councilmember thanked Mr. Chastain for his services and wished him well in his retirement.

ORDINANCE NO. 793-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE AMENDING THE ZONING MAP BY CHANGING THE ZONING OF A TRACT OF LAND NORTH OF EAST TWELFTH STREET, BETWEEN NORTH ALEXANDER STREET AND NORTH MYERS STREET, ON PETITION OF THE CITY OF CHARLOTTE.

The public hearing was held on Petition No. 75-19 by the City of Charlotte for a change in zoning from R-6MF to O-6 of a 3.47 acre tract of land north of East Twelfth Street, between North Alexander Street and North Myers Street.

Mr. Bryant, Assistant Planning Director, explained the land uses in the area and the zoning districts surrounding the area.

In his explanation he stated the request is to change the zoning of the property which is known as the Alexander Street School, from R-6MF to O-6 to facilitate the use of the building and grounds as a Neighborhood Center, Medical Center.

July 28, 1975
Minute Book 62 - Page 150

No opposition was expressed to the proposed change in zoning.

Decision on the petition was deferred until later in the meeting.

The City Manager advised that the Planning Commission recommended approval of the change in zoning as requested.

Motion was made by Councilman Short, seconded by Councilwoman Locke, and unanimously carried, adopting the ordinance changing the zoning of the property from R-6MF to O-6 as recommended by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 22, at Page 275.

ORDINANCE NO. 711-Z AMENDING CHAPTER 23, SECTION 23-62 OF THE CITY CODE AMENDING THE TEXT OF THE ZONING ORDINANCE TO REDUCE THE AMOUNT OF OFF-STREET PARKING REQUIRED BY SENIOR CITIZEN'S HOUSING, AND DEFINE SUCH HOUSING TO INCLUDE SUCH PROJECTS CONSTRUCTED BY SEMI-PUBLIC NON-PROFIT INSTITUTIONS SUCH AS THE SALVATION ARMY.

Councilman Harris moved adoption of the subject ordinance amending the text of the zoning ordinance as recommended by the Planning Commission. The motion was seconded by Councilwoman Locke, and carried by the following vote:

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

The ordinance is recorded in full in Ordinance Book 22, at Page 193.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON MONDAY, AUGUST 25, ON PETITION NO. 75-20 FOR ZONING CHANGE.

Motion was made by Councilman Short, seconded by Councilman Whittington, and unanimously carried, adopting the subject resolution fixing a date of public hearing on Monday, August 25, 1975.

The resolution is recorded in full in Resolutions Book 11, at Page 35.

RESOLUTION OF THE CITY OF CHARLOTTE APPROVING THE SALE OF LAND IN BROOKLYN URBAN RENEWAL AREA, PROJECT NO. N. C. R-43 TO THE HOUSING AUTHORITY OF THE CITY OF CHARLOTTE FOR A HIGH RISE APARTMENT BUILDING FOR THE ELDERLY.

Councilman Whittington moved adoption of the subject resolution approving the sale of 241,361 square feet of land, known as disposition Parcel No. 9, in Brooklyn Urban Renewal Area, Project No. N. C. R-43, at a sale price of \$118,000 to the Housing Authority of the City of Charlotte for a high rise apartment building for the elderly; consisting of 180 units of public housing and parking. The motion was seconded by Councilman Withrow, and carried unanimously.

The resolution is recorded in full in Resolutions Book 11, at Page 36.

July 28, 1975
Minute Book 62 - Page 151

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE ADOPTING A POLICY TO PROVIDE RELOCATION PAYMENTS AND ASSISTANCE TO FAMILIES, INDIVIDUALS AND BUSINESSES DISPLACED FROM COMMUNITY DEVELOPMENT TARGET AREAS WITHIN THE CITY OF CHARLOTTE, NORTH CAROLINA, BY AN ASSISTED ACTIVITY OTHER THAN THE ACQUISITION OF REAL PROPERTY.

Motion was made by Councilman Gantt, and seconded by Councilwoman Locke to adopt the resolution adopting a policy to provide relocation payments and assistance to families, individuals and businesses displaced from Community Development Target Areas within the City of Charlotte by an assisted activity other than the Acquisition of real property.

The policy was explained by Mr. Sawyer, Director of Community Development Department.

The vote was taken on the motion and carried unanimously.

The resolution is recorded in full in Resolutions Book 11, beginning at Page 37.

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

Councilman Harris moved adoption of the following seventy-three (73) ordinances affecting housing declared "Unfit" for human habitation, to become effective August 11, 1975; which motion was seconded by Councilman Williams.

(a) 27 dwellings to be demolished and removed at the following locations:

1005 Clanton Court, 1006 Clanton Court, 1008 Clanton Court, 1011 Clanton Court, 1013 Clanton Court, 1016 Clanton Court, 1019 Clanton Court, 615 Dunbar Street, 711 Dunbar Street, 1016 Eldridge Street, 1008 Eldridge Street, 307 West Palmer Street, 309 West Palmer Street, 315 West Palmer Street, 317 West Palmer Street, 319 West Palmer Street, 604 Palmer Street, 606 Palmer Street, 1000 Pitcher Street, 1002 Pitcher Street, 1004 Pitcher Street, 1007 Pitcher Street, 1008 Pitcher Street, 1125 Pitcher Street, 1127 Pitcher Street, 1130 Pitcher Street, 1140 Pitcher Street.

(b) 41 dwellings to be vacated, demolished and removed at the following locations:

1007 Clanton Court, 1009 Clanton Court, 1010 Clanton Court, 1014 Clanton Court, 607 Dunbar Street, 609 Dunbar Street, 611 Dunbar Street, 613 Dunbar Street, 617 Dunbar Street, 619 Dunbar Street, 621 Dunbar Street, 623 Dunbar Street, 707 Dunbar Street, 709 Dunbar Street, 1004 Eldridge Street, 1014 Eldridge Street, 1020 Eldridge Street, 1022 Eldridge Street, 1028 Eldridge Street, 1030 Eldridge Street, 1038 Eldridge Street, 1040 Eldridge Street, 608 Palmer Street, 610 Palmer Street, 614 Palmer Street, 1006 Pitcher Street, 1009 Pitcher Street, 1010 Pitcher Street, 1011 Pitcher Street, 1012 Pitcher Street, 1013 Pitcher Street, 1014 Pitcher Street, 1016 Pitcher Street, 1017 Pitcher Street, 1018 Pitcher Street, 1020 Pitcher Street, 1025 Pitcher Street, 1029 Pitcher Street, 1129 Pitcher Street, 1131 Pitcher Street, 1134 Pitcher Street.

(c) 5 dwellings to be vacated and closed at the following locations:

1015 Pitcher Street, 1019 Pitcher Street, 1021 Pitcher Street, 1101 Pitcher Street, 1023 Pitcher Street.

July 28, 1975
Minute Book 62 - Page 152

Mr. Jamison, Superintendent of the Building Inspection Department, stated the property is owned by the C. C. Clanton Estate, and for all practical purposes the houses are the worse of any in the City of Charlotte. He presented slides showing the location of the property; its proximity to the industrial uses in the area, and the unsafe and unsanitary conditions of the houses.

Mr. Jamison stated they would like to rid the area of the unoccupied houses first. Then they will work with the relocation division to relocate the tenants, and then demolish the buildings, and if necessary place a lien against the property. He stated there are five dwellings which they believe can be salvaged.

Mr. Sol Levine, Attorney for the Estate, stated they have no objections to this being done. They have tried to work something out over the past year or two to fix the houses, but they have come to the conclusion they cannot spend the monies to fix the houses. The owners of the property for many, many years have become deceased. Wachovia Bank and Trust Company and he are trying to have all these torn down. They have started already; they have a contract to tear another six down, which is to start today. They want them down. The only thing he wants to make sure the people have a place to go, and a place to live.

Mr. Levine stated Mr. Jamison has been nice in working with them. The reason he is here today, and after reading the agenda, the representatives of the City have met with the area residents and they are pleased with the relocation assistance. If this is so, then they have no objections. He would like to try to work out with Mr. Jamison a private tearing down. They would like to tear them down themselves as they can probably get it done cheaper. But if Mr. Jamison can, then it is okay with them.

The vote was taken on the motion to adopt the 73 ordinances, and carried unanimously.

Ordinances No. 712-X through No. 784-X are recorded in full in Ordinance Book 22, beginning at Page 194, and ending at Page 266.

ORDINANCES DECLARING HOUSING UNFIT FOR HUMAN HABITATION, ADOPTED.

Councilwoman Locke moved adoption of the following four (4) ordinances affecting housing declared "unfit" for human habitation, which motion was seconded by Councilman Williams:

- (a) Ordinance No. 785-X ordering the dwelling at 1816 Thomas Avenue to be vacated and closed.
- (b) Ordinance No. 786-X ordering the dwelling at 3512 Avalon Avenue to be vacated and closed.
- (c) Ordinance No. 787-X ordering the dwelling at 304 Ingle Street to be vacated demolished and removed.
- (d) Ordinance No. 788-X ordering the dwelling at 5416 Hartley Street to be demolished and removed.

Council was advised that the orders would not be contested. Pictures of the properties were passed around for Council to view.

The vote was taken on the motion and carried unanimously.

The ordinances are recorded in full in Ordinance Book 22, beginning at Page 267 and ending at Page 270.

July 28, 1975
Minute Book 62 - Page 153

ORDINANCE NO. 789-X ORDERING THE DEMOLITION AND REMOVAL OF BUILDINGS AT 1420 STATESVILLE ROAD PURSUANT TO THE BUILDING CODE OF THE CITY AND SECTION 6.61 ARTICLE IV, CHAPTER 6 OF THE CHARTER OF THE CITY OF CHARLOTTE.

Councilman Short moved adoption of the subject ordinance ordering the demolition and removal of the buildings at 1420 Statesville Road pursuant to the Building Code of the City and Section 6.61, Article IV, Chapter 6 of the Charter of the City of Charlotte. The motion was seconded by Councilman Williams, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 22, at Page 271.

FUNDS TO BE ADVANCED TO MANPOWER PROGRAM TO MEET CASH FLOW NEEDS.

Councilman Gantt moved that the Finance Director advance funds from the General Fund to the Manpower Program to meet cash flow needs with all such loans to be made upon a reimburseable basis only. The motion was seconded by Councilman Short, and carried unanimously.

MINORITY ECONOMIC DEVELOPMENT PLAN AUTHORIZED TO BE IMPLEMENTED AND ADMINISTERED BY THE COMMUNITY DEVELOPMENT DEPARTMENT.

Motion was made by Councilman Gantt, and seconded by Councilman Short to approve the proposed Minority Economic Development Plan to be implemented and administered by the Community Development Department.

Councilman Short asked what employees MEDCO had, and if we are increasing the number of employees? Mr. Sawyer, Director of Community Development Department, replied no; there were four positions created and occupied there, and they are recommending that four positions be used in this division.

Councilman Harris stated the report Council received was a very good report; but he disagrees with it. That he does not understand one basic principle and that is the conclusion of Mr. Burkhalter's memorandum attached to it on July 22, that he feels we can employ city staff members that can be better judges of how to operate private enterprise than some other private enterprise organization could in the city. He believes MEDCO was sponsored or supported by the Chamber of Commerce; was there not a connection? Mr. Sawyer replied it was not sponsored by them but there was a cooperative effort, and he intends to continue that. The Chamber of Commerce has programs in progress that this unit needs to cooperate with, the same way MEDCO did.

Councilman Harris stated the three points made in the report about why we feel we should do away with Medco and put this under the Community Development Department, as interest. First, it assures strong city control over a vitally important component of the CD plan. Second, the program can be implemented quickly and future adjustments can be made without having to go through lengthy negotiations with an outside board. Third, since City Council is responsible for the CD program, its major components should be directly accessible to elected officials through the administrative staff. He stated that is true of all the contractual plans we have through the whole CD plan. If we wanted to operate a superior efficient type of operation, we could always be completely in control of, we have contractual services through the whole CDRS plan. We have contracts with the county for social services programs; we have contracts with other agencies. That has been a strong point of everything we are doing.

July 28, 1975
Minute Book 62 - Page 154

Then all of a sudden we are taking these three areas, and saying the best way to run anything is to have absolute, complete control over it. We can hire people and put them on the city staff and they will be able to motivate, direct, and guide businessmen in how to make a profit in a business. That does not sound to him like a city function. That the Chamber of Commerce would be one and the business school at UNCC would be another source of guidance, and they have people who are qualified to this kind of thing. He is sure there are other business type organizations here that could lend input better than Council to help the minority businessmen know how to run a business, than a city staff member. He stated he thinks this is the exact reason why minorities are turning to government for guidance in solving their problems versus the idea of going through the business community at all. Here we are going around this way of using our control and saying the best way of doing it is through the complete control of the city government.

Mr. Sawyer stated we are confined in the spending of this \$101,000 just to the nine target areas. Councilman Harris stated the report says in the CDRS areas and other parts of the city that need this type of assistance. Mr. Sawyer replied the first objective says the greatest emphasis will be placed on businesses, existing businesses and new businesses that we might help create within the project areas - that is true of the \$101,000. It goes on to say that efforts will be made to identify other funds which, if obtained, might fund a broader program; but only to that extent. The \$101,000 is earmarked strictly for the benefit of the minority, disadvantaged and others of the project areas. Councilman Harris stated he agrees with the point; the report is good; but he is talking about who implements it. That he thinks that is where we disagree. The idea that we will be involved in economic planning and going over into the report and talking about process of obtaining loans and filling out forms and counseling with people, and going to banks with them and so forth, we are completely circumventing the entire segment of our community that knows how to run private enterprise. Mr. Sawyer replied they do not intend to. There are certain operating businesses, certain executives and existing businesses that have already committed a certain amount of time of their executives for counseling these potentially small businessmen. We intend to continue the skill bank in the program. There is a two part thrust of the program. That is to assist the small business already in business and operating within the project areas. Those mostly are the beauty shops, barber shops, restaurants, and grocery stores.

He stated the Chamber of Commerce operates an element called the Business Resource Counseling. That is a cooperating agency, and there are other cooperating agencies that we will be able to call on, or to refer these businessmen to for either counseling service, and loan assistance. Our role will be to help the small businessmen make the proper contacts; or put him into the educational program through UNCC, or Central Piedmont which might improve his managerial skills, and that sort of help. He stated this can all be coordinated with the other rehabilitation assistance that will be available through this community Development Program.

Councilman Harris stated he thinks this is exactly the kind of program the Chamber needs to rid itself of the wrong kind of image from a standpoint of broadening it all the way across the board. But if we are going to elect to do it through the city government, then he thinks that is pulling the rug out from under their efforts. This is the kind of thing that at least they should be asked from a standpoint of whether or not they could do this program.

July 28, 1975
Minute Book 62 - Page 155

Councilman Harris stated he thinks this is exactly the kind of program the Chamber needs to rid itself of the wrong kind of image from a standpoint of broadening it all the way across the board. But if we are going to elect to do it through the city government, then he thinks that is pulling the rug out from under their efforts. This is the kind of thing that at least they should be asked from a standpoint of whether or not they could do this program.

Councilman Gantt stated back when Council was structuring the Community Development program, and voting on the original plan, he had some real reservations and voted against the entire plan because he felt that some agencies that had existed under Model Cities and previous programs should have been continued. One of them was the MEDCO Operation that existed and had the tie with the Chamber. Since that time for various reasons, some of them given here, the fact the city needs more control, and the city itself behind the program directly would have greater impact on the economic development of businesses in that area, and he has come around to the view point that he will wait and see on this.

He stated he would want to agree with Mr. Harris that this would seem to be the kind of thing that a very active Chamber of Commerce would want to get into, and he guesses they are involved in that. His concern has been that economic development, particularly from the minority and disadvantaged businessmen, has been kicked around in this country for the last eight or nine years. That more disappointments come out of these things than anything else. Here we go again raising the hopes of some people that we are going to do something about improving their business opportunities in this community. His only concern is that this Council be committed; however, if this particular experiment fails we should be ready to turn around next year, in reevaluating this program, and see if there is another way to do it. He is willing to go along with the City taking full control of this, giving this excellent report that has been prepared, and making sure that city staff would stay in communication with the business community, and seek their support as much as possible. He is hoping they will do that - the four man staff given here - if they are not doing that they would have a tremendous responsibility on their shoulders. One he thinks would almost be impossible to accomplish. They can accomplish if the City Council, City Staff is behind them, and they seek the assistance of the business community.

RESOLUTION AND ORDINANCE ESTABLISHING THE ECONOMIC DEVELOPMENT DIVISION OF THE COMMUNITY DEVELOPMENT DEPARTMENT.

Motion was made by Councilman Gantt, and seconded by Councilman Short to adopt the following resolution and ordinance establishing the Economic Development Division of the Community Development Department:

- (a) Resolution amending the Pay Plan of the City by adding the following classes: (1) Class No. 459, Neighborhood Economic Development Assistant, Pay Range 19, Steps A through F inclusive; (2) Class No. 461, Neighborhood Economic Development Supervisor, Pay Range 21, Steps A through F Inclusive.
- (b) Ordinance No. 790-X amending Ordinance No. 662-X, the 1975-76 Budget Ordinance, amending the Table of Organization for the Charlotte Community Development Department, by adding the following positions: (1) Neighborhood Economic Development Supervisor; (2) Neighborhood Economic Development Assistant; (3) Accountant I and (4) Clerk Typist II.

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

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

The resolution is recorded in full in Resolutions Book 11, at Page 39, and the ordinance is recorded in full in Ordinance Book 22, at Page 272.

July 28, 1975
Minute Book 62 - Page 156

ORDINANCES TRANSFERRING FUNDS FOR INTERIM FUNDING OF PROGRAMS.

Councilman Short moved adoption of Ordinance No. 791-X amending the 1975-76 Budget Ordinance, transferring \$12,873 from the General Fund Contingency to provide an adequate appropriation to continue the Homeowners' Counseling Service until it can be fully funded under the Community Development Program. The motion was seconded by Councilman Harris.

Councilman Gantt asked where the money is coming from, to provide the interim funding? Will this be reimbursed by CDRS? Mr. Burkhalter, City Manager, replied it will not be reimbursed; it will come from the General Fund Contingency.

The vote was taken on the motion and carried unanimously.

The ordinance is recorded in full in Ordinance Book 22, at Page 273.

Councilman Harris moved adoption of Ordinance No. 792-X amending Model Cities Closeout Ordinance, transferring \$15,000 within the Model Cities Budget to provide a supplemental appropriation to continue the MOTION Administration and operating expenses until contract negotiations are completed under the Community Development Program, and approval of a contract with MOTION extending it until August 11, 1975. The motion was seconded by Councilman Williams, and carried as follows:

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

The ordinance is recorded in full in Ordinance Book 22, at Page 274.

Councilman Short stated he would like to ask a question that relates to the function of MOTION. That he understands it is unlikely that the Housing Authority in the immediate future will be engaging in the construction business; but there will be a procedure recommended and in fact dictated by federal guidelines that will require rent supplement type programs using housing that is in existence - Section VIII of the 1974 Act. He asked if MOTION can construct houses that will be available for rent under Section VIII? If they can, it would seem that MOTION would be invaluable and in fact would be the only agency who would be engaging in the construction of housing for low income citizens - new housing.

Mr. Wheeling, Director of the Housing Authority, replied MOTION can build houses that can be rented under Section VIII; so can the Housing Authority in a very complicated way. The idea of Section VIII though is to utilize units that are already built and the rent would be subsidized. He stated HUD will be advertising in July and August for existing housing.

LEASE BETWEEN THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION AND CITY OF CHARLOTTE FOR THE ALEXANDER STREET CENTER.

Councilwoman Locke moved approval of the lease for the Alexander Street Center, from July 1, 1975 until September 30, 1975, in the amount of \$1.00, to hold the property until an environmental study can be completed prior to the release of federal funds for the acquisition of the property. The motion was seconded by Councilman Harris, and carried unanimously.

July 28, 1975
Minute Book 62 - Page 157

RESOLUTION APPROVING A SUPPLEMENTAL AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR STREET IMPROVEMENTS PROJECT UNDER THE ANNUAL TOPICS WORK PROGRAM IN CHARLOTTE.

Councilman Harris moved adoption of the subject resolution approving the supplemental agreement which provides for the sharing of right of way costs on certain portions of the project. The motion was seconded by Councilman Short, and carried unanimously.

The resolution is recorded in full in Resolutions Book 11, at Page 40.

CONTRACT WITH HASKINS & SELLS, C.P.A.'S, TO AUDIT CITY ACCOUNTS FOR FISCAL YEAR 1975.

Councilman Harris moved approval of a contract with Haskins & Sells, C.P.A.'s, to audit the city accounts, in an amount not to exceed \$42,000 for the fiscal year 1975. The motion was seconded by Councilwoman Locke, and carried unanimously.

AGREEMENT WITH STATE OF NORTH CAROLINA, DEPARTMENT OF MILITARY AND VETERAN'S AFFAIRS, OPERATING AS THE AIR NATIONAL GUARD, TO REVIEW RENTAL TERMS AND CONDITIONS ON PROPERTY LEASED TO THE GUARD ON THE EAST SIDE OF AIRPORT.

Councilman Short moved approval of the subject agreement to review the rental terms and conditions on the 49.17 acres leased to the Guard on the east side of the Airport for an increase in the annual rental from \$7,800 to \$10,800 for a period of five years. The motion was seconded by Councilman Withrow, and carried unanimously.

ORDINANCES TRANSFERRING FUNDS FOR THE AIRPORT.

Motion was made by Councilman Harris, and seconded by Councilman Short to adopt the following ordinances:

- (a) Ordinance No. 794-X transferring \$150,000 from the 1966 Airport Bond Fund to provide a continued appropriation for the purchase of land in accordance with the Airport Master Plan to be repaid to the Bond Fund upon the availability of additional federal funds.
- (b) Ordinance No. 795-X revising revenues and expenditures to increase the FAA Grant Award for strengthening Taxiways "A" and "C" at Douglas Municipal Airport by \$18,381.00.
- (c) Ordinance No. 796-X transferring \$5,641 from the Unappropriated Balance of the Airport Fund to provide a supplemental appropriation to complete the installation of security fencing at Douglas Municipal Airport.

Councilman Williams stated the ordinance under (a) is for the purchase of land in accordance with the Airport Master Plan. He asked if this land is in connection with the runway or the terminal? Mr. Birmingham, Airport Manager, replied it is in connection with the approved Master Plan; in some areas it was a part of the original runway. These are court settlements and this is an appropriation of money so that the court settlements can be paid in the condemnation law suits. The \$150,000 will be reimbursed by the Feds.

July 28, 1975
Minute Book 62 - Page 158

Councilman Whittington asked when the meeting is scheduled between the Airport Advisory Commission and the City Council as requested at the last meeting? Mr. Burkhalter, City Manager, replied they are working on this, and with the City Attorney's advise will give a date on it.

Councilman Williams asked if these funds have anything to do with the ground under the terminal? Mr. Birmingham replied he would have to say no in this case as he believes this is all for the runway; they are condemnation suits and is within the existing approved boundary approved in 1972. They have been purchasing this land, and because of the high cost of land, in some of the condemnation suits the juries awarded more than was estimated. This was land to extend the runways.

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

The ordinances are recorded in full in Ordinance Book 22, beginning at Page 276 and ending at Page 278.

ORDINANCE NO. 797-X AMENDING THE 1975-76 BUDGET ORDINANCE ESTABLISHING AN APPROPRIATION IN THE PARK AND RECREATION CAPITAL IMPROVEMENT FUND FOR BRIDGE CONSTRUCTION AT REVOLUTION PARK GOLF COURSE.

Upon motion of Councilman Whittington, seconded by Councilman Harris, and unanimously carried, the subject ordinance was adopted establishing an appropriation of \$55,000 in the Park and Recreation Capital Improvement Fund for bridge construction at Revolution Park Golf Course.

The ordinance is recorded in full in Ordinance Book 22, at Page 279.

ORDINANCE NO. 798-X ESTABLISHING REVENUE ESTIMATES AND PROVIDING FOR THE TRANSFER OF FUNDS FROM THE 1975 SIDEWALK BOND FUND TO THE CAPITAL IMPROVEMENT FUND, ESTABLISHING AN APPROPRIATION FOR SIDEWALK CONSTRUCTION.

Councilman Short moved adoption of the subject ordinance establishing an appropriation in the amount of \$150,000 for sidewalk construction. The motion was seconded by Councilwoman Locke, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 22, at Page 280.

AMENDMENTS TO CONTRACTS EXTENDING TIME FOR FOUR PROJECTS OF THE HOUSING AUTHORITY FINANCED WITH REVENUE SHARING FUNDS.

Councilman Gantt moved approval of amendments to the following contracts extending the time for four projects of the Housing Authority financed with Revenue Sharing Funds; which motion was seconded by Councilman Williams:

- (a) Contract with Piedmont Courts, new termination date March, 1976.
- (b) Contract with Fairview Homes, new termination date of August, 1975.
- (c) Contract with Earle Village, new termination date of October 31, 1975.
- (d) Contract with Bethlehem Day Care Center, new termination date of May, 1976.

Councilman Harris asked why these dates are being extended? Mr. Wheeling, Director of Housing Authority, replied when he came with the Housing Authority the contracts had just been authorized; that they had to go back and do a survey and study, have the designs made, let contracts and it has taken additional time. That a good bit of the work has been done, and each member of Council will receive a copy of the report in the mail tomorrow. There was a delay in letting the contracts because of the surveys and studies that had to be made.

July 28, 1975
Minute Book 62 - Page 159

Mr. Wheeling stated at Piedmont Courts they have installed a centralized container garbage pickup; they have constructed shelter for bus riders; a bus turn lane; the bus shelter is right beside the office on Seigle Avenue.

Councilman Whittington asked about money to improve an apartment? Mr. Wheeling replied that is being done with federal funds; they are taking out all the space heaters. That the contracts for the inside work were let about 60 days ago. He stated they were preparing to put in new space heaters at Piedmont Courts, with federal money to replace the old space heaters. They looked into this and found that it was almost as economical to put in vertical furnaces in the walls. This is much safer. Councilman Whittington stated it seems to him that we have been on this particular project for over three years.

Councilman Gantt asked if he is saying the fact the work is not completed is not the fault of any contractor who was given a time to terminate the project; that the planning and all the things that had to be done is causing the extension of the time? Mr. Wheeling replied that is right.

The vote was taken on the motion and carried unanimously.

RESOLUTIONS REFUNDING TAXES COLLECTED THROUGH CLERICAL ERROR AND ILLEGAL LEVY.

Upon motion of Councilman Short, seconded by Councilwoman Locke, and unanimously carried, the following resolutions were adopted:

- (a) Resolution authorizing the refund of certain taxes, in the amount of \$5,948.71, levied and collected through clerical error against 16 tax accounts.
- (b) Resolution authorizing the refund of certain taxes, in the amount of \$887.50, which were levied and collected through clerical error against four tax accounts.

The resolutions are recorded in full in Resolutions Book 11, beginning at Page 42.

SETTLEMENT IN THE CASE OF THE CITY OF CHARLOTTE VS. A.E. SPEARS, ET AL FOR OAKLAWN AVENUE WIDENING PROJECT, AUTHORIZED.

Upon motion of Councilman Gantt, seconded by Councilman Withrow, and unanimously carried, settlement was authorized in the case of the City of Charlotte vs. A. E. Spears, et al, in the amount of \$16,250, in the Oaklawn Avenue Widening Project, as recommended by the City Attorney.

ENCROACHMENT AGREEMENTS AUTHORIZED.

Motion was made by Councilman Withrow, seconded by Councilman Short, and unanimously carried, approving the following encroachment agreements:

- (a) Encroachment Agreement between the City of Charlotte and Leon Olive on right of way of Elizabeth Avenue and Torrence Street, allowing property owner to construct a four (4) foot wide decorative sidewalk from a commercial structure to the back of curb on both sides.
- (b) Encroachment Agreement between the City of Charlotte and the North Carolina Department of Transportation permitting the City to construct a 10-inch C.I. water main in the southerly right of way of SR 1347, Nevada Boulevard from General Drive West.

July 29, 1975
Minute Book 62 - Page 160

PROPERTY TRANSACTIONS AUTHORIZED.

Councilwoman Locke moved approval of the acquisition of 30' x 832.32' of sanitary sewer right of way at 9000 Old Dowd Road, from Duke Power Company, at \$1,000 for Paw Creek Sanitary Sewer Outfall. The motion was seconded by Councilman Short, and carried unanimously.

Councilman Withrow moved approval of the acquisition of 15' x 256.73' of right of way from Melvin L. Johnson and wife, at 6533 Shaftesbury Dr., Matthews, N.C., at \$1,000, for sanitary sewer to serve Annexation Area I(2). The motion was seconded by Councilman Short, and carried unanimously.

Councilwoman Locke moved approval of the following property transactions which motion was seconded by Councilman Short, and carried unanimously:

- (a) Right of Way Agreement on 74.71' x 9.47' x 83.88' x 2.20' of property, plus a slope easement, at 2118 Milton Road, from Robert P. Hutcheson and wife, Judith F., at \$600.00, for Milton Road Drainage Improvements Project.
- (b) Right of Way Agreement on 2.20' x 70.0' of property, plus a slope easement, at 2112 Milton Road, from Bobby L. Mullis and wife, Evelyn G., at \$600.00, for Milton Road Drainage Improvements Project.
- (c) Right of Way Agreement on 2.20' x 70.0' of property, plus a slope easement, at 2106 Milton Road, from John T. Layton and wife, Carolyn S. Layton, at \$600.00, for Milton Road Drainage Improvements Project.
- (d) Right of Way Agreement on A & B 115.15' x 39.35' x 56.70' x 85.04'; C36.77' x 70.0' x 36.77' x 122.00' of property, at 1900 block of Milton Road, both sides of the street, from Ed Griffin Company, at \$200.00, for Milton Road Drainage Improvements Project.
- (e) Option on 9.74' x 70.03' x 11.82' x 70.00' of property, plus a construction easement, at 1316 Remount Road, from James Paul Kaperonis and wife, Nancy G., at \$1,850.00, for Remount Road Widening Project.
- (f) Option on 11.82' x 69.85' x 15.82' x 70.00' of property, plus a construction easement, at 1310 Remount Road, from James Paul Kaperonis and wife, Nancy G., at \$2,200.00, for Remount Road Widening Project.
- (g) Option on 15.82' x 66.89' x 29.57' x 100.00' x 80.42' of property, plus a construction easement, at 2552 Barringer Drive (corner Remount Road and Barringer Drive), from James Paul Kaperonis and wife, Nancy G., for Remount Road Widening Project, at \$2,050.00.

RESOLUTIONS OF CONDEMNATION AUTHORIZED.

Councilman Gantt moved adoption of a resolution authorizing condemnation proceedings for the acquisition of property belonging to Margaret M. Sutton, (widow), located at 5211 Sharon View Road, in the City of Charlotte for the Annexation Area I(2) sanitary sewer trunks project. The motion was seconded by Councilman Whittington, and carried unanimously.

The resolution is recorded in full in Resolutions Book 11, at Page 46.

July 28, 1975
Minute Book 62 - Page 161

Motion was made by Councilman Whittington, seconded by Councilman Williams and unanimously carried, to adopt resolution authorizing condemnation proceedings for the acquisition of property belonging to Robert M. Shive, located at 7201 Colleton Place (off Alexander Road) in the City of Charlotte, for the Annexation Area I(2) sanitary sewer additions project.

The resolution is recorded in full in Resolutions Book 11, at Page 47.

Councilwoman Locke moved adoption of a resolution authorizing condemnation proceedings for the acquisition of property belonging to Union Oil Company of California, located at 4500 Randolph Road (corner of Randolph Road and Sharon Amity Road), in the City of Charlotte, for the Randolph Road Widening Project. The motion was seconded by Councilman Gantt, and carried unanimously.

The resolution is recorded in full in Resolutions Book 11, at Page 48.

Upon motion of Councilman Gantt, seconded by Councilman Whittington, and unanimously carried, resolution was adopted authorizing condemnation proceedings for the acquisition of property belonging to James William Wrape and wife, Shirley D. Wrape; Charles C. Cameron, Trustee; and Cameron Brown Company, located at 4110 North Sharon Amity Road, in the City of Charlotte, for the Sharon Amity Road Widening Project.

The resolution is recorded in full in Resolutions Book 11, at Page 49.

Councilman Withrow moved adoption of a resolution authorizing condemnation proceedings for the acquisition of property belonging to Linda Marie Neely Sparrow and husband, Harry S. Sparrow; Nancy B. Neely (divorced); John S. Neely, Jr. and wife, Ann Campbell Neely; Mickey N. Bare and husband, Jerry D. Bare; Winfred R. Ervin, Trustee; and Joe N. Stegall and wife, Tharza M. Stegall, located at 4118 North Sharon Amity Road, in the City of Charlotte, for the Sharon Amity Road Widening Project. The motion was seconded by Councilman Short, and carried unanimously.

The resolution is recorded in full in Resolutions Book 11, at Page 50.

RESOLUTION OF CONDEMNATION ON NICK D. KAPERONIS PROPERTY DEFERRED UNTIL AFTER AUGUST 5.

Councilman Whittington stated he received a call from Mr. Kaperonis' nephew that he is in the hospital, and asked the next resolution of condemnation be delayed until after the fifth of August.

Councilwoman Locke moved that the resolution authorizing condemnation proceedings for the property at 301 West Trade Street for the Poplar Street Widening be deferred until after August 5. The motion was seconded by Councilman Whittington, and carried unanimously.

STREETS TAKEN OVER FOR CONTINUOUS MAINTENANCE BY CITY.

Upon motion of Councilman Withrow, seconded by Councilman Williams, and unanimously carried, the following streets were taken over for continuous maintenance by the City:

July 28, 1975
Minute Book 62 - Page 162

- (a) Blakeford Lane, from Chevington Road to 350 feet north.
- (b) Garth Wood Road, from Windsong Drive to 265 feet northwest of Woody Ridge Road.
- (c) Woody Ridge Road, from Garth Wood Road To Nations Ford Road.
- (d) Windsong Drive, from Nations Ford Road to 104 feet west of Long Valley Drive.
- (e) Long Valley Drive, from Windsong Drive to 125 feet north of Deer Run Court.
- (f) Deer Run Court, from Long Valley Drive to 275 feet east.
- (g) Bark Mead Drive, from Windsong Drive to 425 feet east.
- (h) Gayle Avenue, from Pineborough Road to 150 feet south.
- (i) Simsbury Road, from Mullens Ford Road to 815 feet north.
- (j) Mullens Ford Road, from Carmel Road to 624 feet south of Simsbury Road.
- (k) Tenby Court, from Mullens Ford Road to 275 feet west.

ORDINANCES ORDERING THE REMOVAL OF WEEDS, GRASS, TRASH AND ABANDONED AUTOMOBILES ADOPTED.

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

- (a) Ordinance No. 799-X ordering the removal of weeds and trash at 3734 Delgany Drive.
- (b) Ordinance No. 815-X ordering the removal of an abandoned motor vehicle at 3734 Delgany Drive.
- (c) Ordinance No. 800-X ordering the removal of weeds and grass adjacent to 708 East Boulevard.
- (d) Ordinance No. 801-X ordering the removal of weeds and grass at 2107 Kennesaw Drive.
- (e) Ordinance No. 802-X ordering the removal of weeds and grass at vacant lot at rear of 2726 Grimes Street.
- (f) Ordinance No. 803-X ordering the removal of weeds and grass at rear of 2415 Finchley Drive.
- (g) Ordinance No. 804-X ordering the removal of weeds and grass at vacant lot at rear of 6030 Craftsbury Drive.
- (h) Ordinance No. 805-X ordering the removal of weeds and grass at corner of Shamrock Drive and Palm Avenue.
- (i) Ordinance No. 806 ordering the removal of weeds and grass at vacant lot at rear of 1724 Hawthorne Lane.
- (j) Ordinance No. 807-X ordering the removal of weeds and grass at 1408 Kennon Street.
- (k) Ordinance No. 808-X ordering the removal of weeds and grass adjacent to 1712 N. Harrill Street (to left).
- (l) Ordinance No. 809-X ordering the removal of weeds and grass at corner of Park Road and Arundell Drive.
- (m) Ordinance No. 810-X ordering the removal of weeds and grass at 356 Melbourne Court.
- (n) Ordinance No. 811-X ordering the removal of weeds and grass at 3424 Mathis Deive.
- (o) Ordinance No. 812-X ordering thr removal of weeds and grass on vacant lot on right side facing 3208 Capital Drive.
- (p) Ordinance No. 813-X ordering the removal of weeds and grass at 601-603 East 35th Street.
- (q) Ordinance No. 814-X ordering thr removal of an abandoned motor vehicle at 601-603 East 35th Street.

July 28, 1975
Minute Book 62 - Page 163

SPECIAL OFFICER PERMITS AUTHORIZED FOR ONE YEAR PERIOD.

Councilman Williams moved approval of the issuance of Special Officer Permits for a period of one year each, as follows, which motion was seconded by Councilman Whittington, and carried unanimously:

- (a) Renewal of permit to Francis William Anderson on the premises of Douglas Municipal Airport.
- (b) Renewal of permit to Edward W. Moss, Sr. on the premises of Charlotte-town Mall, Inc.
- (c) Renewal of permit to Robert W. Bankhead on the premises of One Jefferson First Union Plaza and 308 South Tryon Street.
- (d) Issuance of permit to Alfred A. Davis, Sr. for use on the premises of Southern Real Estate and Insurance Company at Freedom Mart Shopping Center.
- (e) Renewal of permit to Kenneth Ercel Hutchinson on the premises of One Jefferson First Union Plaza and 308 South Tryon Street.
- (f) Renewal of permit to Fred C. Skeen on the premises of One Jefferson First Union Plaza and 308 South Tryon Street.
- (g) Renewal of permit to Aubrey Rucker on the premises of One Jefferson First Union Plaza and 308 South Tryon Street.
- (h) Renewal of permit to Madison Allen on the premises of K-Mart, Inc. Freedom Drive.
- (i) Issuance of permit to Frank A. Biles on the premises of Speizman Industries, Inc., 508 West Fifth Street.
- (j) Renewal of permit to Sammie Lee McCorkle on the premises of Johnson C. Smith University.

AWARD OF CONTRACTS FOR VARIOUS PROJECTS.

(a) Motion was made by Councilman Whittington, seconded by Councilman Williams and unanimously carried, to award contract to the low bidder, Technical Graphics, Inc., in the amount of \$6,800, on a lump sum basis for blueprint machine.

The following bids were received:

Technical Graphics, Inc.	\$ 6,800.00
Charles A. Torrence Company	6,813.77
Addressograph Multigraph Corp.	7,349.00
Duncan-Parnell, Inc.	7,755.00

(b) Councilman Short moved that all bids received for pavement marking paint be rejected due to the inability of the samples to meet the chemical laboratory test. The motion was seconded by Councilwoman Locke, and carried unanimously.

(c) Upon motion of Councilman Whittington, seconded by Councilman Short, and unanimously carried, contract was awarded the low bidder, Lynchburg Foundry Company, in the amount of \$480,164.11, on a unit price basis, for cast iron pipe.

The following bids were received:

Lynchburg Foundry Company	\$480,164.11
Glamorgan Pipe & Foundry Co., Inc.	486,052.00
American C. I. Pipe Co.	490,453.41
U. S. Pipe & Foundry Co.	502,735.00
Clow Corporation	535,449.00

July 28, 1975
Minute Book 62 - Page 164

(d) Motion was made by Councilwoman Locke to award contract to the low bidder, Kennedy Valve Mfg. Company, Inc., in the amount of \$23,872.80, on a unit price basis for gate valves. The motion was seconded by Councilman Short, and carried unanimously.

The following bids were received:

Kennedy Valve Mfg. Co., Inc.	\$ 23,872.80
ITT Grinnell Corporation	26,260.10

(e) Motion was made by Councilwoman Locke, seconded by Councilman Whittington and unanimously carried to award contract to the only bidder meeting requirements, ITT Grinnell Corporation, in the amount of \$8,333.68, on a unit price basis, for brass goods.

The following bids were received:

ITT Grinnell Corporation	\$ 8,333.68
--------------------------	-------------

Bids not meeting specifications:

Southern Meter & Supply Co.	\$ 7,991.90
-----------------------------	-------------

(f) Councilman Whittington moved award of contract to the low bidder, Penegar Interiors, in the amount of \$15,362.00, on a unit price basis, for chairs, desks, files, etc. for the Police and Fire Training Academy. The motion was seconded by Councilman Short.

Councilman Harris stated under (f), (g), (h), and (i) we are buying furniture for something that has not been built. Why are we buying this now? When is the completion date of the academy? Mr. Hopson, Public Works Director, replied it will be completed and occupied before the first of the year. That we have about \$30,000 budgeted for this. Councilman Harris stated this totals about \$29,000. But he wonders why we buy it now? Mr. Hopson replied the city has a place to store it until it is needed.

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

The following bids were received:

Penegar Interiors	\$ 15,362.00
Miller's Office Equipment Co., Inc.	17,447.90
Pound & Moore Company	17,527.57
John Miller & Associates	19,170.47
White Office Furniture, Ltd.	19,663.12

(g) Upon motion of Councilwoman Locke, seconded by Councilman Whittington, and unanimously carried, contract was awarded the low bidder, Penegar Interiors, in the amount of \$8,044.00 on a unit price basis for student chairs for the Police and Fire Training Academy.

The following bids were received:

Penegar Interiors (Base Bid)	\$ 8,044.00
John Miller & Associates	9,089.04
Miller's Office Equipment Co., Inc.	9,217.17
White Office Furniture, Ltd.	9,961.86
Penegar Interiors (Alternate Bid)	11,114.00

(h) Motion was made by Councilman Whittington, seconded by Councilwoman Locke, and unanimously carried, awarding contract to the low bidder, Sears, Roebuck and Company, in the amount of \$2,521.88, for carpet for the Police and Fire Training Academy.

The following bids were received:

Sears, Roebuck & Company	\$ 2,521.88
M. J. Soffe Company, Inc.	3,828.40
John Miller & Associates	4,570.00
Penegar Interiors	5,821.40
The Sherwin-Williams Company	6,463.03

(i) Motion was made by Councilman Whittington to award contract to the low bidder, Sears, Roebuck and Company, in the amount of \$3,000, for draperies for Police and Fire Training Academy. The motion was seconded by Councilwoman Locke, and carried unanimously.

The following bids were received:

Sears, Roebuck & Company	\$ 3,000.00
John Miller & Associates (Alternate Bid)	3,350.00
John Miller & Associates (Base Bid)	3,861.00

(j) Councilman Whittington moved award of contract to the low bidder, Dickerson, Incorporated, in the amount of \$224,006.25, on a unit price basis, for additional trunk sewers for Annexation Area I (4), (2) and (11). The motion was seconded by Councilman Withrow, and carried unanimously.

The following bids were received:

	<u>Base Bid</u>
Dickerson, Inc.	\$224,006.25
Sanders Brothers	221,037.70
Rea Brothers, Inc.	225,827.10
McWhirter Grading Company	233,556.85
Ben B. Propst Contractor, Inc.	243,137.83
Spartan Construction	246,690.85
Breece & Burgess	253,470.00
C. O. Martin & Sons, Inc.	255,902.00
Gilbert Engineering	336,622.00

(k) Upon motion of Councilman Withrow, seconded by Councilwoman Locke, and unanimously carried, contract was awarded the low bidder, Moretti Construction Company, in the amount of \$37,321.00, on a lump sum and unit price basis, for demolition of structures for the Poplar Street Project.

The following bids were received:

Moretti Construction Company	\$ 37,321.00
Piedmont Grading & Wrecking Co.	41,857.00
D. H. Griffin Wrecking Co., Inc.	53,210.00
Crowder Construction Company	61,760.00

(l) Motion was made by Councilman Withrow to award contract to the low bidder, Bill Sharar Construction Company, in the amount of \$5,995.00, for the installation of storm drain in the Greenville Urban Renewal Area. The motion was seconded by Councilman Short, and carried unanimously.

The following bids were received:

Billy Sharar Construction Co.	\$ 5,995.00
Rea Brothers, Inc.	8,162.00
Sanders Brothers, Inc.	8,844.83
Crowder Construction Co.	9,452.00

(m) Motion was made by Councilman Short, seconded by Councilman Withrow and unanimously carried, awarding contract to the low bidder, Billy Sharar Construction Company, in the amount of \$15,316.00, for the installation of sanitary sewer in the Greenville Urban Renewal Area.

The following bids were received:

Billy Sharar Construction Co.	\$ 15,316.00
Crowder Construction Co.	15,500.00
Rea Brothers, Inc.	21,028.00
Sanders Brothers, Inc.	21,846.12

(n) Councilman Whittington moved award of contract to the low bidder, Skidmore Construction Company, in the amount of \$138,888.50, on a unit price basis, for Spring 1975 Sidewalk Construction Program. The motion was seconded by Councilman Williams, and carried unanimously.

The following bids were received:

Skidmore Construction Company	\$138,888.50
Blythe Brothers Company	140,967.50
Crowder Construction Company	142,962.50
T. A. Sherrill Construction Co., Inc.	161,925.00

Councilman Gantt stated he has difficulty in finding these account numbers in the budget, and keeping up with how much of the fund has been spent from certain accounts. He asked that the Accounting Department or the Finance Department give Council a report on how much has been spent from a certain account, and how much is left. He would suggest this be done on a weekly or every other week basis. It would be nice for Council to know how much is left in these accounts rather than saying it is coming from funds and giving an account number. He stated he is trying to get a feeling for the spend rate in each of the categories that were approved at the beginning of the year.

APPOINTMENT OF WILLIAM BLUFORD TO THE CHARLOTTE-MECKLENBURG HISTORIC PROPERTIES COMMISSION FOR THREE YEAR TERM.

Council was advised that the following nominations have been made to fill the expired term of Ms. Mildred Alridge for a term of three years on the Charlotte-Mecklenburg Historic Properties Commission.

- (1) Councilman Gantt nominated William Bluford.
- (2) Councilman Short nominated Elizabeth Weekley Gibson.

July 28, 1975
Minute Book 62 - Page 167

Councilman Gantt moved the appointment of Mr. William Bluford for a three year term. The motion was seconded by Councilwoman Locke, and carried by the following vote:

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

Mayor Belk stated that Mr. Bluford has been elected.

APPOINTMENT OF BRYON HAMRICK TO THE BUILDING STANDARDS BOARD, APPROVED.

Councilman Whittington moved approval of the City Manager's appointment of Bryon Hamrick, Registered Engineer, to the Building Standards Board to fill the unexpired term of Harvey B. Gantt. The motion was seconded by Councilwoman Locke, and carried unanimously.

NOMINATIONS TO THE AIRPORT ADVISORY COMMITTEE.

Councilman Harris placed in nomination the name of Dr. Mildred T. Keene to fill the expired term of Elliott P. Taylor on the Airport Advisory Committee.

Councilman Whittington placed in nomination the name of Elliott P. Taylor to succeed himself on the Airport Advisory Committee.

COMMENTS ON THE DEMOLISHING OF HOUSING AND REQUESTS THAT MEANS BE SOUGHT TO REPAIR HOUSES IN ORDER TO PROVIDE THE NEEDED HOUSING FOR THE CITY.

Councilman Whittington stated in connection with the unfit housing ordinances affecting the houses on Thomas Avenue and Avalon Avenue it looks as though a minor repair would get these houses back in shape. That he believes there is a beam out on the front porch on Avalon Avenue. He asked how long these houses will remain unoccupied? That the homes on Avalon Avenue are about 20 years old. Mr. Jamison of the Building Inspection Department replied they are trying to get them repaired. In some cases the deficiencies are rather minor as far as cost is concerned. Councilman Whittington stated the houses shown to Council on Dunbar and Clanton Road, and all those streets off Independence and the railroad should be demolished. But he gets the reading because of the re-evaluation of property, and because of building materials, we will see a great deal more of this. Somewhere we have to have a meeting of the minds to try to get these houses repaired; because if we demolish houses on the wholesale rate as we are doing today, there is no way to keep up and provide houses for the people.

USE OF PRESENT SUNKEN GARBAGE RECEPTACLES TO CONTINUE UNDER THE GRANDFATHER CLAUSE.

Councilman Harris stated the Clean City Litter ordinance will be effective August 1. That he believes some effort should be made to put under the grandfather clause the sunken receptacles. That he would like for Mr. Hopson to explain why this should not be done. That he is talking about the existing containers.

Mr. Hopson stated he has no objections to the underground containers; he only hopes that Council will not tamper with these suggestions until he can come back to Council, within 60 or 90 days, and give a total recommendation of the ordinance. He stated his office has sent letters to the 254 people telling them the reasons of the City and the Committee for deletions of these containers. He has looked at few of these himself in the last few days; and he plans to look at the remainder of them to see what the problem is

July 28, 1975
Minute Book 62 - Page 168

Councilman Short stated he thinks Council should clarify this matter by vote; that he has been advised by Mr. Underhill, City Attorney, that he has a conflict of interest, so he is not going to vote.

During the discussion, Councilman Withrow suggested that the city pick this up if the containers are lifted out of the hole, even though they do not have the lids. The Public Service and Information Director advised that there will be large ads running in the papers saying that underground containers will not be serviced, and that all containers be they underground or topside or conventional will have lids. It is one thing to service them if they are pulled out; it is another thing to service these underground containers on the top if they do not have lids. That we have to be consistent, and say that all containers must have lids, for health reasons if for no other reasons. Or we will find ourselves in a real bind with 80,000 brochures and a \$1,000 worth of newspaper advertising which is very misleading.

Councilman Williams moved that these containers be "grandfathered." The motion was seconded by Councilman Withrow.

Councilman Williams stated this will service the ones presently existing; no future ones.

Councilman Short stated he is not going to vote on this as the City Attorney says there is a conflict. The City Attorney advised that under the Charter Councilman Short will have to be excused from voting by vote of the Council.

The vote was taken on the motion and carried.

DISCUSSION OF OREGON'S BOTTLE BILL PROVIDING FOR A BOUNTY ON RETURNED BOTTLES AND CANS.

Councilman Harris stated he would like to talk about the Oregon's Bottle Bill passed in 1971 offering a bounty on returnable cans and bottles, etc., a nickle a can or bottle. That this has worked out there from the standpoint of keeping the place clean. That he would think we would have to have legislative approval to do this locally.

Councilman Harris stated he has passed to each Councilmember a copy of the Oregon's Bill. That he thought it would be well to have it when Council meets with the local Delegation. It is something he would like to have in the Legislative Package if it takes that type of action.

Mr. Hopson, Public Works Director, stated he served on the Governor's Committee concerning litter; this was an eight man committee; that he will make available to Council a copy of their deliberations. That he met with them eleven times. They studied the Oregon Bill, The Vermont Bill, South Dakota Bill. What they looked into in Oregon was a complete failure. That you can get two sides of any story - it is according to who is telling the story. If the State of North Carolina had the same Bill as Oregon, it would cost the taxpayers around \$4.0 million a year. Oregon, even by increasing their litter patrols was not able to keep even with the litter by this one thing.

Councilman Harris stated the man he talked with in Wilmington had traveled with a group in Oregon; he did not know anything about the Bill. All he could see was the beautiful state. That he saw no litter. When he returned he wrote the Governor of Oregon a letter complimenting him on it, and asked what had been done. That Governor Straub replied by letter stating, " A great deal of information has been circulated about Oregon's

July 28, 1975

Minute Book 62 - Page 169

Bottle Bill. Much of that information has been misleading and false. We have studies that prove, however, two important things: 1) since Oregon adopted a Bottle Bill, beverage container roadside litter has decreased 80 to 90 percent; 2) by recycling bottles and cans, Oregon has saved the equivalent of \$2.8 million worth of electrical energy each year. And one more item: the Bottle Bill has not eliminated jobs here in Oregon; on the contrary, collection and recycling have created additional jobs." He stated Mr. Hopson is right, there are two different sides of the issue.

Mr. Hopson stated he will make the report from the Committee he served on available to Council.

REPORT ON HOUSES TO BE RELOCATED IN FIRST WARD AREA.

Councilman Whittington asked when the houses in First Ward will be moved into the cluster that has been referred to? Mr. Sawyer, Director of Community Development Department, replied they have prepared the first cost estimate for rehabilitation of the first structure, and have just transmitted it to the purchasing department to go out for bids. This is the four-family structure located within the area already. The overall cost of that for the rehabilitation of the structure, converting four-family units into two is estimated by them at \$25,000 - that is about \$13,000 a unit. This is a little higher than the original estimate. They are going ahead with it. They have one other house on Eighth Street which they are preparing the same kind of package. These are the first two trials of the ten they asked Council to approve.

Councilman Whittington stated he is sure that Mr. Sawyer is aware of this; but if something is not done over there, and not done quickly, we might as well forget the ten houses. That is how bad it is; this is true of any vacant residents. That he would encourage Mr. Sawyer and staff to move as quickly as he can because Council authorized this. If he would get them to Council, he believes they will be approved to get the houses moved and remodeled and get people in them.

CITY MANAGER REQUESTED TO CLARIFY THE OPENING DATE OF I-77 TO I-85 AND HAVE THE INFORMATION PUT OUT TO THE PUBLIC.

Councilman Whittington stated every day he has calls from people about I-77 not being complete to I-85. He thought Mr. Anderson said the road would be open by September of 1975. He asked the City Manager to try to clarify that, and have the Public Service and Information Officer to get that information out to the public.

CITY MANAGER REQUESTED TO GIVE COUNCIL A REPORT ON THE ALLEGATIONS THAT BLACK FIREMEN ARE GIVEN ADDITIONAL POINTS OVER WHITE FIREMEN IN ORDER TO PROMOTE THEM.

Councilman Whittington stated some white members of the Charlotte Fire Department called him last week, saying they had been told that the Union Members of the Fire Department had met with Chief Lee, and they had decided to promote two black firemen by giving them additional points to get them up for an oral interview over the other members of the Fire Department who had a much higher grade. He stated he thought this was very serious and he suggested to these men if this is the case that they should get them an attorney and protect their own interest. He stated he would hope that if this sort of thing is going on that Council should know about it, the City Manager should know about it, and if we are going to require

July 28, 1975
Minute Book 62 - Page 170

one group to be examined by written examination, then we should require everyone to be given a written examination. That he thinks he is correct in saying the Police Department now only gives an oral examination in order to promote black policemen rather than giving them a written examination.

Councilman Whittington stated he thinks all of this is very serious, and he is sorry that it has to be brought out here; but he thinks it should be brought out here.

After discussion, Councilman Whittington requested the City Manager to get the facts on this and give the report to Council.

Councilwoman Locke requested that the minutes of the Civil Service Board be sent to Council.

CITY MANAGER AND STAFF REQUESTED TO GIVE COUNCIL A COMMUNICATION ON HOW TO IMPROVE THE SUMMER YOUTH EMPLOYMENT PROGRAM.

Councilman Short stated that every year for a number of years we have had a summer employment program for needy teenagers operated in various ways.

He suggested that the City Manager, along with Mr. Bobo and Mr. Person and Mr. Wylie Williams, or whoever is involved, give Council a memo which would indicate the type of planning that will be done for this program, assuming it will continue next summer. That two basic things are needed to achieve better planning for this, which seemingly is going to be an on-going thing in city government. One is to list the eligible students according to some timetable that would start back early in the year, perhaps in the Fall, so that the program can have time to get underway in an efficient manner. Those who are not eligible will know in advance they are not eligible; those who are eligible will know in advance they are eligible. Those who are eligible all over the city will feel that some contact was made to them. Acquisition or intake of those students who would participate in this program need some kind of planning. He asked that Council be advised what might be planned for the future.

Second, he believes this program can be implemented for the future better on the basis of arranging the work, the jobs, further in advance. Checking out the places where they would work; making sure they can do the work; making sure everything is understood by those places where the students will be sent.

Councilman Short requested the City Manager to give Council a communication on this on how to improve this for the future.

TRAFFIC COORDINATOR REQUESTED TO INVESTIGATE THE NEED FOR BUS SERVICE OUT NATIONS FORD ROAD TO APARTMENTS.

Councilman Withrow stated he has received eight or ten calls about running bus service out Nations Ford Road, to all the apartments in that area. He requested the City Manager to have Mr. Hoose, Traffic Coordinator, to look into this and give Council a report.

COMMENTS ABOUT WATER AND SEWER TAP FEES.

Councilman Withrow stated in the recent annexation, a lot of people were brought into the City. That he has not heard as much complaint about the water bills as he has paying the sewer and water taps. They were taken into the City and at the same time the sewer and water taps fees were raised. That the tap fees went from about \$380 up to about \$1100.

July 28, 1975
Minute Book 62 - Page 171

Mr. Burkhalter, City Manager, replied this does not apply to anyone who was living there at the time of the annexation. If it is a new building it would apply, and that is any place in the city. This would not apply if the people had already applied for their building permits at the time the fees were increased.

CITY MANAGER ADVISES COUNCIL THAT A FEDERAL CASE ON THE AIRPORT WILL BE HEARD ON AUGUST 11.

Councilman Gantt stated the airport continues to come up. That he would like to reinforce what Mr. Whittington has said, and that he wishes we could get something arranged with the Airport Authority; get an update on the status of it.

The City Manager reminded Council that on August 11 there is a federal case and some members of Council have been subpoenaed, and he thinks it would be wise if Council did not discuss the matter at this point.

MAYOR ADVISED THAT N. C. LEAGUE OF MUNICIPALITIES TRANSPORTATION COMMITTEE WILL MEET ON THURSDAY OF THIS WEEK IN RALEIGH.

Mayor Belk stated he is Chairman of the Transportation Commission for the North Carolina League of Municipalities, and there will be a meeting on Thursday of this week in Raleigh. If Council members have any words of wisdom before the meeting they will be appreciated.


APPRECIATION EXPRESSED TO MARK BROCK, CHARLOTTE NEWS REPORTER, WHO IS LEAVING TO GO TO THE UNIVERSITY OF SOUTH CAROLINA IN PUBLIC RELATIONS.

Mayor Belk stated he and Councilmembers would like to thank Mark Brock, Charlotte News Reporter, for his writings about Council. He stated Mark is leaving the Charlotte News and will be going to the University of South Carolina on the Public Relations staff.

Mark introduced Warren Barnard who will succeed him as the City Hall Reporter for the Charlotte News.

ADJOURNMENT.

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



Ruth Armstrong, City Clerk