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The City Council of the City of Charlotte, North Carolina, met in regular session on Monday, May 12, 1975, at 3:00 o'clock p.m., in the Council Chamber, City Hall, with Mayor John M. Belk presiding, and Councilmembers Harvey Gantt, Ken Harris, Pat Locke, Milton Short, James Whittington, Neil Williams and Joe Withrow present.

ABSENT: None.

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INVOCATION.

The invocation was given by Councilman Joe Withrow.

MINUTES APPROVED.

Upon motion of Councilwoman Locke, seconded by Councilman Whittington, and unanimously carried, the minutes of the Council Meeting on Monday, April 28, 1975 were approved as submitted.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE APPROVING THE COMPREHENSIVE PLAN 1995 AS A GENERAL STATEMENT OF DESIRABLE OBJECTIVES.

The resolution of the City Council approving the Comprehensive Plan 1995 as a General Statement of Desirable Objectives was presented for Council's consideration.

Councilman Whittington moved approval of the Resolution, but that Starbrook Bridge be removed from the thoroughfare plan. The motion was seconded by Councilman Harris.

Mr. Underhill, City Attorney, stated the resolution describes the action that Council will take; and basically what Council is being asked to do is to approve the plan as a general statement. The language that is contained in the resolution recognizes that the plan is just that - a general statement and that implementation of the plan will be necessary through future and further action on the part of Council. It was Mr. McIntyre's idea to have Council at least to approve the plan in concept so that the Planning Commission can then go ahead with the preparation of the necessary amendments, ordinance changes and other things necessary to implement the concepts and the general objectives that appear in the plan. For that reason he does not know that the resolution will have any strict legal binding affect. In other words you can go back and change the plan or any portion of the plan, now or in the future, to the same extent they change something like the capital improvement budget.

Councilman Withrow stated if this is approved like this, how will the people along these routes that are in opposition to the plan know when it would come up again for a vote to implement their street or road. Could it not be said that the people on those streets be notified so they will have an opportunity to come before Council at the time Council was going to approve or disapprove it? That people are concerned about this. Mr. Underhill replied it could be done through the newspaper. If they approve the plan and a portion of the plan includes a major thoroughfare plan, then there is a series of steps Council would have to take in order to implement the plan. For street projects there would be land acquisitions, construction and everything that goes along with it.

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If the plan is approved as it is presently prepared, it would require some action of Council to delete any portion of that plan, such as Mr. Whittington's motion on Starbrook Bridge. Some of the things such as zoning changes will require public hearings which have to be advertised. Things like street widenings do not have any legal requirements in most instances for street widening work. If it is done in conjunction with a federal grant or state grant, public hearings are required. But for the City to do a street project with local funds, no public hearing is required. What he is saying is there is no legal requirement that a public hearing be held on street widening projects in general; if you are talking about zoning, you always have a public hearing before an amendment can be made. He stated Council can direct any type of notice that it feels is desirable; but there is no legal requirement, other than the fact you hold the meetings publicly and everyone is invited to attend the public session, and the contents of the agenda are public. Other than that, there is no requirement that you notify anyone specifically.

Following were further comments by Councilman Whittington on the Starbrook Bridge. He stated Council is developing a plan for the future, and we need to get it developed as soon as possible.

Councilman Gantt stated the thing that has always concerned him about the comprehensive plan is that it is that - a plan. He is almost afraid with the approval of this resolution, even with the amendments, that what we end up with will be a plan that might be stuck away on a shelf. In his opinion the resolution should be worded stronger than it is. To talk about a process by which we can implement this plan that will allow for the kind of citizen input at the time that we get into road improvements, parks and other portions. The biggest difficulty he has had with the plan all along is not with the goals that were set out by the plan or even the thoroughfare plan, it is in fact how this city will go about structuring the implementation process. He does not believe any of us are totally very happy with the way we have gone about implementing the 1960 plan, although we have a lot of it done; but we have had a number of citizens groups coming before Council for changes in that plan; we have had zoning hearings that pit public against private interest; in a process that he does not think is a very good situation for anyone involved. That he is not sure that you resolve the problems of a specific Community when you relate it to the overall public interest of Charlotte.

Councilman Gantt stated what he would like to see would be a proposal that we accept the plan in principle, but specifically outline to the city staff and the Planning Commission to work on a process of (1) phasing the plan over the 20 year period and talk about the priorities in a five year time span; (2) to re-evaluate the entire zoning ordinance because there are a lot of land uses you talk about that he does not see can be handled under the existing zoning ordinances; (3) talk about the approaches to how the City might direct growth in a more specific manner; and (4) talk about how the citizens can make significant input into our decisions with regard to Starbrook Drive, LaSalle Street or any of the other areas. In his opinion, this kind of process that says now we have a plan, with the imperfections we see in it, and extend it one more step and say now we are going to talk with the citizens of Charlotte about precisely how we are going to implement that plan. It seems to him this would answer Mr. Withrow's question as to when you notify the citizens in a specific area that we want to discuss the implementation of the road or thoroughfare that shows up on a 20 year plan. It is his feeling that the 20 year plan is not an immutable kind of thing; that to approve it in principle does not necessarily mean any particular thoroughfare is stuck in a particular right of way. The only way is to have a process of implementation clearly defined to the citizens. Right now we go from a general 20 year plan to specific capital improvement projects. He personally thinks that is not the way to have orderly growth.

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Councilman Williams made an amendment to the motion to adopt the comprehensive plan as stated on the agenda, with the deletion of Starbrook Bridge, as outlined by Mr. Whittington, and secondly to delete the Thermal Road proposal as proposed, and adopt the alternate, or parallel route, as was presented to them in the package of information they received in the last few days. The amendment was seconded by Councilwoman Locke, and accepted by Councilman Whittington and Councilman Harris who made the original motion.

Councilman Williams stated he feels like Mr. Whittington that there is a danger of misunderstanding here between us, the government, who a lot of people mistrust these days, and the people, if we do not clearly state what our intentions are as of the present. Nothing in politics is certain beyond the next election. The composition of the Council might change at any time. It might be a different Council sitting here a year from now. And even though this intention is stated today, that intention might be changed next year or two years from now; it might be changed by the people who are sitting here, or it might be changed by circumstances - if traffic starts piling up in these neighborhoods so that the demand for the roads begin to outweigh the inconvenience to the individual citizens, then there is not much choice left to the people who have to make these decisions. But there is that danger of misunderstanding and he thinks everyone should understand what we are stating is an intention as of today. On the transportation ideas, he is a little distressed that we are only projecting seven percent ridership of the public transit by 1995. People have to get around. The only alternatives he knows about right now to go any distance would be to ride in a private automobile, or ride on public transit. If we continue to build roads, to build Thermal Road as proposed and to build the Starbrook Bridge, then human nature being what it is, people will use those streets and will not be much interested in public transportation. Some public policy decisions are going to have to be made in the next few years about whether or not we continue to build roads and cause this kind of disruption, or put more emphasis on public transportation to try to reduce our dependency on the automobile and on the roads. Already, we have deleted some of these arterial routes - Ashley Road and Matheson Avenue - being two examples. From where he sits, he would hope that we could modify the plan by deleting the Starbrook Bridge and modify the Thermal Road Route. Maybe that will help with the public transit.

Councilman Gantt stated there is only one other controversial project that we have not mentioned - that is the LaSalle Street. He moved that the motion be amended to remove the LaSalle Street-30th Street Connector from the comprehensive plan at this time. The motion was seconded by Councilwoman Locke, and the amendment was accepted by Councilman Whittington, and Councilman Harris who made the original motion.

Councilman Gantt stated he offers this amendment to show the kind of thing that can happen here. Maybe we are being democratic and that may be good, and we can get ahead with the business of trying to work on the process of implementation. This is the kind of thing that he can see beginning to happen over and over with different groups that will come and give very justifiable reasons as to why they do not want certain projects in their community. The danger here is that we negate the efforts and work of the professional staff to come up with reasonable kinds of plans. It is obvious that Council, as the policy makers, must make the final decision on these things. But he does not think we give ourselves fully the opportunity to develop a relationship between the professional staff, policy makers and citizens. That he sadly makes the amendment to the motion.

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Councilman Short stated it is not necessary and not in order at this moment to present arguments and thoughts otherwise. But he is dubious of any such motions like this which ties these three controversial projects together, particularly following comments which say this is undermining the professional staff. It sounds like an argument the other way. There are some of these projects that should not be deleted it is clear to him, and we are not helping the citizens but harming them. We are not making our position, and we are not making a statement that is clear but rather we are confusing the situation. He will vote against the motion.

Councilman Harris stated we started this process a little over a year ago. In April, 1974, we met with the Planning Commission, and began this whole process. That we have had over a year of input from citizens meetings - the Planning Staff has held 69 meetings over the community, five public hearings. It has been pretty well exposed in the last year. The creditability of what we are doing here is that we are responding to what people want. This plan is suppose to be a plan of what the people of the community want, not what the professional staff wants to develop, or what Council wants. This is what their input said, and this is the whole concept of the comprehensive plan, as such, is. It is further verification of the dimensions program which is also tied in with having citizen input. If we disregard their feelings about these three items, which is very strong in the minds of these people, he thinks we are negating our responsibilities. Councilman Gantt replied he agrees with Mr. Harris. That he is not talking about circumvention. When he talks about process, he is talking beyond this stage. This 20 year plan is going to be subject to continued remoulding. This is said in the resolution. That he just wants that process to be clearly defined. The instructions for working on a new zoning ordinance should be worked out in relationship between how citizens can have input or change. That way we will come off with a plan that is continually responsive to peoples' needs. By tampering with it we might have gotten 40 other groups in that we ultimately have to decide how we want to approach the forest rather than picking at every few trees in it.

Councilman Withrow stated he thinks we should not hoodwink the people and say the next Council or the one after that not vote to put in the bridge on Starbrook or either of the other projects. This Council cannot rule for future councils, and this is what we are faced with, and there will be other plans coming up that might have these same things in it. This does not say that it will never be brought up again.

Councilman Short stated one of the projects was actually conceived, promoted and put into the plan as a result of citizens pressure to have the project. We have tied them all together here, and one or more should be deleted, but there is one or more that should be left in the plan. That he is going to vote against the motion.

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

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

NAYS: Councilman Short.

The resolution is recorded in full in Resolutions Book 10, at Page 423.

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CITY OF CHARLOTTE EMPLOYEE PLAQUE PRESENTED TO DAVID H. BASS.

Mayor Belk recognized Mr. David Bass, Equipment Operator I, Sanitation Division of Public Works Department, and presented him with the City of Charlotte Employee Plaque for services to the city from April 3, 1968 until his retirement on April 28, 1975.

Mayor Belk and each member of Council expressed appreciation to Mr. Bass and wished him well in his retirement.

PLANNING COMMISSION DIRECTED TO PREPARE A REDEVELOPMENT PLAN FOR THE FOURTH WARD AREA DESIGNATING IT AS A BLIGHTED AREA AS DEFINED BY NORTH CAROLINA STATUTES AND QUALIFIED FOR REDEVELOPMENT.

Mr. McIntyre, Planning Director, stated the Planning Commission has certified the Fourth Ward Area as a blighted area under the provisions of the North Carolina Statutes. Their objective in asking Council to take this action is to validate that certification, and further direct the Planning Commission to prepare a development plan for the area which is required for the area to become eligible for urban renewal.

This action is important, and necessary in a very timely fashion as the area qualified for renewal by a very narrow margin on the vacant versus occupied land situation. The statute requires that urban renewal can apply only to areas that are predominately developed - 50 percent or more. A lot of development has been removed from the Fourth Ward area recently, and at present there is only about 52 percent of the area developed.

Councilman Whittington asked how much land is set aside in this general community revenue sharing for the Fourth Ward? Mr. McIntyre replied nothing in the Community Development Revenue Sharing. That he believes Council has set aside about \$1.0 million in other funds, and this is about seven acres; specific location has not been determined. The location of the park will be worked in the total area in light of all the perspective development of the area.

Councilman Whittington moved that Council approve this as recommended by Mr. McIntyre. The motion was seconded by Councilman Harris.

Councilman Whittington stated he would hope that we would not get into the quigmore in this area that we have gotten in in all the rest of them. When this plan comes back to Council that we will have a plan with parks, high rise apartments of some type blended in with the residential development, and the preservation of some of these homes the Historical Society says should be preserved.

Councilman Whittington asked when this plan will be brought back to Council? Mr. McIntyre replied they expect to have the plan ready for the Planning Commission consideration in July, and will bring it to Council immediately after the Planning Commission makes its recommendations.

Mr. Jim Borst, Borst Real Estate, stated he was instrumental in the Fourth Ward when the Salvation Army started its program. With the authority given Redevelopment and so forth, it is important that they do not carry it as a big stick over the people in the area. So many things have gone by in this area. When Brooklyn was being redeveloped a lot of people came into the Fourth Ward area, and a lot of it was not taken care of. It deteriorated. Of all the Departments he has been in contact with

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in the City, they are very diligent workers. But the saying goes "parents do you know what your children are doing," or "do you know where they are tonight." That he is injecting this because of the ordinances that have been passed are strong and stringent regarding the building inspection department, and the Council and the Legal Department have found many times the landowners who have their properties for rent are not given due protections in various ways. When it gets to the point where a lot of property is rental property, the tenant moves out even before the landowner has notice of it. They do not have the protection necessary to watch over their property. This goes further than the City Council's responsibility as it goes into the local, state and federal judiciary responsibility. You are talking about all the land in the area, and this is not just talking about parcels of land but it is talking about individuals.

Mr. Borst stated there are a number of people in the area with their property vacant at the present time but they would like to participate in the redevelopment either with property exchange or putting their properties in with whatever bonified corporation would be worked up, and it would make the property less than cost.

With the proper relationship of the City Council and the City in general working with the property owners, this can be worked out. He stated a lot of the land is vacant, and the people have been paying taxes on it for a long time, and have not been getting anything for it. That he has mentioned to different members of the Planning Commission and different ones in the public information field that if the City in regard for receiving all this vacant land for a period of time would show their trust and faith behind the people by taking some of the beautification money or improvement money, and take some of the help that is available and clean the whole place out of all the underbrush, this would help the Police Department so they would not have to play cops and robbers with a lot of the elements in the area, or that goes through the area.

Mr. Brost stated when he first started working in the area there were plans to widen North Graham Street up to 50 feet in width. At that time he was informed it was the number one priority as far as street widening projects. Since then it is not even on the street widening plans. Such things like this are necessary for the City Council to follow through with certain basic needs for the public transportation thoroughways so that it ties in with the confidence of the people with the City Council to carry through programs.

The vote was taken on the motion and carried unanimously.

ESTABLISHMENT OF THE COMMUNITY DEVELOPMENT DEPARTMENT, AND ABOLISHMENT OF THE URBAN REDEVELOPMENT DEPARTMENT.

Mr. John Herron of the Third Ward Community Organization stated they would like to have a community advocate to speak for them, and to introduce their residents to appropriate services, to render indirect and direct services to the target areas; to be available to assist the city in any governmental action taken in the target area, and the advocate to keep the line of communication open between the residents and the city, and between residents and employees of other agencies. One of the basic responsibilities will be to seek the community leaders and form a community organization, and to meet on a regularly scheduled basis. The advocate would be considered a representative of the people to all agencies connected with the city government.

Mr. Albert Smith stated he would like to recommend John Herron as the representative for the West Morehead area.

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Councilman Gantt stated these speakers are advocating a neighborhood advocate or what is in the general plan as he reads it is a Neighborhood Assistant to be assigned to the various areas. He stated to Mr. Herron and Mr. Smith that in the management structure for the CDRS program there is a title called Neighborhood Assistant. It is someone who will in fact, represent the people in various communities or districts. He asked if they are saying they support this kind of person being from the community, from the area, who will spend most of the time in the area. Mr. Smith replied he is; they are recommending John Herron for this position.

Mr. Coffman, Assistant City Manager, stated in order to avoid hiring nine new employees, the plan has been set up to start out with three CDRS areas for each of the neighborhood assistants; they would be people who would apply for the position through the regular city channels, and be selected by Mr. Sawyer and his staff with the full understanding and good will of the residents of each of the CDRS areas. If Mr. Herron or anyone else wants to apply for the Neighborhood Assistance job when they are open, they are free to do so. They will be choosing individuals who live in the areas. They are not recommending that Council authorize nine individuals, there are only three. The plan submitted on January 30 says very specifically that they recommend one neighborhood assistant for each of the three CDRS areas.

Councilman Short stated the City Council does not accept personally employed personnel, other than one or two. Mr. Coffman stated that is right; these would be individuals that will be full time city employees on the CDRS staff, and will be supervised by Mr. Sawyer.

Motion was made by Councilwoman Locke, and seconded by Councilman Whittington to implement the Community Development Revenue Sharing plan by adopting the following resolutions and ordinances:

- (1) Resolution amending the 1974-75 Pay Plan to create new job titles and pay ranges related to CDRS activities and to re-classify existing positions to reflect expanded CDRS duties.
- (2) Ordinance No. 609-X amending the 1974-75 Budget Ordinance to establish the positions related to CDRS in the Urban Redevelopment, Legal, Finance and Budget and Evaluation Departments, as per the plan submitted to City Council on January 30, 1975.
- (3) Ordinance No. 610-X amending the 1974-75 Budget Ordinance to establish a Community Development Block Grant fund as part of the City's Finance and Accounting System, and setting up revenues and expenditures accounts.
- (4) Resolution Abolishing the Urban Redevelopment Department and establishing a Community Development Department to perform CDRS and Redevelopment Activities.

Mr. Coffman stated at present there are 51 people on Mr. Sawyer's staff, and they are authorized in real estate, land acquisition and working mainly in the existing renewal areas. But the six weeks review of that particular agency they have determined that they will not be adding any additional staff in those areas because they figure they can use the existing real estate for example to acquire land in all the nine areas. They can use the relocation staff in all the nine areas. They are really just asking for authorization of the nine bodies which was spelled out in the plan of January 30.

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Councilman Harris stated he believes it is asking for a little more than that. It is asking for nine additional people and to re-designate two under reclassification, and four from the Urban Renewal to be re-designated into the new Department? Mr. Coffman replied there would be such instances as Mr. Sawyer, whose job class title needs to be changed. All the other job class titles in the Urban Redevelopment have been looked at by Personnel and they are useable in the new CDR Department. They are just making the shift. Councilman Harris stated then there will be the 51 from Mr. Sawyer's Department, plus the nine additional ones in the CDR Department.

Councilman Harris asked the total administrative budget for the CDRS program? Mr. Coffman replied the actual application for the first year shows the administrative cost at \$380,000 for the first full year of operation. Councilman Harris stated there is roughly a quarter of a million in just these nine people, plus the consultant being hired.

Mr. Coffman stated they learned this morning, as HUD has said all along, that they do expect us to get their "yes" on or about July 1. In a phone call this morning they said they expected it before the end of May. Instead of having seven weeks lead time, we only have something like three weeks.

Councilman Harris asked if there is no way for other staff members in the city being available for these positions. That he would like to see some deletions from other departments. Is there any way to transfer excess people, or are there any excess people? Mr. Burkhalter, City Manager, replied he does not know of any excess. But everyone has an opportunity to do this. That he thought Council was going to brag on staff for asking for nine people to run a \$30.0 million program. He stated he was very pleased with the report, and these are all the people Council was told would be added. This is combining the Urban Redevelopment Department. That we are now in the very heart of a very big renewal project. What we are doing is adding to those same people the full responsibility of doing much of this work in these nine target areas. As far as they know now this will be the staff required.

Mayor Belk stated he does not know of any other city that has done the job this city has done. That he would like to compliment those who have done this. The fact that the people in the neighborhoods have participated is what has made it so good.

Councilman Gantt stated as we convert the Department totally to Community Development Department we are still carrying on an on-going urban renewal program. The question that comes to his mind is if some of these additional administrative costs are being shared from the old urban renewal program, and does this figure which Council has represent only that portion of it that is coming out of the Community Development money? Mr. Burkhalter replied the cost of the urban redevelopment program, administrative costs, acquisition of the land, and the whole program is a joint effort, and the net cost of this project is divided three ways. Two parts the federal government and one part ours. Now we are continuing that part of the program until those programs are closed out. We are adding this part which is 100 percent paid for by federal funds. Everything Council is talking about today, all the addition, is 100 percent paid for by federal funds.

Councilman Short asked about the Chairman of the Advisory Board. That he does not see anything in this material about the Board? Mr. Burkhalter replied he and the Mayor have met with the Board and the Chairman. They had wanted to get out of their responsibilities earlier, but agreed to

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stay until this new operation takes place. Councilman Short asked if the vote on this motion constitutes an elimination of the Advisory Board? Mr. Burkhalter replied that is right; that it is not provided for in this new operation.

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

The resolutions are recorded in full in Resolutions Book 10, beginning at Page 426.

The ordinances are recorded in full in Ordinance Book 22, beginning at Page 42.

ORDINANCE AND RESOLUTION ESTABLISHING POSITION OF PSYCHOLOGICAL TEST ANALYST POSITION IN THE CHARLOTTE POLICE DEPARTMENT.

After explanation by the City Manager, Councilman Gantt moved adoption of the following ordinance and resolution establishing the position of Psychological Test Analyst Position in the Charlotte Police Department, which motion was seconded by Councilwoman Locke:

- (1) Ordinance No. 611-X amending Ordinance No. 214-X, the 1974-75 Budget Ordinance, amending the Table of Organization for the Charlotte Police Department by deleting one police detective position and substituting in lieu thereof one Psychological Test Analyst Position.
- (2) Resolution amending the Pay Plan of the City of Charlotte by adding Class No. 713, Psychological Test Analyst assigned to Pay Range 18, Pay Steps A through F, inclusive.

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

The ordinance is recorded in full in Ordinance Book 22, at Page 45.

The resolution is recorded in full in Resolutions Book 10, at Page 427.

RESOLUTIONS STATING INTENT TO CLOSE PERSIMMON STREET AND A PORTION OF OTTS STREET AND CALLING FOR PUBLIC HEARINGS ON MONDAY, JUNE 9, 1975.

Upon motion of Councilman Withrow, seconded by Councilman Harris, and unanimously carried, resolutions were adopted stating an intent to close Persimmons Street and a portion of Otts Street, and calling for public hearings on Monday, June 9, 1975.

The resolutions are recorded in full in Resolutions Book 10, beginning at Page 428

RESOLUTION AUTHORIZING THE REFUND OF CERTAIN TAXES COLLECTED THROUGH CLERICAL ERROR AND ILLEGAL LEVY FROM NINE TAX ACCOUNTS.

Councilman Harris moved adoption of the subject resolution authorizing the refund of certain taxes collected through clerical error and illegal levy from nine (9) tax accounts, in the amount of \$629.05, which motion was seconded by Councilman Withrow, and carried unanimously.

The resolution is recorded in full in Resolutions Book 10, at Page 432.

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RESOLUTIONS RELATING TO THE RETENTION OF LAND IN VARIOUS RENEWAL PROJECTS.

Mr. Sawyer, Director of Urban Redevelopment, stated this is all public land in the various projects; it includes the right of way of Baxter Street, two pieces of the park on either side of Baxter Street in the Blue Heaven project, includes the expressway right-of-way for the Independence Expressway through Projects Four and Five, and includes four pieces of right-of-way in Downtown. This action is in lieu of a deed to clear it from the project. The city has the deed to all the land. All except that retained for right-of-way will be sold and deeded to the new owners. This puts something in the record to show that the city is using this land for public purposes.

Councilman Short stated he appreciated and admired what Herman Hoose said last week about continuing to build the Independence Expressway. That he assumes what we are voting here is compatible with what he said. Mr. Sawyer replied yes; the land has already been sold, and this will simply identify the land that is being retained.

Councilman Harris stated there is a question that came out of the news release. He asked if someone can elaborate on Mr. Hoose's appearance before the Highway Commission, and all this about the expressway? The Department of Transportation had a public hearing and there was something about the consultant and five alternatives.

Mr. Burkhalter stated there are two things. One the consultant hired by the State to do an environmental impact study on that portion of the Expressway, from Seventh Street to Charlottetown Mall, out to I-77. There was a public hearing on this last week in which the consultant made recommendations to the State on what they should do.

Mr. McIntyre, Planning Director, stated he was present for the Technical Coordinating Committee, and other officials from the State and other agencies. They presented several alternatives. The action of the Technical Coordinating Committee authorized a public exposure of these five alternatives.

Mr. Burkhalter stated all that has been done is the technical part where the consultant presented his recommendations.

He stated second we have asked the State in our plans to restudy Independence Boulevard. The State has agreed to employ a private consultant to do this work. They propose to determine the half moon of the outer belt loop; one is a section of the road that goes from the new proposed access at the airport over to I-85 - this is not the way that we know that is already there - but the one that goes straight out in front. The third is the Independence Highway - Highway 74, from 51 to Seventh Street. They are the three things that the State is now employing private consultants to do the study on.

Mr. Burkhalter stated the environmental impact statement on the Wendover Road section of the Belt Road has been completed. The State has filed for a hearing on it, Mr. Underhill has just told him he will probably be in court all day next Monday on this. Mr. Underhill stated this will be in U. S. District Court.

Mr. Underhill stated along that same line on May 19 there are two hearings in two pending law suits on requested injunctions for enjoining the First Ward Urban Renewal project. One was filed in 1970, Harris vs. HUD, a class action suit brought against the government, the City and then Redevelopment Commission, and HUD, seeking to enjoin all urban renewal activities

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until adequate relocation plans were developed. The second suit is one filed last year, Cannon and others versus the City and HUD, and it was brought by 18 individual complainants who are either residents of First Ward or who own property in First Ward, which challenges the First Ward Urban Renewal activity on the basis of inadequate relocation program, and on the basis of an inadequate environmental impact statement.

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

- (a) Resolution of the City Council of the City of Charlotte, North Carolina relating to retention of land in the Brooklyn Urban Renewal Project, No. N. C. R-43 (Parcel No. 10).
- (b) Resolution of the City Council of the City of Charlotte, North Carolina, relating to retention of land in the Brooklyn Urban Renewal Project No. N. C. R-43 (Parcels No. 2 and 4).
- (c) Resolution of the City Council of the City of Charlotte, North Carolina, relating to retention of land in the Brooklyn Urban Renewal Project, N. N. C. R-43 (Parcel No. 3).
- (d) Resolution of the City Council of the City of Charlotte, North Carolina, relating to retention of land in the Urban Renewal Project No. N. C. R-43 (Parcel No. 12).
- (e) Resolution of the City Council of the City of Charlotte, North Carolina, relating to retention of land in the Downtown Urban Renewal Project A-3 (Parcels No. 1, 2, 3 and 4).

The resolutions are recorded in full in Resolutions Book 10, beginning at Page 434, and ending at Page 465.

ENCROACHMENT AGREEMENTS, APPROVED.

Councilman Harris moved approval of the following Encroachment Agreements, which motion was seconded by Councilman Gantt, and carried unanimously:

- (a) Encroachment Agreement with the North Carolina Department of Transportation permitting the City to construct a 6-inch cast iron water main within the right of way of Sharon Road at Bramwyck Road.
- (b) Encroachment Agreement with the North Carolina Department of Transportation permitting the City to construct an 8-inch VCP sanitary sewer line within the right of way of Albemarle Road to serve Day Realty Property.
- (c) Encroachment Agreement with the North Carolina Department of Transportation for the construction of a 2 1/2-inch water main in Plott Road.
- (d) Encroachment Agreement with the North Carolina Department of Transportation for the construction of an 8-inch c. i. water main in Gleneagle Road, west of Quail Hollow Road.

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RESOLUTIONS RESCINDING AUTHORIZATION TO INSTITUTE CONDEMNATION PROCEEDINGS,
ADOPTED.

Upon motion of Councilman Whittington, seconded by Councilwoman Locke, and unanimously carried, the following three resolutions rescinding authorization to institute condemnation proceedings, were adopted:

- (a) Resolution to rescind authorization to institute condemnation proceedings against 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, for the Annexation Area I (4) Sanitary Sewer Trunk and Collector Mains Project.
- (b) Resolution to rescind authorization to institute condemnation proceedings against property belonging to Elam R. Wolfe and wife, Millicent L. Wolfe, for the Annexation Area I (4) Sanitary Sewer Additions Project.
- (c) Resolution to rescind authorization to institute condemnation proceedings against property belonging to Randolph Medical Park, a limited partnership; John R. Ingle, Trustee; Cozart-Cogdell Developers, Inc.; N. B. Boney, Jr., Trustee; New York Life Insurance Company; Archie T. Walker, Trustee; and Wachovia Realty Investment, for a Sanitary Sewer to serve Billingsley Road.

These resolutions are recorded in full in Resolutions Book 10, beginning on Page 466 and ending at Page 468.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO HARRY E. BUSH, JR., A ONE-HALF UNDIVIDED INTEREST AND FIRST UNION NATIONAL BANK OF NORTH CAROLINA, TRUSTEES FOR ROBERT PERRY BUSH, UNDER THE TERMS OF THE LAST WILL AND TESTAMENT OF HARRY E. BUSH, DECEASED, A ONE-HALF UNDIVIDED INTEREST, LOCATED OFF PARK ROAD, AT TYVOLA ROAD, IN THE CITY OF CHARLOTTE, FOR THE TYVOLA ROAD RELOCATION PROJECT.

Motion was made by Councilman Short, seconded by Councilwoman Locke, and unanimously carried, adopting the subject resolution authorizing condemnation proceedings for the acquisition of property belonging to Harry E. Bush, Jr., a one-half undivided interest and First Union National Bank of North Carolina, Trustee for Robert Perry Bush under the terms of the Last Will and Testament of Harry E. Bush, deceased, a one-half undivided interest, located off Park Road, at Tyvola Road, in the City of Charlotte, for the Tyvola Road Relocation Project.

The resolution is recorded in full in Resolutions Book 10, at Page 469.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO HARRY E. BUSH, JR., A ONE-HALF UNDIVIDED INTEREST AND FIRST UNION NATIONAL BANK OF NORTH CAROLINA, TRUSTEE FOR ROBERT PERRY BUSH, UNDER THE TERMS OF THE LAST WILL AND TESTAMENT OF HARRY E. BUSH, SR., DECEASED, A ONE-HALF UNDIVIDED INTEREST, LOCATED ON PARK ROAD, AT TYVOLA ROAD, IN THE CITY OF CHARLOTTE, FOR THE TYVOLA ROAD RELOCATION PROJECT.

Councilman Whittington moved adoption of subject resolution authorizing condemnation proceedings for the acquisition of property belonging to Harry E. Bush, Jr., a one-half undivided interest and First Union National Bank of North Carolina, Trustee, for Robert Perry Bush, under the terms of the last Will and Testament of Harry E. Bush, Sr., deceased, a one-half undivided interest, located on Park Road, at Tyvola Road, in the City of Charlotte, for the Tyvola Road Relocation Project, which motion was seconded by Councilman Short and carried unanimously.

The resolution is recorded in full in Resolutions Book 10, at Page 470.

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RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO HARRY E. BUSH, JR., A ONE-HALF UNDIVIDED INTEREST, AND FIRST UNION NATIONAL BANK OF NORTH CAROLINA, TRUSTEE FOR ROBERT PERRY BUSH, UNDER THE TERMS OF THE LAST WILL AND TESTAMENT OF HARRY E. BUSH, SR. DECEASED, A ONE-HALF UNDIVIDED INTEREST, LOCATED ON PARK ROAD, AT TYVOLA ROAD, IN THE CITY OF CHARLOTTE, FOR THE TYVOLA ROAD RELOCATION PROJECT.

Upon motion of Councilman Gantt, seconded by Councilman Williams, and unanimously carried, the subject resolution was adopted authorizing condemnation proceedings for the acquisition of property belonging to Harry E. Bush, Jr., a one-half undivided interest, and First Union National Bank of North Carolina, Trustee for Robert Perry Bush, under the terms of the Last Will and Testament of Harry E. Bush, Sr., deceased, a one-half undivided interest, located on Park Road at Tyvola Road, in the City of Charlotte, for the Tyvola Road Relocation Project.

The resolution is recorded in full in Resolutions Book 10, at Page 471.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO DONALD G. SYMON AND WIFE, IF ANY, LOCATED ON CHOYCE AVENUE (OFF NATIONS FORD ROAD), IN THE CITY OF CHARLOTTE, FOR THE ANNEXATION AREA I (11) SANITARY SEWER ADDITIONS PROJECT.

Motion was made by Councilman Whittington, seconded by Councilman Short, and unanimously carried, adopting subject resolution authorizing condemnation proceedings for the acquisition of property belonging to Donald G. Symon and wife, if any, located on Choyce Avenue (off Nations Ford Road), in the City of Charlotte, for the Annexation Area I (11) Sanitary Sewer Additions Project.

The resolution is recorded in full in Resolutions Book 10, at Page 472.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO ROBINSON ELECTRIC COMPANY, INC., LOCATED AT 316 SOUTH POPLAR STREET, IN THE CITY OF CHARLOTTE, FOR THE POPLAR-MINT CONNECTOR PROJECT.

Councilwoman Locke moved adoption of subject resolution authorizing condemnation proceedings for the acquisition of property belonging to Robinson Electric Company, Inc., located at 316 Poplar Street, in the City of Charlotte for the Poplar-Mint Connector Project, which motion was seconded by Councilman Short, and unanimously carried.

The resolution is recorded in full in Resolutions Book 10, at Page 473.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO MARGARET C. PARKER; RAY W. BRADLEY, ET AL, TRUSTEES; HOME FEDERAL SAVINGS & LOAN ASSOCIATION; S. DEAN HAMRICK, TRUSTEE; AND SOUTHERN NATIONAL BANK OF NORTH CAROLINA, LOCATED AT 4100 NORTH SHARON AMITY ROAD, IN THE CITY OF CHARLOTTE, FOR THE SHARON AMITY ROAD WIDENING PROJECT.

Upon motion of Councilman Whittington, seconded by Councilman Short, and unanimously carried, the subject resolution was adopted authorizing condemnation proceedings for the acquisition of property belonging to Margaret C. Parker; Ray W. Bradley, et al, Trustees; Home Federal Savings & Loan Association; S. Dean Hamrick, Trustee; and Southern National Bank of North Carolina, located at 4100 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 10, at Page 474.

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ACQUISITION OF STANDARD EASEMENT FOR ANNEXATION AREA, APPROVED.

Motion was made by Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, approving the acquisition of one parcel of standard easement for Annexation Area I (2) Sanitary Sewer Additions, for annexed areas.

RESOLUTION ACCEPTING THE GRANT OF TWO SANITARY SEWER EASEMENTS AND A WATER LINE EASEMENT FROM THE ARROWOOD SOUTHERN COMPANY.

Councilman Whittington moved adoption of subject resolution accepting the grant of two sanitary sewer easements and a water line easement from the Arrowood Southern Company per our projects, Sanitary Sewer and Water Line to serve Arrowood Southern Executive Park, Inc., which motion was seconded by Councilwoman Locke, and carried unanimously.

The resolution is recorded in full in Resolutions Book 10, at Page 475.

QUIT CLAIM DEED BETWEEN CITY AND J. HODGES AND WIFE, AND ACQUISITION OF RIGHT OF WAY EASEMENT FOR SANITARY SEWER RIGHT OF WAY.

Councilman Gantt moved approval of the following quit claim deed and acquisition of right of way easement for sanitary sewer right across the property of J. V. Hodges, which motion was seconded by Councilman Whittington, and carried unanimously:

- (a) Quit Claim deed between the City and J. V. Hodges and wife, Hilda K. deeding back 3.4 feet.
- (b) Acquisition of 3.34' x 16.85' x 3.40' of easement at 2036 Barringer Drive, from J. W. Hodges and wife, Hilda K. at \$1.00 for sanitary sewer right of way across property of J. V. Hodges.

PROPERTY TRANSACTIONS, AUTHORIZED.

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

- (a) Option on 12,293.54' sq. ft., plus a construction easement, with a one-story brick building and a three-story brick building, at 1143 East 4th Street, from Central Piedmont Community College, at \$116,194.00, for the Kings Drive Relocation Project.
- (b) Right of Way Agreement on 9.34' x 28.69' x 27.02' of property at 1209 E. 4th Street, from the Trustees of Central Piedmont Community College, at \$1.00, for the Kings Drive Relocation Project.
- (c) Acquisition of 4,373 sq.ft. of easement at 1141 Elizabeth Avenue, from Central Piedmont Community College, at \$1.00, for the Kings Drive Relocation Project.
- (d) Right of Way Agreement on 50,801.79 sq.ft. of property, plus a construction easement with a metal building, at 1141 Elizabeth Avenue, from Central Piedmont Community College, at \$1,478.00, for Kings Drive Relocation Project.
- (e) Right of Way Agreement on 1,189.43 sq.ft. of property, plus a construction and drainage easement, at 1204 E. 7th Street, from Central Piedmont Community College, at \$1.00, for the Kings Drive Relocation Project.

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- (f) Right of Way Agreement on 22.74' x 31.67' x 826.74' x 964.81' of property, plus a construction easement, at 4801 Randolph Road, from M. H. of Charlotte, Inc., at \$1.00, for the Randolph Road Widening Project.
- (g) Option on 18.23' x 25.91' x 280.13' x 2.13' x 297.43' of property, plus a construction easement, at 5103 Randolph Road, from Thomas O. Squires and wife, Mary L., at \$875.00, for the Randolph Road Widening Project.
- (h) Right of Way Agreement on 2.01' x 103.49' x 2.01' x 103.49' of property, plus a construction easement, at 5155 Randolph Road, from Mildred C. Diltz, at \$500.00, for the Randolph Road Widening Project.
- (i) Option on 20.67' x 262.29' x 22.47' x 260.94' of property, plus a construction easement, at Randolph Road and Eastover Road (Eastover Park), from Charlotte Park and Recreation Commission, at \$2,750.00, for the Randolph Road Widening Project.

SETTLEMENT IN THE CASE OF CITY VS. PARKS RAYMOND McCORKLE, AND WIFE, ANNIE D. McCORKLE, APPROVED AS RECOMMENDED.

Upon motion of Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, subject settlement, in the amount of \$2,500.00, was approved in the case of City vs. Parks Raymond McCorkle and wife, Annie D. McCorkle, for the Sharon Amity Road project, as recommended by the City Attorney.

SPECIAL OFFICER PERMITS AUTHORIZED.

Motion was made by Councilwoman Locke, seconded by Councilman Gantt, and unanimously carried, approving the issuance of Special Officer Permits for a period of one year each, as follows:

- (a) Renewal of permit to John Albert Barnette for use on the premises of Johnson C. Smith University.
- (b) Renewal of permit to John Samuel Eagle for use on the premises of Johnson C. Smith University.
- (c) Issuance of permit to Larry Nelson Furr for use on the premises of Sharon Memorial Park & York Memorial Park.
- (d) Issuance of permit to Rolland Lee Roy Overturf, Sr. for use on the premises of Charlotte Park & Recreation Commission.
- (e) Renewal of permit to Nahum R. Pillsbury, Jr. for use on the premises of Charlotte Eye, Ear, Nose & Throat Hospital.
- (f) Issuance of permit to Kathryn Dawn Sigmon for use on the premises of all Ivey's stores within the city limits of Charlotte.
- (g) Renewal of permit to Stephen J. Wilson for use on the premises of Charlotte Eye, Ear, Nose & Throat Hospital.

CONTRACT AWARDED BLYTHE BROTHERS COMPANY FOR VARIOUS SIZES OF CRUSHED STONE.

Councilman Short moved award of contract to the low bidder, Blythe Brothers Company, in the amount of \$201,050.00, on a unit price basis, for various sizes of crushed stone for street construction and maintenance, which motion was seconded by Councilman Whittington, and unanimously carried.

The following bids were received:

Blythe Brothers Company	\$201,050.00
Martin Marietta Aggregates	211,480.00

CONTRACT AWARDED STANDARD LAW ENFORCEMENT SUPPLY COMPANY FOR PORTABLE AUTOMATIC ROBBERY-BURGLARY ALARM SYSTEMS FOR POLICE DEPARTMENT.

Upon motion of Councilman Short, seconded by Councilman Withrow, and unanimously carried, contract was awarded to the low bidder, Standard Law Enforcement Supply Company, in the amount of \$28,750.00, on a unit price basis, for 25 portable automatic robbery-burglary alarm systems to be used by the Police Department.

The following bids were received:

Standard Law Enforcement Supply Co.	\$ 28,750.00
Paul H. Kraus & Associates, Inc.	39,075.00

CONTRACT AWARDED W. H. ROBERTSON CONSTRUCTION COMPANY FOR SITE IMPROVEMENTS, BLOCK II, PARCEL 1, GREENVILLE URBAN RENEWAL AREA.

Motion was made by Councilwoman Locke, seconded by Councilman Whittington, and unanimously carried, awarding contract to the low bidder, W. H. Robertson Construction Company, in the amount of \$7,900.00, for Site Improvements Block II, Parcel 1, Greenville Urban Renewal Area.

The following bids were received:

W. H. Robertson Construction Company	\$ 7,900.00
Piedmont Grading & Wrecking Co., Inc.	8,200.00
Joe Frazier Landscaping	8,475.00

CONTRACT AWARDED PACH CONSTRUCTION COMPANY FOR PEDESTRAIN SHELTER FOR THE GREENVILLE NEIGHBORHOOD PARK IN THE GREENVILLE URBAN RENEWAL AREA.

Councilman Withrow moved award of contract to the low bidder, PACH Construction Company, in the amount of \$9,556.00, for the construction of a pedestrian shelter for the Greenville Neighborhood Park, in the Greenville Urban Renewal Area, which motion was seconded by Councilman Whittington, and carried unanimously.

The following bids were received:

PACH Construction, Inc.	\$ 9,556.00
Piedmont Grading & Wrecking Co., Inc.	9,850.00
W. H. Robertson Construction Co.	12,000.00

CONTRACT AWARDED PIEDMONT GRADING & WRECKING COMPANY FOR FILL DIRT IN GREENVILLE URBAN RENEWAL AREA.

Upon motion of Councilman Gantt, seconded by Councilwoman Locke, and unanimously carried, contract was awarded the low bidder, Piedmont Grading & Wrecking Company, in the amount of \$5,880.00, for hauling 14,000 C.Y. fill dirt in Greenville Urban Renewal Area.

The following bids were received.

Piedmont Grading & Wrecking Co.	\$ 5,880.00
Fuller Landscaping Co.	6,300.00
Bradford Bros., Inc.	6,300.00
Nathaniel Jones Fence Contractor	7,999.50
Moore Grading	12,600.00
F. T. Williams Co., Inc.	15,400.00
Houston Grading & Wrecking Co., Inc.	28,000.00

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DOROTHY PRESSER FURR APPOINTED TO THE CIVIL SERVICE BOARD FOR A THREE YEAR TERM.

Motion was made by Councilwoman Locke, seconded by Councilman Whittington, and unanimously carried, appointing Dorothy Presser Furr to the Civil Service Board for a three year term.

CENTRALINE COUNCIL OF GOVERNMENTS MEETING ON WEDNESDAY, MAY 14, 1975, AT THE STANLEY COUNTY COUNTRY CLUB, BADIN, NORTH CAROLINA.

The Agenda for the Centralina Council of Governments meeting was presented for Council discussion. No one had any comments or advisements for the Council's Representative, Councilwoman Locke.

A SPECIAL USE PERMIT TO OPERATE A MASONIC FACILITY AT 745 STACY BOULEVARD, APPROVED.

Motion was made by Councilman Whittington, seconded by Councilman Withrow, and unanimously carried approving a request from the Charles M. Setzer Masonic Lodge for a Special Use Permit to operate a Masonic Facility at 745 Stacy Boulevard.

DISCUSSION OF GREENVILLE AREA.

Councilman Gantt stated the Greenville area has been a source of frustration for a lot of people. He asked if the situation looks any better. Have they heard anything from anyone about putting more housing in there? Mr. Sawyer, Director of Urban Redevelopment, replied they have one developer they think is very serious; he is from out of town, and he is interested in taking the remainder of the multi-family land, and a great deal of the single family lots.

Councilman Gantt stated there are ten houses out there and they are still not all occupied. Mr. Williams, Assistant City Manager, stated he had a call from HUD in Greensboro on Friday, stating a concern about what is happening in Greenville. They finally got together all the parties involved in bringing together the Greenhaven Project, the 49 townhouses, and they believe in the next few weeks it will be nailed down and they will go to contract within the next few weeks.

NOMINATION OF A. P. WILSON TO THE HOUSING APPEALS BOARD.

Councilwoman Locke placed in nomination the name of A. P. Wilson to succeed himself for a three year term on the Housing Appeals Board.

COUNCIL COMMENDS MS. IVIE H. GULLEDGE FOR HER RECOGNITION AS LEGAL SECRETARY OF THE YEAR BY THE NORTH CAROLINA ASSOCIATION OF LEGAL SECRETARIES.

Councilman Harris stated Ms. Ivie H. Gullledge has been selected Legal Secretary of the Year by the North Carolina Association of Legal Secretaries at their annual Convention on May 3, 1975. That Ms. Gullledge works in Charlotte for the firm of Blakeney, Alexander and Machen. She will represent Charlotte and this State in the National Competition later this year.

He moved that Council send her a resolution commending her for her recognition. The motion was seconded by Councilwoman Locke, and carried unanimously.

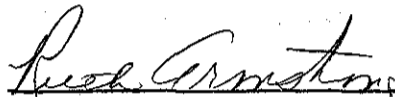
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CITY MANAGER TO BRING RECOMMENDATIONS TO COUNCIL ON AIRPORT TERMINAL REFERENDUM.

Councilman Harris stated he would like for the airport terminal referendum to be reconsidered sometime down the road. Mr. Burkhalter, City Manager, replied he plans to come back to Council very soon with some recommendations on this.

ADJOURNMENT.

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



Ruth Armstrong, City Clerk