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The City Council of the City of Charlotte, North Carolina, met on Monday, September 8, 1975, at 3:00 o'clock p.m., in the Council Chamber, City Hall, with Mayor John M. Belk presiding, and Councilmembers Harvey B. Gantt, Kenneth R. Harris, Pat Locke, Milton Short, James B. Whittington, Neil C. Williams and Joe D. Withrow present.

ABSENT: None.

* * * * *

INVOCATION.

The invocation was given by Councilman Harvey B. Gantt.

MINUTES APPROVED.

Upon motion of Councilman Short, seconded by Councilwoman Locke, and unanimously carried, the minutes of the last meeting, on August 25, 1975, were approved as submitted.

CITY OF CHARLOTTE EMPLOYEE PLAQUE PRESENTED TO DAVID A. WERNER.

Mayor Belk and the Councilmembers recognized David A. Werner, Fire Lieutenant-Captain, and presented him with the City of Charlotte Employee Plaque for his services to the city from August 16, 1948 until his retirement July 29, 1975.

CERTIFICATES OF APPRECIATION PRESENTED TO LOCAL FIRMS, INDIVIDUALS AND CIVIC GROUPS FOR KEEPING CHARLOTTE A BEAUTIFUL CITY.

Dr. Hechenbleikner, Chairman of the Tree Commission, advised that the Tree Commission, concerned with preserving and enhancing the beauty of Charlotte has established a program to present Certificates of Appreciation to those firms, individuals and civic groups who demonstrate that something extra. Today they wish to make four presentations to those individuals the Tree Commission thinks has done very good work in this endeavor.

Dr. Hechenbleikner presented the following Certificates:

1. Johnson C. Smith University, with Dr. William Greenfield, President receiving the certificate.
2. Hidden Valley Residential Subdivision, Mr. George Goodyear, Developer receiving the certificate.
3. Exxon Station, Sharon Road and Morrison Avenue, Mr. Wayne Robinson, Sales Manager receiving the certificate.
4. Randolph Medical Park, Cogdell and Associates, Mr. Jim Cogdell receiving the certificate.

Present with Dr. Hechenbleikner were Ms. Pat Rogers and Mr. Leroy Miller, members of the Tree Commission.

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RESOLUTION EXTENDING SYMPATHY AND HONORING LYNDON MAURICE WHITE.

Mayor Belk presented the following resolution:

"WHEREAS, Lyndon Maurice White, age 16, unselfishly, and without regard to his own personal safety, did aid in the rescue of his neighbors, Mrs. Michael Daniel and her five-month old son, Tracy, when rising waters from a creek flooded their home on the night of August 27, 1975; and

WHEREAS, after effecting this rescue, Lyndon was crossing the metal supports of a bridge over a swollen creek to assist others when he slipped from the bridge and was swept into a culvert by the water and drowned; and

WHEREAS, Lyndon White, acted with courage and compassion in the face of danger thereby demonstrating the highest qualities of citizenship, and such meritorious conduct is deserving of public acclaim and recognition; and

WHEREAS, the Mayor and City Council of the City of Charlotte, on behalf of all citizens, wish to express their deepest sympathy to the family of Lyndon White in their loss, and feel a deep sense of pride for his courageous performance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, on this 8th day of September, 1975, that the Mayor and City Council do, by this resolution and public record, recognize his outstanding heroism in assisting his friends and neighbors to safety at the expense of his own life.

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this meeting and a copy thereof be presented to his family."

Mayor Belk stated the resolution signed by all members of Council and himself will be framed and presented to the family later.

NAME OF NORTHWEST FREEWAY CHANGED TO BROOKSHIRE FREEWAY, AND PORTION OF BELLHAVEN BOULEVARD WITHIN THE CITY LIMITS CHANGED TO BROOKSHIRE BOULEVARD EFFECTIVE MARCH 1, 1976.

The public hearing was called on the proposal to change the name of the Northwest Freeway to Brookshire Freeway, and renaming the portion of Bellhaven Boulevard within the city limits to Brookshire Boulevard.

Copies of letters opposing the name change, and names and addresses of persons calling to oppose the name change were given to the Mayor and Councilmembers prior to the hearing.

Speaking for the proposed name change was Mr. O. R. Jones, 2224 Sara Marks Avenue. Appearing in opposition was Mr. Jim Warner, Jr., and Mr. Louis Synder.

Councilman Short moved that Council proceed with the name change as stated on the agenda, naming the Northwest Freeway to Brookshire Freeway, and naming the portion of Bellhaven Boulevard within the City limits, to Brookshire Boulevard Freeway. The motion was seconded by Councilwoman Locke.

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Councilman Withrow stated he thinks there should be a time schedule set, and it should not be changed for six months to a year in order that the property owners and businesses located along the portion of Bellhaven Boulevard can use up their stationery and have the changes made. He asked that the motion be amended to provide that the portion pertaining to Bellhaven Boulevard not become effective until March 1. The amendment was accepted by Councilman Short, and Councilwoman Locke.

Councilman Withrow requested that all these people be notified of this change and the effective date.

The vote was taken on the motion and carried unanimously.

NAME OF THAT SEGMENT OF TYVOLA ROAD, FROM PARK ROAD TO THE ENTRANCE TO THE PARK ROAD PARK CHANGED TO CLOSEBURN ROAD.

The hearing was called on the proposed change in street name.

Mr. McIntyre, Planning Director, indicated by map the location of the street proposed for a name change and pointed out the difficulties that would incur if the name remained as Tyvola Road.

No one spoke for or against the proposed name change.

Councilman Harris moved that the segment of Tyvola Road, from Park Road to the entrance to Park Road Park, be changed to CLOSEBURN Road as recommended by the Planning Staff. The motion was seconded by Councilman Whittington, and carried unanimously.

REPLICA OF MECKLENBURG COUNTY'S FIRST COURTHOUSE GIVEN TO THE BOY SCOUTS OF AMERICA, MECKLENBURG COUNTY COUNCIL, INC.

Councilman Whittington moved that the replica of Mecklenburg County's First Courthouse be given to the Boy Scouts of America, Mecklenburg County Council, Inc. with the moving of the building to a new location be done at no cost to local government. The motion was seconded by Councilwoman Locke.

Councilman Withrow stated he had received a number of calls from some ladies about why they were not given an opportunity to consider this. The City Manager stated he received a letter from the Girl Scout Council indicating their desire to take the building to their camp at Lake Lure. He stated this letter did not come until after the fact as they knew this item was already on the agenda.

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

ORDINANCE NO. 846-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE AMENDING THE ZONING MAP BY CHANGING THE ZONING OF PROPERTY ON THE SOUTH-WEST SIDE OF EAST 16TH STREET, BETWEEN NORTH DAVIDSON STREET AND NORTH CALDWELL STREET, ON PETITION OF GEORGE P. GREENOE AND E. V. MARTIN.

Councilman Short moved adoption of the subject ordinance changing the zoning of property from R-6MF to I-2 as recommended by the Planning Commission. The motion was seconded by Councilman Whittington, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 22, at Page 328.

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COUNCILMAN WHITTINGTON EXCUSED FROM PARTICIPATING ON NEXT ITEM DUE TO CONFLICT OF INTEREST.

Councilman Whittington stated he has a conflict on the next item, and asked to be excused from the discussion and vote on the item.

Councilman Harris moved that Councilman Whittington be excused from participating due to a conflict of interest. The motion was seconded by Councilwoman Locke, and carried unanimously.

RESOLUTION AUTHORIZING SUBMISSION OF AN LEAA GRANT APPLICATION ON BEHALF OF THE RELATIVES.

Councilwoman Locke moved adoption of the resolution authorizing submission of an LEAA Grant Application on behalf of The Relatives in the amount of \$29,092.00, to provide city sponsorship for this program, but will not commit any city funds for the project. The motion was seconded by Councilman Williams.

Dr. Russell T. Montford, Chairman of the Board of Directors of The Relatives, stated this is a facility for run-a-way boys and girls. He stated it will not involve any funds from the city, and he believes the law is such that the city cannot grant funds at this level. They find funds coming from other sources, and they are willing to assume that responsibility in ensuing years. They must have the authorization of a local governmental agency, and this is what they are seeking from the city.

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

The resolution is recorded in full in Resolutions Book 11, at Page 67.

ORDINANCE No. 847 AMENDING CHAPTER 10, SECTION 10-21 OF THE CODE OF THE CITY OF CHARLOTTE, THE LITTER CONTROL ORDINANCE.

Motion was made by Councilman Whittington, and seconded by Councilman Williams to adopt the subject ordinance amending Section 10-21 by adding the following sentence between the semicolon and the period:

" ; provided, that this section will not apply to those sunken or underground receptacles in existence on the first day of August, 1975."

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

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

The ordinance is recorded in full in Ordinance Book 22, at Page 329.

RESOLUTION AUTHORIZING THE REFUND OF CERTAIN TAXES WHICH WERE LEVIED AND COLLECTED THROUGH CLERICAL ERROR.

Motion was made by Councilwoman Locke, seconded by Councilman Whittington, and unanimously carried, adopting the subject resolution authorizing the refund of certain taxes, in the total amount of \$1,160.53, which were levied and collected through clerical error.

The resolution is recorded in full in Resolutions Book 11, at Page 68.

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RESOLUTION ACCEPTING A STATE GRANT OFFER FOR CONSTRUCTING WASTEWATER COLLECTOR TRUNKS AND MAINS IN MECKLENBURG COUNTY.

Councilman Short moved adoption of subject resolution accepting a State Grant Offer of \$1,128,683 for constructing wastewater collector trunks and mains in Mecklenburg County. The motion was seconded by Councilman Williams, and unanimously carried.

The resolution is recorded in full in Resolutions Book 11, at Page 70.

ORDINANCES AFFECTING HOUSING DECLARED "UNFIT" FOR HUMAN HABITATION.

Upon motion of Councilman Harris, seconded by Councilman Williams, and unanimously carried, the following ordinances were adopted affecting housing declared "unfit" for human habitation:

- (a) Ordinance No. 848-X ordering the unoccupied dwelling at 1612 Merriman Avenue to be closed.
- (b) Ordinance No. 849-X ordering the unoccupied dwelling at 1021-23 North Allen Street to be closed.

The ordinances are recorded in full in Ordinance Book 22, beginning at Page 330.

ORDINANCES ORDERING THE REMOVAL OF WEEDS, GRASS AND TRASH.

Motion was made by Councilwoman Locke, seconded by Councilman Williams, and unanimously carried, adopting the following ordinances ordering the removal of weeds, grass and trash:

- (a) Ordinance No. 850-X ordering the removal of weeds and grass from vacant lot in 3400 block of North Davidson Street;
- (b) Ordinance No. 851-X ordering the removal of weeds and grass at 4309 The Plaza;
- (c) Ordinance No. 852-X ordering the removal of weeds and grass from vacant lot adjacent to 1817 Patton Avenue;
- (d) Ordinance No. 853-X ordering the removal of weeds and grass at 3520 South Tryon Street;
- (e) Ordinance No. 854-X ordering the removal of weeds, grass and trash at 2609 Independence Boulevard.
- (f) Ordinance No. 855-X ordering the removal of weeds, trash and grass adjacent to 2607 The Plaza to the right;
- (g) Ordinance No. 856-X ordering the removal of weeds, trash and grass at Pine Lake Estates, Old Pineville Road;
- (h) Ordinance No. 857-X ordering the removal of weeds and grass at 3609 Simmons Street;
- (i) Ordinance No. 858-X ordering the removal of weeds and grass at 1532 Kimberly Road;
- (j) Ordinance No. 859-X ordering the removal of weeds and grass from vacant lots at corner of Dalton Village and West Boulevard;
- (k) Ordinance No. 860-X ordering the removal of weeds and grass from vacant lot between 4201 and 4133 Carlyle Drive;
- (l) Ordinance No. 861-X ordering the removal of weeds and grass from vacant lot at 1216 Winnifred Street;
- (m) Ordinance No. 862-X ordering the removal of weeds and grass from 1205 Kenilworth Avenue;
- (n) Ordinance No. 863-X ordering the removal of weeds and grass from vacant lot adjacent to 600 Lexington Avenue;

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- (o) Ordinance No. 864-X ordering the removal of weeds and grass at 3940 Irvington Drive;
- (p) Ordinance No. 865-X ordering the removal of weeds and grass from vacant lot adjacent to 3337 Doris Avenue;
- (q) Ordinance No. 866-X ordering the removal of weeds and grass from vacant lot across from 3709 Simmons Street;
- (r) Ordinance No. 867-X ordering the removal of weeds and grass from vacant lot at corner of Simmons Street and Midland Avenue;
- (s) Ordinance No. 868-X ordering the removal of weeds and grass from vacant lot at corner of Newland Road and Gilbert Street;
- (t) Ordinance No. 869-X ordering the removal of weeds and grass at 4010 Plato Circle.

The ordinances are recorded in full in Ordinance Book 22, beginning at Page 332.

ORDINANCE AMENDING TABLE OF ORGANIZATION FOR THE COMMUNITY DEVELOPMENT DEPARTMENT BY ADDING TEN NEW POSITIONS, AND RECLASSIFYING TWO POSITIONS, AND RESOLUTION AMENDING THE PAY PLAN TO INCORPORATE NEW CLASSIFICATION TITLES, APPROVED.

Motion was made by Councilman Whittington, and seconded by Councilman Gantt for discussion to adopt the following ordinance and resolution for the Community Development Department to change the table of organization and add ten new positions:

- (a) Ordinance No. 870-X amending Ordinance No. 662-X, the 1975-76 Budget Ordinance amending the table of organization for the Community Development Department by adding the following positions: Five positions under Rehabilitation Construction Advisor I, two positions under Clerk Steno I, one position under Relocation Resource Specialist, one position under Housing Assistance Administrator and one position under Storekeeper II, and reclassifying an existing Clerk Steno I to Clerk Steno II, and an existing Clerk-Typist II to Clerk Steno I.
- (b) Resolution amending the Pay Plan of the City of Charlotte to incorporate the new classification titles and the changes in pay range assignments of existing classes, as follows:
 1. Rehabilitation Supervisor changed from Pay Range 25 to Pay Range 26.
 2. Delete Neighborhood Services Coordinator, Class No. 464.
 3. Rehabilitation Projects Coordinator, Class No. 517, added and assigned to Pay Range 22.
 4. Assistant Rehabilitation Loan Agent, Class No. 342, added and assigned to Pay Range 14.
 5. Rehabilitation Construction Advisor I, Class No. 513, added and assigned to Pay Range 16.
 6. Rehabilitation Construction Advisor II, Class No. 515, added and assigned to Pay Range 20.
 7. Assistant Relocation Supervisor, Class No. 342, delete.
 8. Relocation Supervisor, Class No. 524, added and assigned to Pay Range 22.
 9. Relocation Resource Specialist, Class No. 523, added and assigned to Pay Range 15.
 10. Housing Assistance Administrator, Class No. 429, added and assigned to Pay Range 26.

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Councilman Gantt stated he understands this to mean that we are hiring additional people in the Community Development program, which would seem logical since the program started the first of July. He asked Mr. Coffman to clarify for him a number of things. One, the relationship between the number of people that we are hiring for this program, and the proposed budget for administration for the first year. That he would also like to be able to see where we are in that hiring plan - as this program comes to Council week by week, piece by piece, Council needs to get a clear, overall picture as to where the funds are going. He stated this Council knows his concern and that is that we insure that we are hiring only what we need for this program; that the priority in terms of fund allocations actually be in the actual delivery of goods and services to the people in the Community Development program. That he does not suggest there is anything wrong here, or that the positions are not needed; but it seems to him as policy makers of this program, Council does not get a full picture when they come week to week. He asked if Mr. Coffman will speak to this, in terms of giving Council some overall picture.

Mr. Coffman stated Councilman Gantt asked this morning for some sort of history on CD actions that had been taken by City Council to recollect the actual actions which have been taken since the plan was approved in February.

Since that time City Council has taken some CD action almost every month since its inception. In May, nine positions were authorized for CD which were related to the actual administration of the program. In June, an environmental planning contract, and summer school programs were authorized. In July, four positions were authorized for economic development work; in August, an engineering contract was authorized and the MOTION contract was approved. Now they are asking for what is really Phase II of the CD work. We are now actually administering the program and what City Council is now considering is the actual operation of the rehab program, which is the heart of the whole CD effort.

The sum of the City Council's action today is a little over \$1.0 million. He stated on the second sheet of the handout, he has attempted to show the breakdown by program. One of the things we always have some difficulty with is making sure that everyone understands and agrees on what is meant by administration. That he has not found any layman or expert that can make sure they do know exactly what that means. Therefore, what he would submit is that each make up his own definition of the administrative costs based upon these appropriations which have been made so far.

According to our own definition you can identify around \$258,000 worth of actual administration and planning costs; Housing of a little over \$200,000. Then whether or not you want to show engineering as an administrative cost is one of those border line decisions. Human resource programs is not an administrative cost; environmental planning cost is one of the very border line sorts of decision. The economic development is the actual cost of running the economic program, and he would say is not an administrative cost. Using our method of defining administration he would say that administration and planning, engineering and perhaps environmental comes to around \$600,000.

Back in February, he said the actual cost of administration for the CDRS program would not exceed 12 percent. As of right now we are right at six percent. That he has no doubt that we will stay under 12 percent, and will mainly work out at about eight or nine percent at the end of this particular year.

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He stated we believe cost of administrating this particular program in terms of these bodies that are actually being added for administration are well under the cost figures which we had at the beginning of the year. Todate the actions of City Council in terms of actual administration of the CD program, even with the ten bodies which are recommended this afternoon will be around \$600,000 annually, which is about one half the amount projected.

Mr. Coffman stated he and Mr. Sawyer have met and agreed that this is the end of Phase II, and that they will not be coming back to City Council for more bodies for CDRS before the end of this program year. They hope not to come back at all in the second year. Once the CDRS funding stops each of these positions which have been established is automatically abolished.

Councilman Williams asked if we could delete ten employees from some other place and shift them to this CD function? Mr. Coffman replied the work which was done on the 75-76 budget, as he recalls, City Council deleted four building inspectors, one in the CD shop, and three in building inspection due to the reduction of work load. Therefore, we look at this at the net addition of one. This is asking for five, but Council did abolish four about two months ago. Had those jobs not been abolished, then they would have come back with just one additional party. He would share the concern if we were authorizing something that would go on forever. As he said before, once the CD money stops flowing, these jobs are automatically abolished. It is not like establishing a fireman's job, or a policeman's job. This is the sort of thing that at the end of federal funding, three or six years, Micky and Vernon and his friends are out walking the streets, he guess. Councilman Williams asked if they clearly understand that? Mr. Coffman replied he thinks so; they have to have some sorts of funds. If it is not there, the City Council six years from now will have to be making some decisions about this.

Councilman Withrow asked if these people are in lieu of the people we now have in NAP and the old program; this many more people? Mr. Coffman replied yes. Right now there is one inspector assigned to Dilworth, and one inspector assigned to Wilmore. What they are really asking for is five more inspectors for a total of seven to work in the eight CDRS areas.

Councilman Short stated one thing that is of concern is that the administrative money looks heavy, but at the same time we have to realize that is money you have to spend at the outset. Councilman Withrow stated what he has always been concerned about in the Model Cities and every other program we have is the money getting down to where it should go. It is time now, and all of Council is concerned, with money getting down to fix these houses, and rehabilitate these houses, and this is where it should go. Mr. Coffman stated one of the first things that must be done before you can do any rehab is to inspect the houses in the areas, and if these positions are authorized they can begin as soon as they recruit, train and get the environmental planning, which they are working on now.

Councilman Harris stated the true cost of people we see that in salary and fringe benefit costs, which he assumes this covers; but we see these, and then we see the request for space - just as we saw in the economic development area. We had the motion to come before us for the program, and then had the renting of the space. Where will these people go? Have the clerical people been assigned to areas? Will these other people have office space? Do they have cars? Do they have other costs involved in their employment?

Councilman Gantt stated he likes the way Mr. Coffman responded to the question he raised this morning. That he would suggest that in the future when they come back to Council with a program that will continue over a period of three years, that he offer the Council this kind of thing as a recap so that Council can continue to see this in perspective while looking at the specific thing being asked for at the time. Mr. Coffman replied on the 8th of October a breakfast meeting has been scheduled for a complete update on the whole CD Program.

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Mr. Sawyer, Director of Community Development, referred to a map showing the locations of the target areas as approved. There are nine areas, and eight are scheduled to receive some rehabilitation effort and/or clearance. The plan now is to establish three field offices to serve these nine areas. The first one is North Charlotte and is an area large enough to support and need one field office. The second will be in Grier Heights. From this office they will service Cherry and First Ward areas. The third will be in Third Ward, and they think this will service the other areas. He stated the City does not own any property in these areas, and in two of them we probably will not; but we will be renting office space in the three areas to establish an office and staff it with the people involved in the operation in those project areas.

Councilman Harris asked if this will be a mobile office or a field office such as a construction area has; or what are they talking about? Mr. Sawyer replied they are talking about finding space there that can be rented if possible. If not, they will have to make other arrangements. Perhaps purchase a trailer.

Councilman Harris stated then he does not know the cost as they do not know what is available at this point? Mr. Sawyer replied no.

The vote was taken on the motion and carried unanimously.

The ordinance is recorded in full in Ordinance Book 22, at Page 352, and the resolution is recorded in full in Resolutions Book 11, beginning at Page 71.

EXPENDITURE OF FUNDS TO IMPROVE NON-SYSTEM RESIDENTIAL STREETS, AUTHORIZED.

Councilman Gantt moved approval of the expenditure of \$67,566 set aside in the current fiscal year CIP budget, to improve non-system residential streets in accordance with the report sent to Council by Engineering Division of Public Works. The motion was seconded by Councilman Harris.

Councilman Short asked how many of these roads just serve the individuals who happen to rent or live there as opposed to being roads that the general public would make an extensive use of? Mr. Hopson replied the first twenty that are recommended are used generally by the general public. In the 134 included in the packet quite a few are individual driveways, and they would never recommend that those be improved. In the first twenty we are talking about serving approximately 225 homes.

Councilman Short stated he has some reservations about this; that he is sure staff is trying to respond to policies set by City Council, and they are doing a good job. But these policies were set a long time ago, perhaps 15 years ago. That he does not see why an individual on one of these streets should get a free paving job, when he and every other citizen in town had to pay for his own when buying his house. Mr. Hopson replied the ones that have individual houses are not recommended for improvement, and as far as he knows there is no other way for these people to get a decent road. That is a policy this Council has to determine.

Councilman Gantt started he thinks the Public Works Department should be commended on this. This is something he thinks is necessary. The policy before related to the citizen along a particular right of way paying half the cost, or paying some portion of the cost of improving or paving the street. In the report, the point was made that ten or fifteen years ago those streets were unpaved and they are still unpaved, which indicates that either the developers or owners, or landlords are not willing to pay the money, or they cannot afford to pay the money. If you look at these streets they are in areas of severely low income in many cases. He stated he thinks this is a basic service the city should provide, and to do it in the stage process and under the criteria developed here, he thinks they should be commended for.

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Councilman Whittington stated he has talked to Mr. Hopson many times about Tennessee Avenue. This was annexed the last time there was an annexation by the vote of the people. That street is about 31 on the list. That as he understands this, Staff has taken the number of dwelling units, and applied those units to the street, and recommended those streets 1 through 20 as the first group to be improved. He asked about the street, off Independence Boulevard, that Mr. Hopson and Staff went out to see on the northeast side, beyond Idlewild Road where there is a church and Foxfire Apartments served by this gravel road. He asked the name of the street.

Councilman Short stated for the last ten years, he has voted for all kinds of things with unusual needs related to the model cities type of situation or some other type of similar situation. Here, it seems to him, is a case where people set it up cheap, and now they want the government to make it more expensive and to do it a better way. That he thinks we should set aside this whole program. That he feels conscious stricken to vote \$750,000 to give somebody something because they did not set it up the same way other citizens had to do this. That this is not talking about \$750,000 today but it is leading into that.

Councilman Whittington stated most of these streets have never been served by any one and never will be. It is the only way to enhance some increase in the values of these properties, and get these people out of the mud.

The City Manager stated Council indicated interest and concern about doing something about this type of street to get it paved. There is no way that we have been able to come up with that you can go in and get the people who now own the property to pave unless they are made to. The original building was done on many of these streets many years ago; in all essence government has to assume some responsibility for not making developers who originally owned the property pay for it. Now it is required, but it was not then. Government has some responsibility to see that this is done. The cost of maintaining the poor street eventually will pay for paving the streets over a long period of time. If you are thinking about the cost to the taxpayers, the cost of maintaining of keeping up the drainage areas because of no pavement and washouts of the gravel and this sort of thing, often offsets the cost of the immediate paving. Third, this cannot occur again; once you catch up with this type program, the ordinances now require that paving be done. There will be no more streets built like this. The only way to catch up is to go out and pave them.

Councilman Withrow asked if the city will have to buy right of way? Mr. Hopson replied if the city cannot get the right of way donated, then we will not go in and pave.

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

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

ENCROACHMENT AGREEMENTS, AUTHORIZED.

Councilman Harris moved approval of the following encroachment agreements, which motion was seconded by Councilman Whittington, and carried unanimously:

- (a) Agreement with the North Carolina Department of Transportation to construct a 2 inch G.W.I. in Dogwood Place (SR 2952).

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- (b) Agreement with the North Carolina Department of Transportation permitting the City of Charlotte to construct a 12 inch and 16 inch water main on Pence Road (SR 2820) and a 16 inch water main on Harrisburg Road (SR 2805).
- (c) Agreement with the North Carolina Department of Transportation permitting the City of Charlotte to construct an 8 inch VCP and partially DIP sanitary sewer line and two (2) manholes within the right of way of the 4300 block of North Tryon Street.

RESOLUTIONS OF CONDEMNATION.

- (a) Upon motion of Councilman Gantt, seconded by Councilman Short, and unanimously carried, a resolution was adopted authorizing condemnation proceedings for the acquisition of property belonging to Trustees of Temple Chapel Baptist Church, located at 219 Remount Road, in the City of Charlotte, for the Remount Road Widening Project.

The resolution is recorded in full in Resolutions Book 11, at Page 73.

- (b) Motion was made by Councilman Williams, seconded by Councilman Whittington, adopting a resolution authorizing condemnation proceedings for the acquisition of property belonging to Charles David Bowman (minor) located at 1437 Remount Road in the City of Charlotte for the Remount Road Widening Project.

The resolution is recorded in full in Resolutions Book 11, at Page 74.

- (c) Councilman Harris moved adoption of a resolution authorizing condemnation proceedings for the acquisition of property belonging to Eastern Federal Corporation located at 1100 Aylesford Road (corner of Randolph and Aylesford Road) in the City of Charlotte for the Randolph Road Widening Project, which motion was seconded by Councilman Short, and unanimously carried.

The resolution is recorded in full in Resolutions Book 11, at Page 75.

- (d) Upon motion of Councilman Short, seconded by Councilman Withrow, and unanimously carried, a resolution was adopted authorizing condemnation proceedings for the acquisition of property belonging to Nish Jamgotch, Jr., Thomas C. Ruff, Trustee; and Nationwide Insurance Company, located at 4640 Randolph Road in the City of Charlotte for the Randolph Road Widening Project.

The resolution is recorded in full in Resolutions Book 11, at Page 76.

- (e) Motion was made by Councilman Whittington, seconded by Councilman Short, and unanimously carried, adopting a resolution authorizing condemnation proceedings for the acquisition of property belonging to Shirley K. Smith and wife, Celeste H. Smith; W. R. Cuthbertson, Trustee; and City Savings Bank (City National Bank), located at 1058 Coddington Place (corner of Randolph Road and Coddington Place) in the City of Charlotte for the Randolph Road Widening Project.

The resolution is recorded in full in Resolutions Book 11, at Page 77.

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PROPERTY TRANSACTIONS, AUTHORIZED.

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

- (a) Acquisition of 15 feet x 291.72 feet of easement, at 4336 Connelly Circle, from Willette Woods and husband Willie L. Woods, for Sanitary Sewer to serve Jason Street, Carlotta Street and Connelly Circle, at \$350.00.
- (b) Acquisition of 15 feet x 454.18 feet of easement, at 1935 Lakedell Drive (off The Plaza), from Mary Esther C. Foster, at \$1,000.00, for Sanitary Sewer to serve Lakedell and Ruth Drive.
- (c) Acquisition of 15 feet x 1,530.01 feet of easement, at 500 Bridlewood Lane, from Arrowood Morgan Construction, Inc., at \$1.00, for Sanitary Sewer Trunk to serve Bridlewood.
- (d) Acquisition of 30 feet x 341.93 feet of easement, at 600 Pine Forest Drive (off Mt. Holly Road), from Troy B. Harkey, Jr. and wife, Carol G., at \$1,000.00, for Long Creek Sanitary Sewer Outfall.
- (e) Acquisition of 15 feet x 506.10 feet of easement, on 3.889 acres off the southeasterly end of Holly Street and Gilbert Street, from T.P.T., Inc., at \$650.00, for Sanitary Sewer Trunk to serve Gilbert Street.
- (f) Acquisition of 15 feet x 409.05 feet of easement, at 423 Tyvola Road, from Y. L. Honey & wife Rose S. Honey; R. P. Johnson & wife Marie S. Johnson; William Kouri & wife Barbara H. Kouri; Mitchell F. Simmons & wife Frances H. Simmons, at \$1.00, for Sanitary Sewer to serve Seventy Seven Executive Center - Phase I.
- (g) Option on 72.09 feet x 59.92 feet x 12.19 feet of property, at 3421 East Independence Boulevard, from James N. Canupp and wife, Ethel Wiggins Cannupp, at \$1,550.00, for additional Right of Way Eastway Drive.
- (h) Option on 9.63 feet x 65.00 feet x 9.63 feet x 65.00 feet of property, plus construction easement, at 1419 Remount Road, from Abron H. Simpson and wife, Maggie S. Simpson, at \$1,030.00, for Remount Road Widening.
- (i) Option on 175.00 feet x 8.74 feet x 174.96 feet x 8.20 feet of property, plus construction easement, at 4435 Randolph Road, from Energy Oil Company, Inc., a Maryland Corporation, at \$15,500.00, for Randolph Road Widening.
- (j) Acquisition of 23 feet x 15 feet x 35 feet x 19 feet of Drainage Easement, at 4823 Sharon Amity Road, from Willia Amorite Orr and wife, Eunich Orr, at \$200.00, for Sharon Amity Road Widening.
- (k) Right of Way Agreement for I-89.04 feet x 60.0 feet x 31.0 feet x 44.01 feet x 46.10 feet; II-28.96 feet x 30.99 feet x 11.0 feet of property, at 2501 Starita Road north off I-85 Access Road, from Gindy Manufacturing Corporation, at \$1.00, for Starita Road Drainage Improvements.
- (l) Right ow Way Agreement for 98.23 feet x 28.16 feet x 35.85 feet x 62.03 feet x 39.98 feet of property, plus construction easement, at 2500 Starita Road north off I-85 Access Road, from Gindy Manufacturing Corporation, at \$1.00, for Starita Road Drainage Improvements.

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(m) Acquisition of seven (7) parcels of real property located in the First Ward Urban Renewal Project:

1. 5,826 feet of property, from Ruth L. Bagby Heirs, at 204 N. Alexander Street, at \$18,000.
2. 5,000 feet of property, from Otis M. Johnson Heirs, at 729 E. 8th Street, at \$6,500.
3. 2,654 feet of property, from Alonzo Mackins, at 809 E. 5th Street, at \$225.00.
4. 6,150 feet of property, from Schloss Outdoor Advertising Co., at 901-03 N. Davidson Street, at \$2,150.00.
5. 3,200 feet of property, from Fred D. Kennedy, at 736 E. 7th Street, at \$200.00.
6. 10,608 feet of property, from Schloss Outdoor Advertising Co., at 200-04 N. Myers Street, at \$3,200.
7. 2,654 feet of property, from Mrs. Walter N. Hobbs, at 809 E. 5th Street, at \$24,000.

ACQUISITION OF SANITARY SEWER EASEMENTS FOR ANNEXED AREAS.

Upon motion of Councilman Harris, seconded by Councilman Gantt, approval was given for the acquisition of two (2) parcels of Sanitary Sewer Easement for the Annexed Areas, as follows:

Annexation Area III (6)
2 parcels

CONTRACT BETWEEN CHARLOTTE CITY COACH LINES AND CHARLOTTE-MECKLENBURG BOARD OF EDUCATION FOR BUS SERVICE TO TRANSPORT SCHOOL CHILDREN RATIFIED.

Motion was made by Councilman Harris, seconded by Councilman Whittington, and unanimously carried, ratifying the contract between the Charlotte City Coach Lines, and Charlotte-Mecklenburg Board of Education for bus service to transport school children for the 1975-76 school year, at \$14.00 per hour for bus operation.

CONTRACTS FOR TECHNICAL OR PROFESSIONAL SERVICES FOR IMPLEMENTATION OF SPECIFIC PROGRAMS FOR COMMUNITY DEVELOPMENT PROGRAMS.

Upon motion of Councilman Harris, seconded by Councilman Whittington, and unanimously carried, the following contracts for the implementation of specific programs for the Community Development programs were authorized:

- (a) Contract with Big Brothers Association of Charlotte, Inc., in the amount of \$12,000.00, for a period of one year, to provide not less than 40 Community Development Area fatherless boys with an adult male companion with whom the fatherless boy can discuss his personal problems and take part in recreational and cultural activities.

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- (b) Contract with Hornets' Nest Girl Scout Council, Inc., in the amount of \$10,000, for a period of one year, to provide not less than 200 Community Development Area girls with the opportunity to join and participate in Girl Scout Troop events, camping experiences, community service projects, culturally oriented trips and other scouting activities
- (c) Contract with Omega Psi Phi Fraternity, Inc., Pi Phi Chapter in the amount of \$45,000 for a period of one year to provide scholarships of not more than \$350.00 per year for Community Development Area students to attend primarily local institutions of higher education as a means of raising the educational level and career expectations of not less than 100 Community Development Area High School graduates.

CONTRACTS BETWEEN THE CITY OF CHARLOTTE AND THE CHARLOTTE HOUSING AUTHORITY TO TRANSFER GENERAL REVENUE SHARING FUNDS FOR CAPITAL IMPROVEMENTS AT FAIRVIEW HOMES AND EARLE VILLAGE APARTMENTS.

Motion was made by Councilman Williams, and seconded by Councilman Harris approving two contracts between the City of Charlotte and the Housing Authority to provide for the transfer of General Revenue Sharing funds from the City to the Authority for capital improvements in the amount of \$103,698 for improvements at Earle Village and \$100,000 for Fairview Homes.

Councilman Gantt asked the City Manager at the appropriate time to give Council an update on the nature of these improvements; how the money will be used. That he would like to see any plans that are being made by engineers or architects on this.

Mr. Wheeling, Executive Director of the Housing Authority, stated this week he will send to each Councilmember a copy of all the improvements that have been made thus far; the costs, the architects, contractors, and all details on it. Also he will include the highlights of what is being proposed for these funds today. The architect has not been commissioned on this yet because they have not received the money. Councilman Gantt requested that when the architects are commissioned and the plans prepared that he be allowed to see the plans.

Mr. Wheeling stated Fairview Homes is the second oldest development. This will be used to furnish the new community building which has just been constructed; correcting site grading and landscaping; upgrading and expansion of walkways; expanding of basketball courts; develop outdoor recreation and social areas; construction of permanent refuse collection system. At Earle Village the \$103,698 will be used for virtually the same things.

The vote was taken on the motion and carried unanimously.

CHANGE ORDER NO. G-1 IN CONTRACT WITH MORETTI CONSTRUCTION FOR THE IRWIN-SUGAR CREEK PARK, PHASE II, APPROVED.

Upon motion of Councilman Williams, seconded by Councilman Short, and unanimously carried, approval was given to Change Order No. G-1 in contract with Moretti Construction, for the Irwin-Sugar Creek Park, Phase II, by adding \$2,213 to the original contract price of \$429,802.44 to install an asphalt swale to direct water from each side of the existing asphalt walk to 19th Street and Alexander Street through the park and installing an asphalt curb and swale to direct water on 17th Street into drainage ditch leading to Sugar Creek.

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1941 HOLABIRD FIRE UNIT, CITY PROPERTY NO. 907, TURNED OVER TO THE OASIS TEMPLE, THE WAGONEERS, FOR \$1.00.

Motion was made by Councilman Harris, seconded by Councilman Withrow, and unanimously carried, approving that the 1941 Holabird Fire Unit, City Property No. 907, be turned over to the Oasis Temple, the Wagoneers, for the sum of \$1.00.

WATER AND SEWER CONTRACTS, APPROVED.

Councilman Harris moved approval of the following contracts for water and sewer construction, which motion was seconded by Councilman Withrow, and unanimously carried:

- (a) Contract with John Crosland Company for Construction of approximately 650 feet of 6" C.I. water main and approximately 700 feet of 2" water main and one (1) Fire Hydrant, to serve Walnut Creek Section III-D, outside the City Limits of Charlotte, at an estimated cost of \$9,500. The applicant has deposited 10% of the estimated construction cost. The remainder will be deposited at the completion of the project. There will be no cost to the City.
- (b) Contract with John Crosland Company for construction of approximately 660 feet of 8" C.I. water main and one (1) fire hydrant to serve Sections II-D & 11-E of Walnut Creek, outside the City Limits, at an estimated cost of \$5,900.00. The applicant has deposited 10% of the estimated construction cost and will deposit the remainder upon completion of the project. There will be no cost to the City.
- (c) Contract with S & T Development Company, Inc., for construction of 6,953[±] linear feet of 8 inch sanitary sewer to serve Montibello Sub-division - Phase VI, outside the City, at an estimated cost of \$104,300. The applicant is to construct the entire system at their own proper cost and expense. City will own, maintain and operate system, and retain all revenue, at no cost to the City.
- (d) Contract with James H. Whitner Company for construction of 3,300[±] linear feet of 8-inch sanitary sewer to serve Sturnbridge Subdivision, outside the City, at an estimated cost of \$49,500. The applicant is to construct the entire system at their own proper cost and expense. The City is to own, maintain, and operate said system and retain all revenue; there is no cost to the City.
- (e) Contract with Hobart Smith Construction Company, Inc., for construction of approximately 2,820 feet of 6" C.I. water main, approximately 740 feet of 2" water main, approximately 130 feet of 1 1/2" water main and three (3) fire hydrants, to serve Cobblestone Subdivision, inside the City, at an estimated cost of \$28,200. The applicant has deposited 10% of the estimated construction cost. The remainder will be deposited upon completion of the project. No money will be needed from the City.
- (f) Contract with Dr. John B. Gouch for construction of 189[±] linear feet of 8-inch sanitary sewer to serve Grier Road and Orr Road, outside the City Limits, at an estimated cost of \$2,830.00. The applicant is to construct the entire system at their own proper cost and expense. The City is to own, maintain and operate said system. The City is to retain all revenue at no cost to the City.
- (g) Contract with The Ralph Squires Company for construction of 2,505[±] linear feet of 8-inch sanitary sewer to serve Timber Creek Subdivision -Phase III, outside the City limits, at an estimated cost of \$37,575. The applicant is to construct the entire system at their own cost and expense. The City is to own, maintain, and operate said system. The City will retain all revenue. There is no cost to the City.

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CONTRACT AWARDED NATIONAL ELECTRONIC CARD COMPANY FOR DATA PROCESSING CARDS OF VARIOUS TYPES.

Upon motion of Councilwoman Locke, seconded by Councilman Withrow, and unanimously carried, subject contract was awarded the low bidder, National Electronic Card Company, in the amount of \$14,804.60, on a unit price basis, for 8,760,000 Data Processing Cards of various types.

The following bids were received:

National Electronic Card Company	\$14,804.60
Globe Ticket Company	15,728.50

BIDS REJECTED FOR PIER CONSTRUCTION AT PARK ROAD AND SELWYN AVENUE.

Motion was made by Councilman Whittington, seconded by Councilman Harris, and unanimously carried, rejecting all bids for pier construction at Park Road and Selwyn Avenue due to excessive costs.

CONTRACT AWARDED SANDERS BROTHERS, INCORPORATED, FOR SANITARY SEWER CONSTRUCTION TO SERVE 10 INCH TRUNK TO SEVENTY SEVEN EXECUTIVE CENTER.

Councilwoman Locke moved award of contract to the low bidder, Sanders Brothers, Incorporated, in the amount of \$37,884.50, on a unit price basis, for sanitary sewer construction to serve 10-inch trunk to Seventy Seven Executive Center. The motion was seconded by Councilman Williams, and carried unanimously.

The following bids were received:

Sanders Brothers, Incorporated	\$37,884.50
Thomas Structure Company	47,165.00
P & H Construction Company	47,843.50
Dickerson, Incorporated	56,909.50
Rea Brothers, Incorporated	60,276.00
McWhirter Grading Company	79,190.00
Spartan Construction Company	88,092.00
Ben B. Propst Contractor, Inc.	101,579.00
Dellinger, Incorporated	291,152.00

REQUEST THAT THE PLAZA, FROM HAMMORTON PLACE TO MIMOSA AVENUE BE REZONED FROM MULTI-FAMILY ZONE TO SINGLE FAMILY ZONE, REFERRED TO THE PLANNING COMMISSION.

Mr. Burkhalter, City Manager, stated if Council wishes to consider the rezoning of the Plaza, from Hammorton Place to Mimosa Avenue, he would suggest that it be referred to the Planning Commission prior to a public hearing.

Councilman Short moved that the Planning Commission be requested to consider this as quickly as possible, and thank the staff of the Planning Commission for the work they have done on this request; and in considering this the Planning Commission recommend whether or not there should be eleven (11) separate zoning petitions, one for each block, all to be heard at the same time. The motion was seconded by Councilwoman Locke, and carried unanimously.

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CONSIDERATION OF PARK ON THE NORTHWEST SECTION OF TOWN AS ADVOCATED BY
A NUMBER OF NEIGHBORHOOD GROUPS.

Councilman Gantt stated for sometime Council has been hearing from various members of neighborhood groups about a park in the northwest section of Charlotte, specifically in the Pitts Drive-Booker Avenue area; also a number of studies and evaluation of this park by the Park and Recreation Commission and the Planning Commission has been made. The results of those studies indicated there was a need for some additional recreational activities in that portion of the community.

Councilman Gantt stated he asked staff prior to this meeting to take a closer look at this so that Council could formally respond, if it is in a position to do so, to the neighborhood groups requesting that park. Either vote it up or down or indicate the direction the City is likely to take as a matter of policy on it. The consideration should have taken into account the feasibility of the particular property identified by the neighborhood group; the cost of the acquisition of that property, or alternative property sites that could be chosen for that park; to evaluate whether or not seven acres, which is the size of the parcels analyzed by the Planning Commission and Park and Recreation Commission, is sufficient, giving the population in that area that needs recreation. His suggestion was 12 or 15 acres would be a more appropriate size; and to give a general report.

Mr. Williams, Assistant City Manager, stated in response to the request from the citizens of the Northwest area, staff has taken a look at the area. This involved the Planning Commission, Park and Recreation Commission, and the Real Estate Division, to find out what sites might be available for recreation in that area. The first site was the one at the end of Booker Street proposed by the community. There have been reports that range anywhere from 20 to 40 acres. The site that represents the Booker Street area is approximately 7.38 acres. The Engineering Department found this to be marshy with a creek running through it. It is generally unsuitable for a park area. The land would have to be acquired at about \$30,000; but it is not suitable. Next to that is a six acre plot owned by a radio corporation and is zoned multi-family. But it is very low. When staff went out to examine it they had to walk through the mud. The next best alternative, which is under study at present, is a plot that is roughly some 15 acres of land, directly behind Northwest Junior High School. There are several problems with that area also. There is a huge utility electric wiring running down the middle of the property; it would involve assembling several parcels of land. Some of it is improved and some not improved. The Real Estate Division is continuing to look throughout the area at additional sites.

Mr. Williams stated the 7.38 acre tract is generally unsuitable; the 15 acre tract behind Northwest Junior High School might be considered; but involves acquiring several parcels, some of it improved parcels.

Councilman Gantt asked if the parcels in that tract are under one owner; that the map is subdivided? Mr. Williams replied they will not go into that until they get further directions from Council. It may even involve some residences.

Councilman Gantt stated in addition to the feasibility of alternative sites, he would like to know if staff has done some analysis of where funds might be taken to acquire any property that Council might decide on? Mr. Burkhalter, City Manager, replied there is one area that Council is aware of and that is the public land money which Council put in for land acquisition purposes; principally for the Thompson Orphanage Chapel site. Some money in that account will not be used.

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Councilman Gantt asked if the additional information will be available in another two weeks? Mr. Williams replied that the next regular Council Meeting will be the 22nd of September. Councilman Gantt stated the people from the Northwest Community are interested in finding out whether Council would be in a position to make some commitment to a park in that area.

Councilman Gantt stated he would like to move ahead with a more thorough evaluation of the 15 acre site, and pass a resolution that this be the site for the future development of a park in the Northwest area of Charlotte. That he would like for the area to be studied in more detail by city staff with the idea that the City will seek to develop a 15 acre park in Northwest Charlotte. The point he wants to make is that the Council is committed to seeking a park of 15 acres in that general vicinity based on reports made by the Park and Recreation Commission and the Planning Commission that one is needed there. This would be a statement of intent. Mr. Williams stated this report today is based on the efforts of the Real Estate Division in terms of finding property; that Staff has not set down with the Park and Recreation or with the Planning people.

During the discussion, Mayor Belk stated he thinks the Park and Recreation should be involved in this, and Councilman Whittington stated the last time Councilman Gantt and he spoke about this it was pointed out that Park and Recreation would be involved.

Councilman Gantt moved that Council state an intent to pursue, to the extent possible, the provision of additional recreation facilities to the Northwest area, involving the cooperation of the Park and Recreation Commission and the Planning Commission. The motion was seconded by Councilwoman Locke, and carried unanimously.

TRANSIT IMPROVEMENT COMMITTEE ABOLISHED.

Councilwoman Locke stated in 1971 the Transit Improvement Committee was appointed by Council to look into the implementation of transit improvements, and the report was brought to Council. Councilman Whittington stated Council thanked the Committee for the report and it was an excellent report. That he believes the Committee thought this was the end of the Committee. He stated he believes the responsibility is now up to Council.

Councilwoman Locke moved that the Committee be abolished. The motion was seconded by Councilman Williams and carried unanimously.

RESOLUTION OF THE CITY COUNCIL RATIFYING THE EXECUTION OF AN OPERATING ASSISTANCE GRANT CONTRACT WITH THE UNITED STATES OF AMERICA BY THE MAYOR PRO TEM, AND AGREEING TO COMPLY WITH ALL THE TERMS AND CONDITIONS OF THE CONTRACT.

Councilman Harris moved adoption of the subject resolution, which motion was seconded by Councilman Short, and carried unanimously.

The resolution is recorded in full in Resolutions Book 11, at Page 78.

OCTOBER 20 COUNCIL MEETING DELETED AS MAJORITY OF COUNCIL WILL BE OUT OF CITY.

Councilwoman Locke moved that the scheduled Council Meeting for October 20 be deleted as a majority of Councilmembers will be attending the North Carolina League of Municipalities. The motion was seconded by Councilman Whittington, and carried unanimously.

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COUNCIL ADVISED THAT BUDGET FOR STREET LIGHTS WILL BE EXCEEDED FOLLOWING THE PRESENT PROCEDURES OF INSTALLATION OF STREET LIGHTS IN ANNEXED AREAS.

Mr. Burkhalter, City Manager, stated he sent to the Mayor and Council a document about street lights. That he knows Council has received a lot of calls about this and concerns about it. He stated it has been his decision to the Traffic Engineering to continue to install street lights that have been designed for the annexed areas, and put them in the additional areas where there are requests and are necessary. He stated he wants Council to know that this is being done as we know the budget will be exceeded by a considerable amount of money.


He stated one way to reduce that excess would be to cut out any additional street lights. In addition he told them that anticipated increase in revenues because of the very thing that increased the budget will more than offset this they are sure. But he wants Council to know he has no authority to exceed the budget and will not do it unless Council agrees this is the way to do.

Councilman Short asked the possibility of continuing the policy in the annexed areas only. This is the sort of area we want to try to cover with services we promised these people.

Mr. Burkhalter stated in the older city it is only for individual lights, and is very little money involved. He stated there is no action necessary on this; but he wants to be sure Council is aware of this situation.

ADJOURNMENT.

Upon motion of Councilman Short, seconded by Councilman Whittington, and unanimously carried, the meeting adjourned.


Ruth Armstrong, City Clerk