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The City Council of the City of Charlotte, North Carolina, met in regular session on Monday, April 17, 1978, at 8:00 o'clock p.m., in the Board Room of the Educational Center, with Mayor Kenneth R. Harris presiding, and Councilmembers Don Carroll, Betty Chafin, Tom Cox, Charlie Dannelly, Laura Frech, Ron Leeper, Pat Locke, George Selden, Milton Short and Minette Trosch present.

ABSENT: Councilmember Harvey Gantt.

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INVOCATION.

The invocation was given by Reverend Paul Drummond, Minister of St. Paul Baptist Church.

MINUTES OF APRIL 3 AND APRIL 10, 1978 APPROVED AS CORRECTED.

Upon motion of Councilmember Short, seconded by Councilmember Chafin, and unanimously carried, the minutes of Monday, April 3 and Monday, April 10, 1978 were approved as submitted with the following correction in the Minutes of April 3 as requested by Councilmember Frech:

Minute Book 67 - Page 345 - at bottom of page add the following after the word "preservation", "is controlling traffic".

PUBLIC HEARING TO CONSIDER DESIGNATION OF HISTORIC PROPERTIES CONTINUED UNTIL MONDAY, MAY 8.

Dr. Dan Morrill, Executive Director of the Historic Properties Commission, stated the recommendations of the Commission on the designation of the following properties have been made:

- (a) McManaway House at 1700 Queens Road,
- (b) Kenmore Hotel, 225-231 North Poplar Street,
- (c) Independence Boulevard, 100-102 West Trade Street.

That the materials have been circulated to Council. He stated proper notice was not given to some lien holders on the properties, and in the opinion of the Commission, prudence dictates the hearings be rescheduled.

Councilmember Locke stated previously the information Council received included the minutes; and the minutes indicated there have been some split votes on these. That she knows there were some split votes on some of these to be designated. She asked that the votes be given to the City Clerk and an explanation of why they came about in the discussion.

Motion was made by Councilmember Selden, seconded by Councilmember Chafin, and carried unanimously to defer the hearing until Monday, May 8, 1978.

HEARING TO CONSIDER THE SHORT RANGE PARK PLAN.

Mr. Bob Joice of the Planning Commission staff stated it is the Planning Commission staff's responsibility to analyze the need for public facilities; they consider national studies, local attitudes and suggest appropriate standards for Charlotte-Mecklenburg. They analyze population trends, and these standards to find out exactly what each portion of our entire community needs to provide service. Comparing these needs to existing facilities suggest where we need additional facilities.

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In the area of large parks and recreational facilities they did this thoroughly about five years ago for the long range 1995 comprehensive plan. In 1974 they did this in a present time frame for small parks within the City of Charlotte.

In the short range park plan they have brought together all previous studies in recreational facilities. They have focused the high priority proposals and upon what is necessary to serve a 1980 population. The basic concepts and proposals of this short range park plan have only slight modifications over previous studies.

Last summer, City and County Park and Recreation staffs reviewed the basic concepts and proposals of this report. The City Manager's staff and the Budget and Evaluation Department also reviewed these concepts and proposals during the summer. In the fall, both the City and County Park and Recreation Commissions reviewed these items. In October they completed a written version of a report of the short range park plan and presented it first to the Planning Commission, and then to the City Council. In October and November, the City Park and Recreation Commission and the County Park and Recreation Commission worked together to consider implementation of this plan. They made tentative agreements upon which each agency would pursue particular projects, and they made tentative agreement of what priorities should be placed upon each project.

In January and February, the County held public hearings in four locations, outside the city limits. Based upon the short range park plan and these public hearings, the County Park and Recreation Commission presented specific recommendations to the County Commission last Monday. The informational meetings Council requested for the City were held in March in seven different locations. Complete presentations of the short range park plan were made at each location. They also made available written information, which is included in Council's agenda package today. That information is also available to the public after any of these comments in the back of the room.

At each meeting, they answered citizens questions relating to the short range park plan; they also informed them of tonight's public hearing and suggested the Council would be very interested in their opinion.

Mr. Joice stated generally the comments at the public meetings were favorable. Most people expressed specific desires for new parks, and most of those locations they were concerned about had already been addressed in the short range park plan.

He stated there are two display items before Council. One shows the summary of park land acquisition and development proposed in the short range park plan. It identifies the four major types of parks from largest to smallest, natural preserves, community park land, district park land, and neighborhood park land. It identifies the acreage of existing land in each of these categories; it identifies the acreage that is proposed to be developed on existing publicly owned land in each categories; it shows how much land they feel is additionally required to both purchase and develop to serve the 1980 population needs.

The other map shows all the existing parks inside the city, and all the proposed parks inside the city or in the immediate periphery. From large to small the brown tree diagram shows the natural preserve and it is an outline type diagram indicating that it is a proposed diagram. The solid figures show existing parks. The blue identifies the existing greenways. The yellow symbol as a solid symbol indicates the existing community parks - the large parks; the green symbol indicates the district parks, existing and proposed. A flag on the top indicates the school park proposal. The neighborhood parks are shown in red, with the solid ones being existing parks, and the outlined ones being proposed.

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Mayor Harris advised that Council has heard from some of the speakers on the Park Plan earlier tonight, and their comments will be made a part of the minutes.

Ms. Sis Kaplan, Chairman Community Relations Committee.

Ms. Kaplan stated the report prepared by the Community Relations Committee concerning their recommendations has been sent to the Mayor and Council earlier, and she will not read it to them.

She stated this report came after a great deal of thought and work by the Physical Resources Committee, headed up by Dr. Boggs, Vice Chairman Harry Wolfe, Jeff Huberman, Philmore Dawkins, Jo Ellen Wade, Thereasea Elder, Ed Ayers, Roy Alexander and Lena Sammons, and the staff member, Don Baker.

There was a great deal of time and survey work put into the report. They hope the recommendations will be considered as set forth.

Mayor Harris stated it is interesting that Community Relations does come to Council with matters other than matters concerning the personal problems in the community.

Mr. Roy Alexander, Sierra Club

Mr. Alexander passed around copies of his statement, stating he is the Chair of the local group of the Sierra Club. They have been studying the park plan for some months, and they would like to applaud both the city and county governments and the Planning Commission for making this attempt to put a system into our parks program. They like it very much because of the recognition of the need to increase the recreational acreage in Mecklenburg County. In the comprehensive plan the goal is 13 acres per thousand people which would bring Charlotte up to a very respectful position among the other cities across the country. Right now we are in a very uncommendable position of having only four acres per 1,000 persons.

They also like the commitment to the joint use of the school sites as parks. Most important to them is the recognition of the value of the natural preserves and greenway parks that are proposed in the plan.

There are several concerns they feel the plan does not speak adequately to which they would like to call to their attention, and at the same time they recommend the approval of the plan.

One has to do with the actual sites of the natural areas. Basically what the Planning Commission staff used in recommending the sites is simply the fact we already own some public land there. Therefore, they tried to look at the areas where there are large pieces of publicly owned property, and say this should be the core of a natural preserve. They feel this is no more effective than if you were trying to preserve a historical heritage of Mecklenburg County, and wanted to simply look at land that whatever historical features might be on already owned city owned land. They would like to see a real inventory done. What are the best pieces of natural heritage in Charlotte and Mecklenburg County. There are some outstanding ones remaining: With a systematic inventory of these, you would not be buying a pig in a poke as he feels the approach used by the Planning Commission in this study would recommend to Council. No one has inventoried these sites to see if they do have recommendations or have strong points as natural heritage preservation.

They would like to see a more systematic approach. They have discussed this with some experts at the University, and they assured them it can be done in a very minimal amount of time, and a very minimal cost - pulling together some information that already exists in various departments of the national and county government, but not put together in any one place.

Another concern is the idea of pocket parks - or mini parks - for special areas of the city and county. The neighborhood parks start out as the

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smallest park proposed in the plan are basically five acres in size, and there are many isolated communities or special need areas where a smaller park could be of great service to that particular neighborhood. They would like to see these included in the overall plan as well

They would like to see a new type facility constructed that many park systems over the country have gone to, but none in our immediate area. This would be a "group resident center, or retreat facility" that would be used by all sorts of organizations - Church groups, youth groups, adult groups, school groups. They are finding it almost impossible to locate facilities anywhere in this part of North or South Carolina that are accessible to them and suitable for year round use.

In the Latta Park master plan, the county has had developed, there was a proposal for this type of facility. The consultant there determined even at very low rates charged to groups that would use this facility, and still making it accessible to low income groups and others looking for an opportunity to get away for this type activity, the facility would pay for itself - repay the construction costs in about four or five years. The demand is so great and there are no accessible facilities.

The City Council might possibly investigate with the county and with the school board as a joint project to construct such facility for the use of all the people in this area.

Ms. Lucille McNeel, 3203 Faye Street, Apt. 5

Ms. McNeel, President of the Little Rock Organization, stated there are around 550 units at Little Rock; there are around 1,175 children in the area. Their concern is for a mini-park located in their area. From the bridge, on West Boulevard from Ponderosa there are some beautiful locations and land that can be used for a park. They know they live at Amay James Center and the Park; but it is too far - approximately two miles - for their children to get there without some type of supervision.

She is here tonight asking for a little mini-park. She handed to Council members a copy of her request, and asked that they take them into consideration in the short range plan. The land is there; she has found it. She asked Councilmember Leeper to come out one day and walk around with them to look at the land. It is a beautiful place.

Mr. Alex Coffin, 1334 Cavendish Court.

Mr. Coffin stated he is here to speak for moving ahead to spend some money on parks. He stated he is a jogger and is very content with just running on streets. His children are five and three and the parks are adequate for them for the foreseeable future, and perhaps this would not do them any good. But for their children - his grandchildren - he thinks we need to be doing something now. He is grateful for Freedom Park and they use it very often. Someone had the foresight in the past, and he thinks this is what this Council needs to do. That he is not thinking of just the immediate future, but way down the line. We are growing, and obviously will need more in the future.

Without getting into any of the details, he would like to urge Council to move ahead and spend the money and improve the parks and find more park money.

Ms. Sara Spencer, 528 East Kingston Avenue

Ms. Spencer stated she is from the Dilworth Community Development Association, and she passed around copies of their requests.

She stated they are in favor of all the neighborhoods in Charlotte having the kind of park they have; they have had some experiences in the last three years working with parks. Out of those experiences they would like to share the needs they think need to be met prior to spending this money, in planning, communication, park standards, quality control, water runoff, and maintenance.

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Ms. Spencer stated their experiences in Latta Park, which is a diverse park, and you can do almost anything you want to do there. It is a park where things do not conflict - you can jog, play tennis, have your children out, and everything has its own space. In park planning, as opposed to road planning, you can have a situation where everyone can win. She can win what she wants, Lucille McNeel can win what she wants, and we will all be the better for it.

To do that, they feel you need very strong participatory planning with active communication, between the staffs of the departments and between the community. It needs to be an on-going activity. When they talk to Council, they need to hear a response back to them, then they need to see the plans, and respond again. A continuous process.

As far as the standards, the Dilworth Organization felt they were not detailed enough for them, and in particular the phrase "park facilities should include hard surfaced areas.."allows a great deal of license in paving, and they believe paving should be kept to a minimum. They would like to see these standards more tightly drawn, and that they be drawn by some of the people using the parks - citizens as well as the Planning Commission and Park staff.

In terms of quality control, \$15 million is a great deal of money, and they would like to see us get \$15 million worth of work out of that. They would like to see some very tight standards of how you plan to supervise the work so everyone will be satisfied the work is well done, and the money well spent.

Latta Park is an example of a park where there is a lot of erosion problems simply because of the nature of the land. It may be they will be buying land with those same problems. They have dealt with many people in other governmental agencies such as Soil Conservation who have offered them, for free, their services. There may be other resources in that you can plug into, and save some of the \$15.0 million.

When you spend \$15.0 million you will have a great deal of maintenance that comes on. Latta Park found as more people come, there is more maintenance problems.

They feel that pools are needed in more places than the ten high school locations, perhaps in all the elementary schools. Children are not big enough to walk all the way from Dilworth to Myers Park to go swimming.

Mr. Joe Carpenter, 1310 Tarrington Avenue

Mr. Carpenter stated he is located in District 5, represented by Ms. Trosch. He would like to thank Ms. Trosch and other city officials who are giving them the help requested concerning the unsafe parking conditions at the end of Sheffield Park.

He is here to ask Council not to proceed with the proposed 60 acre park in their neighborhood - the 60 acre district park. - for some of the following reasons: (1) It will generate too much traffic on their residential back streets; it will make it unsafe for him as well as his children, and his neighbors. The streets would have to be upgraded to handle the additional traffic. It will bring people into the area that are not residents of the neighborhood and consequently will not try to take care of the neighborhood. Many will be undesirables such as he has seen at Freedom Park. It will generate too much pollution - pollution of people, noise, litter, gas fumes, and increased auto traffic. It will have an unstablizing effect on the community. Past experiences from living across the street from Sheffield Park, and talking with city officials who attended the last information meeting, they conclude the city does not have manpower to police these parks at present. Why build more and create problems for the adjoining residents.

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Mr. Carpenter stated according to people he has talked with concerning parks and Methodist Home Park as an example, it is progress in reverse. They say the children cannot use the parks because the facilities are dominated by adults not from the area the park was designed to serve. Basketballs and other equipment are stolen from the kids, and the children are not permitted to use the park.

For the Council's consideration, he would like to propose another use for the 60 acres. It is located between Central Avenue and Tarrington Avenue. There are 60 acres which we presently own, and would be a prime target for a park. Part of it has a neighborhood walk-in park. He asked that they consider making this a nature park or wildlife preserve - more nature trails and disturbing as little as possible the trees and shrubs and flowers that grow there. There are a few trails in there now, and it is truly beautiful with the dogwoods and red wood trees.

Tom McGill, 1625 McAllister

Mr. McGill stated he has met with Council on several occasions. Since he met with the entire Council he has also been in contact with the Park and Recreation Commission and Planning Commission. They have come up with some changes they think are needed in the Charlotte area.

One, they are going to try to eliminate forced park and recreation. Until the parks are distributed throughout the city, and cover the needs that is exactly where we are headed. He does not know how many members of the Council were born and raised in Charlotte; he does not know how many played or participated in the athletic programs within the Charlotte compound.

They are going to try and place these parks where they are needed so that we will not force any more. Garden Park, Northwood Estates, Townhouse Apartments, Royal Orleans - that is a sore thumb within the Charlotte area. The area is almost 12 years old, and there is nothing within a three and half mile radius of park and recreation.

He stated he brought before Council a plan of land that was available and for sale at a reasonable price. He brought before them also the amount of votes that come from this area; the amount of prestige that stems from this area. Low income housing, private housing between prices of \$22,000 and \$100,000 per home, apartment dwellings. If they do not have these parks, they are going somewhere to play, and it is not always going to be in the streets. If they want to force them, then they will be forced. It has to come this way because they have been neglected so long. Until Council takes the responsibility upon itself that it will be equalized, then they will force the busing, they will force the park and recreation.

W. J. Veeder, 5811 Sharon Road

Mr. Veeder stated he is present as an individual, and is representing no one but himself.

He has two things to say about the short range park plan. First which relates to the process that has been followed to this point, and what has resulted. Second, he would like to comment on a specific type of facility that is not included in the plan, and which in his opinion should be a part of the plan.

Process that was followed in getting the plan to the point of this hearing. To start with his conclusion. His conclusion is the process has not accomplished what it was assumed it would accomplish. The process has been deficient. What was the process? A number of meetings were scheduled throughout the city to describe a plan and seek input. Everyone was given an opportunity to attend; ample notice was given of the meetings; few attended. He has seen a figure of 200 total who attended some eight meetings; he has heard the average attendance was about 15 people. The meeting he attended there was about a dozen present. Why didn't people come? The answer in part may be

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that no one was asked to come and say what they wanted for their neighborhoods. Instead they were asked to come and hear a plan proposed county-wide. There is a big difference. That difference may explain in part why people stayed away. The plan as presented may be another reason.

The presentation he attended dealt with the total county; it explained in detail the differences among the various types of parks, from the smallest to the largest. It touched on the total cost which was considerable. In short, did absolutely nothing to stimulate his interest in facilities where he lives.

What is the result of all this? In his view, the process that has been followed to date, including the hearing tonight, is not going to give an accurate summary of what Charlotteans want Council to do to meet park and recreation needs. He suggests they go back to the drawing board. Devise ways of getting more people to express their views. Find out what they want. We really don't know yet. When we know more about what is wanted, then we should convert that information to a draft plan. Send it back again to the people for one and all to give their reaction. Then when you get these reactions, fine tune the plan to be responsive. The results should be a plan that will have public support. Support that will be essential when voters are asked to approve bonds to finance the facilities included.

He stated they did not have what he regards as a strong park and recreation constituency in place at present. He thinks Council has an opportunity to develop one. Now that the Parks and Recreation has been made a department of city government, Council has more responsibility than previous. Responsibility to develop a constituency, and he would like to see them do it.

To summarize on process, in his opinion at this time, they do not know enough about what Charlotteans want in the way of new park and recreation facilities to proceed with a bond issue. And it is up to them to devise new strategies that will produce more adequate information about what people do want before proceeding.

As a personal point and as someone who wants a facility that is not included at present in the plan. There are thousands in Charlotte who are running and jogging these days. More seem to be taking up this activity almost daily. The facilities available for runners and joggers are very limited. If you run in Charlotte today, you have two basic choices. The first choice is to run in the streets or on sidewalks. This presents some problems. Cars have to be dodged; concrete streets and sidewalks and asphalt are hard on the feet, ankles and knees; there is much broken glass that must be avoided. The second choice is to use the quarter mile tracks at the various junior and senior high schools. The problem with this option is that going around and around a quarter mile track can be boring. Besides, there is not a quarter mile track in Charlotte with a first class running surface.

All this leads to his request. He would like Council to give runners and joggers a third option of where they might run. He would like to see a facility built for their use. He can see such a facility to be something he would call a "jogging trail". It would be at least a 1/2 mile long and perhaps longer, with some interests built into it. It would not be a longer version of a quarter mile track. In addition, it would have a surface with some bounce in it. A resilient composition surface made just for running. One that would take up some of the shock that is always there when you run on concrete.

He stated he has run on such surfaces in other cities, and he can assure them it makes a big difference. He thinks it is time we had something of this nature in Charlotte, and he asked they give something along these lines consideration.

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Mr. Tom Stallworth, 7200 Hillbourn Drive

Mr. Stallworth stated he is speaking for the Idlewild Farms, Easthaven Neighborhood Association, in District 5. For the past six months they have had several opportunities to be in touch with city government in terms of park service; all along the way it has been a very positive experience. They have talked at times with the Planning Commission, and they have been very cooperative and willing to explain in detail; they have asked questions of them as to what they are interested in, and their needs. He has been before the Park and Recreation Commission twice, and had very good response there.

As he looks and considers the overall short range park plan he sees it addressing some of the needs at the east end of the city. There have not been a great deal of parks in that area, and at this time the park plan would work to re-address some of that need. Over all the city faces a shortage of park land. The use of school land, city owned property such as cemetery in the case of Evergreen Complex, county owned land such as landfills is absolutely necessary if we are going to have parks that we need in the city.

He would affirm what the two groups - the Planning Commission and City and County Recreation Departments have done in addressing the need for parks. As we gain more information in terms of flood control, he would encourage that we investigate totally the ideas of greenways. That is one area the Park Plan lacks, and he thinks we should work with that in the future.

In terms of the total needs we have as a city, this goes a long way for re-addressing the needs that exists.

Rev. William C. Bailey, 6811 Deanwood Drive - Springfield

Rev. Bailey stated he is the representative of the Springfield Community, a community which was annexed into the City in 1973. It has about 500 homes and 1200 children. The nearest park is Park Road Park and McDowell Park. Right now they are a high vandalism area, and he has been trying to serve as recreation for the community, but it has not gone beyond his means.

They are a high vandalism area, not because they have children who are very violent, but it is a high vandalism area because they have no other place to play except in vacant houses.

They, at Springfield, would like very much to be considered when the mini-parks are being built. There is land at the end of Edegreen Drive which was once a water treatment plant which is not being used at the present time.

Rev. Joseph Haskins, 534 Winston Street.

Rev. Haskins stated he represents the people from District 1 in the Tryon Hills - Tryon Terrace Area Neighborhood Council. They are concerned about the only park available which is located adjacent to the Tryon Hills Elementary School. The equipment is out-dated and worn out; the lighting is practically nil which adds to the vandalism which goes on at Tryon Hills Elementary School. It is bordered on the south by a 12 foot open ditch which is a constant hazard to the smaller children, not only who attend the play ground; but who attend the elementary school. This very unsightly and dangerous ditch is under the authority of the Duke Power Company, which up to this point has refused to do anything about making it safe for the children who play there.

The little facility is not only outdated as to its equipment; but is is overcrowded, and they are now at mid summer's peak already, and this is just spring. He does not know what it will be like in July and August when the playgrounds and parks are really being used.

There is a definite need for more space. There is more space available in the area not too far away. They do not know where all their people come from. He does know that all of those who use the neighborhood playground do not live in the neighborhood. They have more children standing around on



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the playground waiting for a chance to use what facilities are there. The traffic conditions for the children who are forced on the streets on Grimes, 28th and Norris Street can no longer be overlooked. They are forced on the streets for a playground because they do not have the space on the playground for them.

Ms. Belinda Stinson, 526 Huntsmoor Drive.

Ms. Stinson stated she is representing District 3, and they feel there is a crucial need for parks and recreation facilities in the Nations Ford Road, Archdale, and Cherrycrest Areas. They feel this area should be given top priority by the Planning Commission and the City and County Parks and Recreation Commissions. At present there is no near facility for their children to avail themselves of; it is unfortunate that their community has had to wait even this long for park and recreation facilities. Their children should not be deprived of activities or the pleasures that others already enjoy. There is plenty of land located behind Nations Ford Road school. Why not make it useable. If they had a facility, it would alleviate the problems and dangers of children playing in the streets. Not only that, it would also cut down on the wondering minds that their children possess because of the lack of activities to keep them busy.

Ms. Stinson stated they appeal to them to give the Nations Ford Road Area top priority as they are very much in need of these facilities now.

Ms. Terry Hogan, Rt. 14, Box 457, Paw Creek.

Ms. Hogan stated she is present to appeal for the Paw Creek Area to be considered for the plan for parks. She wishes at some point they would come out to see all the undeveloped land that exists in the Paw Creek Area, especially along Moores Chapel Road, a main thoroughfare in Paw Creek. The children in the neighborhood have no place to play. If they are going to be involved in summer youth employment programs, there is a need for them to have some place to work because there is no transportation in that area, and the children cannot get to the nearest park which is Tuckaseegee Road park, which is six or seven miles away from their community.

They will appreciate whatever consideration is given to the Paw Creek in the park plans.

Ben Heilman, 3100 High Ridge Road, Matthews, N.C.

Mr. Heilman stated he is here representing a special interest. He wants to talk about soccer. He is President of the N. C. Youth Soccer Assn. and the Charlotte Junior Soccer Foundation; they are affiliated with the National Association, which in turn is affiliated internationally in soccer, and is the biggest, largest game in the world today. State wide they have approximately 15,000 youth players, 6 to 18 years old, girls and boys, outside the school system. In Charlotte, there are about 2,000. Next year they could have 5,000 or more given the facility to play.

As the fastest growing game in the country today, and he says game because jogging is probably the fastest growing sport. There must be a reason, and the reasons are with soccer everybody gets a chance to work the ball in the game; it is a creative game; there are not any set plays; the team players improvise as they go. You do not have to be the biggest, fastest kid on the block to play the game. The equipment requirements are minimal, and very inexpensive. It is a lot of fun to play. In addition, most leagues in this city and statewide, and nationally, have an everyone plays rule. This means every child plays a half a game. That is a requirement; effectively eliminating a child riding the bench.

The problem is it has become a year round game, and nationally Spring is the big season. They now compete with other sports. He does not want to compete with other sports - soccer does not want to compete with other sports. They just want to make it available. They cannot do so today, particularly in the spring. They have no fields to use in the spring. They are shut out.

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They would like to have a soccer complex. It will take 24 acres of low ground; they can raise some money to get the fields built if Council can get the grounds for them. The benefits of the game are tremendous; they could have 10 to 15,000 youths playing here within a very few years, and they could bring in some very large tournaments, to bring out a lot of people and a lot of traffic into the city. It would be good for local business.

As far as adult soccer, there is a great deal of that and the City should be prouder than they are of the Press Box Team who are the State Champions this year.

Mayor Harris stated he and Council would be very interested in receiving a written report on this.

Spencer Thompson, 710 Braxfield Drive.

Mr. Thompson stated he is Chairman of District 3 Committee. He is present to express his concern about the lack of neighborhood parks in District 3 especially in the West Boulevard area, Clanton Park Area, South Tryon Street and Nations Ford Road Areas.

These are some of the busiest streets in Charlotte; motorists use these streets as short cuts to I-77; to go to the Airport and their places of employment. They cannot continue, or they will not continue to endanger the lives of neighborhood children crossing these streets or walking four or five miles to a park.

He is asking tonight to make plans to build more neighborhood parks in District 3, and make them the first priority. He hopes they will receive a positive response from the decision tonight; if not, he guesses they will have to furnish transportation and bring all the kids from Boulevard Homes, Little Rock and they are going to play baseball, soft ball or basketball in the education center.

Ms. Sara Harris, 2711 Manchester Drive.

Ms. Harris stated she is from Clanton Park, and they are asking Council to take their children under consideration, and they would like a park. They have been looking for a spot for the park and they think they have found a place that is suitable. It would not only serve their children, but it would serve the children from Roseland. There are 600 single family units in Clanton Park; and there are 504 multi-family units in Roseland.

She stated the land is owned by Mr. Phillips, and is located between Manchester Broadview, Crestridge and Blanwood. All of these are dead end streets. There would be no traffic in this area, and the children could get there, and have a good time. They are asking that this land be taken into consideration, and this area. It would also serve the area from Tryon Street where it is cut off by I-77. The children in this area have no place to play; they are too small to go over to the larger parks - Amay James. There are no through streets, and they would have to go all the way around by West Boulevard to get there - that is about five miles or more

Ms. Adell Garris, 602 Brookhill Road - Absent

Ms. Garris was not present.

Ms. Barbara Mattingley, 4817 Coronado Drive

Ms. Mattingley stated she is speaking as a member of the steering committee of the Coventry Woods Community Assn - a neighborhood on the east side of Charlotte.

She stated she would like to second what Mr. Heilman said in support of the need for a soccer facility, as a mother of an 8-year old boy whose soccer season was cut off by two games this year because they could not compete with baseball and T-bat.

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Ms. Mattingley stated she would like to support what Mr. Tom Stallworth of the Idlewild Farms Assn. said. Basically he said what she had planned to say. She lives in a neighborhood slightly west of Idlewild Farms, and they have absolutely no parks available to them. According to the plan she sees there is a proposal for a park which she believes is along Reddman Road - a neighborhood park. She urged the City to carry through with these plans.

She stated the developers were very thrifty in their land use, and they have put a house on every lot in the development. If their children want to play, they play in the street, and they dodge the cut through traffic between Independence and Eastland.

Second she would like to support them in their decision to build district park adjacent to Evergreen Cemetery. There are no neighborhood parks closer than five miles from them, and are in desperate need of both facilities - a neighborhood park where the children can walk to; and a district park where they can go for more elaborate purposes.

Ms. Carrie Graves, 2206 Farmer Street, Apt. A - Absent

Ms. Graves was absent.

Mr. Bob Draper, 3447 No. 1 Marvin Road

Mr. Draper stated he has a copy of the map of Grier Heights, which is one of the Target Areas. He is here to represent Mr. John Procter, and to make a proposal to Council for a special need in the area where he manages a couple hundred units of apartments.

He pointed out an area on the map stating it is a few acres of vacant land that Mr. Procter has asked him to donate to the city with only one condition. That be, they build a pool there, and maintain and keep it up.

Mayor Harris asked if he has something in writing on this? Mr. Draper replied no; as it was a quick idea. Mayor Harris asked if he would put it in writing to the City Manager, giving the location of the land.

Quincey Collins, 4601 Park Road

Mr. Collins stated he is a new arrival in the Charlotte community, and appreciates the opportunity to address City Council on something that we are all interested in. That being, parks and recreation.

He stated what he is really interested in doing is motivating Council to take quick action to see that we, in this community, get the kinds of things we think we deserve. He has seen some things that indicate that Raleigh is spending so much per capita, and Greensboro is spending so much per capita, and he really does not care about that. What he does care about is that we spend what is necessary and what we need.

He has just come from an area that some 12 years ago took specific action to bring about a good viable parks and recreation system. They have spent \$23 to \$25 million; they made some very good decisions which he would like to pass along from their experience - this being Cobb County, Marietta, Georgia. They made a wise decision to build initially ten -20 acre parks instead of four -50 acre parks. The people in that community are jumping up and down for joy over the fact they have a lot of community parks and facilities available; and more people benefited. They also built one tennis center and are finding they will have to build three more to satisfy the needs.

One warning. They are spending approximately \$10 per capita; but half of that is Ceta funds, which will run out. Now they face financial problems because they have depended too heavily on the Ceta funds, although they did and have served a purpose. He brings these things to their attention from experience; from the experience of Cobb County in Georgia, and from the obvious interest of people here that we do want parks; and encourage Council to take some quick action.

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Ms. Joyce Ann Patterson, 2120 Eureka Street

Ms. Patterson stated she is present to discuss the need for a park between Fairview Homes, Beatties Ford Road and Double Oaks Road. The park is not in too bad shape. There is a creek running between the park, from one side to the other, and the creek is not kept clean; the water changes about every three days from pink to different colors. The park is so dark you have to use a flashlight to walk through it; there are no trash cans in it, and the fountains are not working. You have to cross Double Oaks Road to get to the other side of the park, and there is nothing on that side, but grass and trees; it does not have anything for the children to pay on, so they have to come across the busy Double Oaks Road. They need more recreational facilities on that side for the children to pay on.

More picnic tables and benches are needed on both sides of the park because there is nothing to sit on. The creek has a lot of stuff in it. And this is a creek that children play in, and it has so many germs in it. If the creek is going to be there it should be kept clean.

Ms. Willette Blakeney, 716 E. 19th Street

Ms. Blakeney stated she is just a concerned citizen, and she would like to speak about the condition of some of the parks in her area. Council gave them some parks, but they are all on Sugar Creek, and it is getting hot now, and during the summer some of the children have sores from the mud and everything. They should put some pipes in the creek and cover it up.

The park on 15th and North Harrill does not have any equipment on it at all. Cordelia Park has outgrown the children; they do not have any place to put their clothes when they swim - they do not have enough lockers. They do not have an indoor gym. The nearest one is on Shamrock Drive or Greenville Center, and the children do not have a way to get there.

Mr. Richard Bober, 3304-06 C Central Avenue

Mr. Bober stated he is present to speak about another specialized sport - swimming. He has read in the paper that the Parks and Recreation Commission plan to construct ten swimming pools - one at each high school in Charlotte. His suggestion is that this not be done. He feels, as a swimmer, that we would have ten mediocre swimming facilities. What he proposes and suggest is to build one facility which would meet such specifications as written by the Athletic Union on how to conduct a swim meet. In Huntsville, Alabama, a city of about 140,000, they have built a \$1.3 million swimming facility. It is a very good facility; the public uses it and it is open 12-14 hours a day.

He suggests that we build a facility like this and with the funds that have been allocated for the activity of swimming and the balance be used to construct pools in other locations throughout the county so no one would have to travel more than 7-8 miles to get to a swim facility. He hopes the facilities are year round facilities. Swimming is a very important sport, and it is a shame that Charlotte in 1969 had its last Junior Olympics here. Since then they have been held in places like High Point, Winston-Salem, Shelby, Sanford. If we are suppose to be the flag ship city of the two Carolinas, we can do our part in aquatics. Lot of other communities are doing this, and we use to be in the forefront of swimming, and now we are not. He thinks we can come back if we can do this.

Ms. Doris Lewis, Wingsong Trails Area.

Ms. Lewis stated she is representing Pine Valley, and it has recently been annexed to the City. They need a park for their children close by. The only thing they have right now is a mud path. It is so bad that someone from the Planning office came down, and could not even find what they had.

While putting up these parks, she is sure they can find some kind of activities for their children. They are sitting off by themselves, and it looks as though they are left off by themselves. Before adopting a plan, she would say they need to go back to the drawing board and draw a new plan so everyone will benefit from the study.

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Mary Dantzler, 413 Benjamin Street

Ms. Dantzler stated she is a resident of the Southside and Brookhill Community, and she is very much concerned about the property on Toomey Avenue which is presently zoned for multi-purpose family use.

They are here to ask they allow this property to remain zoned as is. They feel to be zoned otherwise would be detrimental to their community. Their community is completely surrounded by major roads; they ask they be given some relief.

This property could be used as a mini-park for small children in the Brookhill Community. But what they ask is they not allow commercialization to squeeze the life out of their community. This is all they have - their community. She stated she hopes they will give their small community all due consideration.

Mr. Chuck Collins, 3608 Frew Road

Mr. Collins asked they spend some money upgrading the parks in low income areas. Most of the parks in the high income areas are better maintained than the parks in low income areas. If all the city parks are being treated equally, those parks should be considered to be upgraded. Just recently some of the parks have been the subject of a controversy in low income areas because they are not properly maintained, and have not been upgraded as they should be. For instance, not having enough play ground equipment; not being properly cleaned and maintained.

Mr. Davis Matthews, 1711 Club Road, Apt. 3

Mr. Matthews stated he is representing himself, and would like to make an alternative proposal for future parks. He proposes that between the years of 1978 and 1980 a sculpture park be developed in the City of Charlotte in the State of North Carolina. The sculpture park will include sculptures which represent the major theme of the park; the sculptures will be of materials suited to withstand outdoor conditions; they must meet the same safety standard as any playground equipment.

The purpose of the sculpture park is to develop and enhance sensory awareness in our children, especially touch and sight; to develop the awareness of adults who frequent the park and break down old taboos of "thou shalt not touch"; to alleviate the myth that sculpture is to be seen and not touched; to be simply enjoyed by all.

The theme of the park is sensory awareness. Sculptures would represent the sense organs, being of different textures, shapes or colors; there could be usual playground equipment revitalized, enhanced with new shapes, such as a merry-go-round as a circle of mountains with one large one in the center; a large chess board placed in different areas in the park made of concrete and asphalt with wooden chess men kept in a box for protection. He has seen many of these in his travels in Europe.

There could be minimal charge outdoor dance lessons which would be given among the sculptures themselves; there would be an appointed jury to accept or reject all sculptures submitted; all sculptures would be permanently mounted for safety and protection.

Most important is that in order for this project to work it must be done in the spirit of service for our children and for the community; no one makes a profit and it is not a get rich scheme. All involved would receive their rewards by knowing their efforts will make many people very happy.

Comments of Mayor and Councilmembers

Councilmember Trosch stated she would like to compliment staff. It is her understanding this is one of the first measures of a short range implementation of long range goals of the comprehensive plan; they have done an outstanding

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and thorough job in making the plan, taking into consideration the existing population density and the available open space and the use of the school land etc. Now we are seeing the citizen input into this such as she has seen in her own district from the Idlewild and Easthaven, and the cooperation with the Planning Commission and with the city, and the citizens being able to have a say as to what goes into these parks.

She stated the total figure for the park package for the city is \$16.0 million and for the county is \$15.0 million. She asked what federal funding is available for this project, and if it has been calculated into this total request? Mr. Joice replied at this point they have not looked into the federal funding.

Councilmember Leeper asked Mr. Joice to identify the closest park to the Little Rock-West Boulevard Area? Mr. Joice replied they have identified the need for a park in that general area and there are a lot of people in that area, but they have not identified specific locations - where the best location would be. Councilmember Leeper stated Ms. McNeel indicated she has a good location.

Councilmember Leeper stated the park in the Fairview Homes area is on the three year priority basis, he asked where that would be located; it is a recreation center? Mr. Joice replied there is a recreation center operated at Oaklawn at the intersection of Statesville Avenue; almost across the street is the Greenville Center, which is primarily for human services. What they are suggesting is either something needs to be worked out so that the gym and facilities at Greenville Center are made available for recreation; or a facility needs to be built specifically for recreation in that area.

Councilmember Leeper stated the Nations Ford School site has been indicated as a location for a proposed district school site? Mr. Joice replied it is a proposed neighborhood park. That Council has made available funds for three neighborhood school parks per year; and Nations Ford Elementary is one that is being pursued this year along with Hidden Valley and Hawthorne Junior High. Councilmember Leeper asked if anything is proposed in the West Boulevard area? Mr. Joice replied there is existing land in Clanton Park and could be better developed; it is between Clanton Road and Barringer Drive. He pointed out an area and stated they have recognized the need for something to better serve the neighborhood with parks in that area. There are two alternatives. Either buy the land or build a bridge across Amay James property. They need to look at it more closely, and decide which would be the better alternative.

Mayor Harris stated they have the Short Range Plan which goes into great detail and gives all the background.

Councilmember Short stated Council recently asked the City Manager to get with the County Manager and discuss the possibility of consolidating the park and recreation operations. He asked if these plans will be affected by the outcome of that? Will we proceed with these plans as outlined by Mr. Joice regardless of the outcome of those discussions? Mayor Harris replied hopefully they are making the same presentation to the city and county. Mr. Joice replied they prepared the plan to be countywide; and in discussing specific proposals they talked to both the City Park and Recreation Commission and the County; they are both in agreement at the park level and the Commission level of what should be undertaken.

Councilmember Selden stated he has heard a number of suggestions; one dealing with soccer; one dealing with open tracks; some dealing with locations of parks. He thinks our park program was a good overall blueprint but it perhaps needs some further evaluation and perhaps some fine tuning based on some of the comments presented tonight.

He would suggest that the citizens' input presented tonight be folded into a re-evaluation of the park programs so these things could be included. Mayor Harris stated he is sure that would be done; that he does not think a motion is needed on that matter. As of May 1, the Council will be in the parks and recreation business. If he would like the City Manager to include this in his report, that should be his request. Councilmember Selden stated that is what he would like to do.

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Councilmember Carroll stated several of the comments we have had from the people that have spoken tonight have really addressed some of the needs that relate to some of those filled in red circles which are kinda old red circles. That is, he does not believe they addressed at all the adequacy of the present parks that are there in this plan? Mr. Joice replied only in terms of acreage; if they were large enough; they did not delve into the quality or maintenance or the specifics.

Councilmember Carroll stated what has become apparent to him in visiting many of the parks and in talking to the people who are concerned about them is that maybe some years ago a drainage basin was landscapped, and that gives a four or five acre park; but when you get there, it is run down; no ball fields; no area for team sports, and not much recreational equipment. He would be very interested in seeing us fold into this plan how we are going to upgrade the existing facilities we have to make sure they are serving the people they are suppose to. We heard some good comments about perhaps ten 20 acre parks were better than four 50 acre parks. It seems that category they were working with can be a little abstract in terms of the needs people actually have. You either walk to a park or you ride; and he thinks we want to try to insure that most people have the option to walk to some park. Then if they have to ride a little farther to a larger park, that meets another set of needs. Along with that was the fact they did not include the concept of mini-parks. In certain of the older areas it is going to be very hard to come up with much acreage to give a park of the size of the concepts they were dealing with. Where there are some pressing needs, a mini park here or there would really help deal with some of the problems we have in perhaps neighborhoods that do not have the 2,000 level population cut-off; but just do not have any facilities within walking distance.

Councilmember Carroll stated he would like to see us continue to work with this plan in terms of folding in some existing needs, and dealing with some of the comments that we have received tonight. He would like to take a look at the 1974 study. He requested Mr. Joice to send a copy of this to the councilmembers; it deal with the lower size level of parks and where they were needed. Perhaps we could think in terms of trying to fold this input in, and then presenting it again to get more public input.

He stated he thinks Mr. Veeder had a good point about the process. The meeting he attended was good, and staff has spent a lot of work on this; but at the same time it did not allow for the input perhaps that was on people's mind as to what they actually needed. It was a little more abstract in terms of areas to cover so many people in the population. He thinks we can use some more input, and perhaps branch out in terms of the categories of interest.

Councilmember Dannelly asked whether or not they received some suggestions from citizens in those eight meetings, and if those suggestions are included? Mr. Joice replied most of them were already covered in the existing proposal; they have not made any changes in the plan to reflect the comments that were not covered - not yet.

Councilmember Dannelly stated because of the comments received tonight, he is inclined to believe that maybe we have not adequately gotten citizens' input; this is a small group of citizens here tonight. He feels that a different approach may get more citizens out, and make them more aware. He can say they did advertise it quite well; and some community persons did. But the point as to saying what do you want, rather than to come out and listen to our plan is a different approach.

He stated because we have a sort of priority list, he would like to ask how they go about prioritizing the construction of parks? Mr. Joice replied they simply recommend the priorities and they base their recommendations on the number of people that would be served by any proposal. A proposal that would serve more people would get higher priority. Some proposals would serve as many as 20,000 people who have no district park near them.

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Councilmember Dannelly asked if they have looked at a need as being a priority? They heard tonight about high vandalism because of lack of play areas in some places; no parks within 3,4 or 5 miles. Have they looked at the need as well as high number of people?

Mr. Joice replied they look at it in a combination of ways. Primarily, in terms of the number of people who are not near an adequate park, but also in terms of, in the smaller neighborhood parks particularly, they do look at income level, the density of living. They try to put a high priority on the low income and denser living areas where they do not have a large yard to play in, etc.

Councilmember Dannelly stated that Councilmember Carroll touched on it, Mr. Collins indicated it, and that when they get into the business they should first look at upgrading parks that are not parks because of the lack of equipment, etc.

Mayor Harris stated they will find that they have a tremendous amount of demand versus resources to do this with, and that will come down to the priorities in the future.

Councilmember Cox stated he feels this short range park plan needs some more work. That one way to get to what they are all talking about is that they have an informal session (he suggested Saturday) for the purpose of talking out this park plan, particularly with the way they have allocated this \$34.0 million. He stated Natural Preserves, for instance, have \$7.0 million, and he does not have anything against Natural Preserves, but he does think they should at least go through the process of deciding if they want to spend roughly 20 percent of this money on Natural Preserves. That Neighborhood Parks are getting not more than \$2.0 million of the \$34.0 million. These are the kinds of money allocations that are well within the purview of this body to make. As far as where the parks go, they can leave that to the people in the operating departments.

It was pointed out that we do not have this money, it is down the road. Mr. Cox responded that what they are talking about is if they had the \$34.0 million, how would they spend it. He feels this park plan needs some more work with particular emphasis on the way these monies are allocated between the various kinds of recreational facilities.

Ms. Trosch stated there are so many people interested in the neighborhood parks and she noted their response tonight when the figure of only \$2.0 million was mentioned. She stated many of these parks are done in connection with school property and this, of course, cuts the cost down dramatically in developing neighborhood parks.

Mayor Harris stated his personal opinion is they are not accelerating the school parks as much as they should. Every school ground ought to be a park in his estimation and used year-round. Another thing is they have eliminated linear parks. Our creeks in this community connect everybody; if you want to have areas where you can walk from your home to a park, if we had linear parks along the creek banks, it would do a lot of good for a small amount of outlay; that most of it is floodplain anyway. He asked if there was a reason these linear parks were omitted from the report?

Mr. Joice replied they were included in a general way in their study. There was particular interest from the County Park and Recreation Commission, so the County decided to pursue that and the City Commission decided not to pursue it. The Mayor responded that he thinks in the future they should consider this area.

Mayor Harris thanked the audience for its interest and all those who spoke; there have been some very good comments tonight. He is sure there will be a lot more interest in this area in the future; we have a long path to go, and we have to go fast to meet the recreation needs of our community.

#### Youth Advisory Committee

The Youth Advisory Committee filed a resolution supporting the worthy efforts of the City and County Governments, and pledged its own services to these goals and objectives for the betterment of the Community.



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CITY COUNCIL TO INITIATE PETITION FOR REZONING OF TOOMEY AVENUE PROPERTY.

Consideration was given to a request that Council rescind previous action to rezone certain property on Toomey Avenue from I-1 to R-6MF.

Councilmember Short stated that Mr. Underhill, City Attorney, indicates if Council wants to do anything, rescinding is a little dubious legally, but they might consider a new or fresh start on this matter. That this is a case where zoning which was not initiated by the owner and which actually was opposed by the owner was handled with some procedures that were a little bit less than tight procedures. That without intending to do so, the Council just caught John and Pat Hunter by surprise. Regardless of how this property should be zoned, he thinks their process left something to be desired in this case. That he as well as anybody else could have foreseen this, but he did not. Without implying anything at all about the way that this land ought to be finally zoned, he thinks they should start over.

Mr. Short moved that Council initiate a petition on the property in question and just bring it up again for handling. The motion was seconded by Councilmember Chafin.

Ms. Vivian Hicks, 539 Brookhill Road, stated she speaks in behalf of the residents of Brookhill and filed a petition with the Clerk. Responding to a question from Councilmember Locke, she indicated the petition requests that the zoning be left R-6MF. She stated that Brookhill, being a low income community, has many problems, one especially being encroachment of commercial development. They do not feel that I-1 zoning is compatible with their community. She was present at the Amay James Center when City Council met there and heard them express their concerns for citizens on Park Road in the protection of their community and she is sure they will give the citizens of Brookhill the same consideration.

Mr. Jim Black, P. O. Box 3856, stated during the past election most of the Councilmembers talked about, at one time or another, neighborhood preservation. They probably had that on their minds when they rezoned the property on Toomey Avenue to R-6MF, on the suggestion of the Community Development Department, citing that Brookhill and Southside homes are neighborhoods located in a target area. He stated R-6MF was a good decision. The area is a low income area, many families are single parent families, and the task of raising kids in that kind of environment is terrific. Much of the land surrounding Brookhill is already commercial, so much so that the neighborhood is like an island surrounded by commercial development. It is really no place for a neighborhood to be located, but it is there and should be a prime factor in determining the use of any undeveloped land near it. If they are talking about the best use of the property for the owner, naturally it would be to rezone it I-1, and since it is for sale its market price would naturally be higher. The owner would make more money. He was thinking of the possibility that some business might build there and maybe new jobs would open for the people in that area, but that has not been the trend. Most of the people he has talked with in that area do not work near their homes.

For example, in Roseland, off Barringer - many warehouses went up over in those neighborhoods but not too many people found jobs waiting once those particular businesses opened. It seems if Council is interested in the best use of the property in dollars and cents that I-1 would certainly be the answer, but if they are interested in helping a neighborhood that already has too much going against it, R-6MF zoning is the only way to go.

He stated he thinks most of the Councilmembers understand what a neighborhood is, how it should function and what it needs to survive. Right now they are faced with a complex problem of finding new places to build low income housing. He would like to pose a question to them - would they create another Brookhill or Southside? He does not think so. It is because of that that he asks them not to fence this particular community in by changing the zoning.

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Councilmember Leeper stated he believes the objective of the Community Development Department is to help eliminate blight wherever possible, to help promote the dignity of the residents by helping to improve the neighborhoods, environment and surroundings thereof. He further believes that this was the intent of the Community Development Department when it requested Council to rezone this property on Toomey to multi-family. Those who gone out to see this property can clearly see the small community. It is bordered by four lanes of Remount Road on one side, and South Tryon Street which is a major thoroughfare. Council has a real opportunity to give this community some relief and protection, and he asks them not to consider rescinding this decision.

He stated one question that has to be asked in zoning is what is the best use of the land, but a broader question must also be asked and that is what is the best use of the land that is compatible with the existing community or adjacent properties. He submits that it is clearly not in the public interest to zone that property other than multi-family. If they have any doubts about what happens to a community when they choose not to give it the kind of protection it needs and deserves, ride through the West Morehead target areas again and they will see Brookhill and Southside some years from now. If Council wants to assure housing for economically disadvantaged citizens in this City, then they must all work together to protect those communities that now exist.

Councilmember Selden stated he very much appreciates the preservation of the Brookhill neighborhood. He thinks, however, that this piece of property lies directly between the rock and the hard place, as the expression goes; that is, between a neighborhood community and an industrial community. He would venture to say that within two years at the most there will be industrial development of a substantial degree on the Hunter property where the Hunter residence is. This will be directly across the street from this property.

Let's talk a moment about the property itself. It is weeds, jungle, some trees, with a pathway through the area, and insofar as any individual venturing money for a multi-family structure on that property, it is extremely unlikely that anyone would build multi-family structure on that piece of property under the conditions of the surrounding terrain and the surrounding industrial development. Actually, in the action Council took they lowered the value of the property for the owner to a substantial degree. If placement of industrial buildings on that property were to entirely jeopardize the Brookhill village, then he would want to protect it.

Mayor Harris reminded Councilmembers that the motion on the floor is to start a petition all over again for this property.

Councilmember Frech stated she will not discuss the land involved. She thinks the fact that the Toomey family has held that property since 1917 or so, and it has had industrial zoning for many, many years, causes her to agree with Mr. Short that Council did not give them adequate opportunity perhaps. She will support another hearing on the subject, without having anything to say right now about the merits either way.

Councilmember Trosch asked Mr. Underhill what kind of precedent they are starting? She does not know whether this is an unusual procedure, if they are opening the door that may come back to haunt them. That the last time this came up they were told that the family could petition and would not have the two-year waiting period because it was a third party petitioner originally.

Mr. Underhill replied that certainly the property owner should have an opportunity if they desire to file a petition and go through the normal rezoning process, involving advertising, public hearing, recommendation by the Planning Commission, etc. There is some precedent for Council initiating petitions on areas. Plaza-Midwood, he believes was initiated by Council; so was Myers Park. There have been situations where Council initiated the petition rather than having the petition initiated by the property owner or some group interested in the property.

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As to the matter of rescinding the previous action and doing something without going through the hearing process, as he advised them last meeting, that causes him some trouble.

The Mayor stated that is not the motion; it is a motion to initiate a petition.

Councilmember Leeper stated some of the Councilmembers have indicated concern about the Toomey family having adequate input. That during the time they had the public hearing, everybody who wanted to respond to this particular matter had an opportunity to respond. They knew that the property was being requested to be rezoned multi-family. He questions anybody who would say that nobody had an opportunity of adequate input.

Secondly, he questions whether Council is not, in essence, rescinding the vote anyway when they decide to give a landowner an opportunity to have another public hearing after they have made a decision on it. Anyway you call it, they are rescinding the vote.

Mayor Harris stated he would normally not speak to this matter, but since it was a protest vote and he voted in the matter, he would like to say that the acoustics that evening were not exactly the best and he did not understand the vote. Councilmember Leeper replied that in all due respect, he questions that statement; and the Mayor replied he would have to make that decision.

Councilmember Selden quoted from the official minutes of the meeting when the presentations were being presented: "Mr. Short pointed out from a map the area they were concerned with, especially the area east of Toomey." He stated if they will read that transcript, it very clearly translates east and west improperly and it was that wording that misdirected him in terms of which side of the street was being voted on.

Councilmember Carroll stated that this evening someone came to him and wanted to talk about getting Council to change its mind perhaps on another zoning decision made in the past several months. He stated he has a problem with the precedent problem. That Mr. Short's motion does not indicate what they will be requesting that the zoning petition be initiated to result in what particular zoning category of this parcel of property. He thinks they would be a lot better off to let the landowners who have the opportunity at any time to initiate a zoning petition, who may have a use in mind, which may be one which they can work out with the neighborhood residents, which allows them to go through a more normal process of how some of our zoning matters get resolved, and let it come that way. That they should not, in this particular case, initiate a new resolution when in effect what they would be actually doing is back-handedly saying they rescind the other one. With all due respect to the problem Mr. Selden pointed out, that maybe people misunderstood what they were voting on, he knows there was some misunderstanding right from the start on Mr. Gantt's behalf; that they finally got out two maps and he thought they had it all straightened out. If they give the property owners a chance to come forward with something at hand when Council can see concretely what is proposed to go there, they will be in a lot better position, and Council will be in a lot better position, to make a good decision on this parcel. He would rather not see Council initiate a petition.

Councilmember Short asked to respond to the wording of the motion. The intent of his motion was, although maybe he did not put it in so many words, that this petition would be for whatever it was previously; it is industrial and on that basis the Council would have the opportunity to set the zoning of this land at anything in between residential and industrial. So, they can set it anything up and down the entire schedule of zoning.

Councilmember Cox stated if he understands the City Attorney right, the petitioner does have the right to re-petition. Other Councilmembers added "after two years," but Mr. Underhill stated that does not apply here because the owner did not initiate the petition. Mr. Cox stated the petitioner then can do what Mr. Short wants to do at anytime.

Secondly, he knew what he was voting on that night. That he went out and looked at the property again, and without saying whether he has changed his mind or not, he thinks it is important and incumbent upon each member of Council to, if things are not clear, before the vote is taken, get them clear. That is what they tried to do with Mr. Gantt, and finally got that done. He is disappointed that there was some misunderstanding among the members of Council, and he can understand how that could have happened with the acoustic system at that meeting, because it was bad. If they want to have the vote over again, that is okay with him, but if some members of Council felt that after comparing notes with other members of Council they did not exactly understand what was going on, then he would say they would be entirely within their rights to review this matter. However, he hopes in future matters, everyone would understand what they are voting on before the vote is taken.

Councilmember Chafin stated she will just have to agree with Councilmember Selden and the Mayor; that it was very confusing that night; that the acoustics were disastrous; that some of the explanation that was going on was very confusing; and she thinks that Councilmembers, in all good faith, thought they knew what they were voting on, but the minutes clearly reflect that there was that confusion; that without debating the merits of the zoning, that this issue is entitled to a re-hearing. For that reason, she will support Mr. Short's motion.

Mr. Cox stated the property owners can do that anyway. Ms. Chafin replied they can indeed, but that to some extent Council bears the brunt of the confusion on this.

Councilmember Dannelly stated he is really somewhat amazed that the acoustics got bad when they got ready to vote on surrounding the Brookhill apartments with industrial zoning. Maybe they should go back and rescind the entire meeting. This is a pretty good example of what Brookhill apartments are faced with. That the people living there have pride and they want to protect their children. He is sure that bumper was mentioned in that meeting somewhere; that certainly Brookhill apartments were pointed out, and it was pointed out also what was on the other side of Toomey Avenue. But the acoustics became so bad at that moment that Council made a mistake. He just finds problems dealing with that.

Councilmember Cox asked for the record, because they are setting a precedent, what kind of problems are good enough for this kind of action to be taken. He would like for the members who had problems last time to state the problems for the record.

Councilmember Short stated the acoustics were a factor - it was very difficult to hear all of the discussion on Park Road or any of the other matters that night, but there is another matter, it seems to him. At the meeting before, John Hunter had made his point about this property, and Mr. Sawyer seemed to sympathize with his remarks and that perhaps, maybe by the look on his face or something, or some comment that was made, Mr. Sawyer gave the impression that he did not mind if this particular part of the petition was not rezoned back to multi-family as the Community Development Department had originally petitioned for.

At that time he believes the Councilmembers themselves sort of murmured around and made sympathetic comments that led John and Pat Hunter to believe that Council was completely sympathetic with their attitude and no one had any other feeling or gave them any other impression at all, and nothing further was said until Mr. Leeper brought it up the following week. Even those who want a mini-park or whatever on this property would probably feel better about it if it were done in a fair way. Council led them to think one thing, and then went off the following week and did the other thing and caught them by surprise in their absence. It is a matter of fair procedure, as he conceives it, and he has no determination at all about what the ultimate zoning would be. But, in terms of fair procedure, they should run this through one more time.

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The Mayor requested the Clerk to read the motion, which was as follows:  
That the City Council initiate a petition on the property in question.

Councilmember Cox asked if it would be improper for Council to rescind the previous action. Mr. Underhill replied procedurally it is certainly proper under Robert's Rules of Order, but as far as using that kind of action to rescind a zoning decision, he has advised against it. Council does not have to take his advice. But he thinks they would be creating a situation where someone could complain about the lack of notice, due process and fairness, if they undo their zoning decisions in that fashion.

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

YEAS: Councilmembers Chafin, Frech, Locke, Selden and Short.  
NAYS: Councilmembers, Carroll, Cox, Dannelly, Leeper and Trosch.

The Mayor broke the tie by voting in favor of the motion.

#### TRAFFIC LIGHT AUTHORIZED AT INTERSECTION OF BARRINGER DRIVE AND CLANTON ROAD.

Motion was made by Councilmember Selden, seconded by Councilmember Dannelly, that a traffic signal be installed at the intersection of Barringer Drive and Clanton Road.

Mr. Burkhalter, City Manager, stated he has indicated in a memorandum to the Councilmembers that this item was received just ten minutes before the agenda was completed; that they have not had time to make a cost study or tell them how they can find the money to do it. He suggested if Council wants to do this, that they ask him to come back with an idea of how it can be financed and when it could be done.

Councilmember Leeper stated the recommendation has been made for approval of the light at this intersection; he would like Council to go ahead and approve it and then they can determine where the money is coming from or whenever money is made available.

Mr. Selden stated he made the motion with due consideration, having gone out there and turned that corner and seen the amount of traffic that occurs there and the difficulty in seeing around the corner when you are on Barringer Drive and traffic is coming down Clanton.

Councilmember Leeper requested that along with the consideration of the traffic light, the Traffic Engineer consider a left turn coming off of Clanton on Barringer going into the commercial development. It is almost impossible to turn left; that he and Mr. Short almost saw a number of accidents with people there trying to make a turn.

Councilmember Cox stated he and Mr. Leeper have talked about this before and he knows that he supports the light. Looking around the room he sees heads going up and down; that most people support the light. That when the vote is taken he is sure Council will be in support of the light. However, he does think he is getting more and more sensitive to the responsibilities of this body vis-a-vis the responsibilities of Mr. Burkhalter and the staff. The staff has obviously said, in so many words, that a light is clearly needed here and he has no doubt that the staff will come back with that kind of recommendation. To preserve, in a feeble attempt, the fine line between the policy making responsibilities of this body and the operational responsibilities of the staff and the operating departments, he will make a substitute motion that Council defer the Clanton Road decision for three weeks to give the staff the time to do its homework and to proceed as they all know the staff will. He does not think this will delay it.

Mayor Harris stated that for the benefit of Council, he would like to refer to a note he received in the mail today relating to the delay; it is from a firm called The Observer Transportation Company. It indicates they will be operating 70 vehicles out of their business 24 hours a day, including 20 tractor-trailer units. He stated he does not think they can have too much of a delay.

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Mr. Cox asked if there would be a delay introduced by failure of the Council to act on this matter tonight, would the time factor be any different? Mr. Burkhalter replied he appreciates what Mr. Cox is saying and he has no objections at all to Council saying they want the light. He would have some objection to their saying put a left turn arrow there until they have an opportunity to see it. As far as Council expressing the fact that they would like for them to come back with a way to finance the light, he would have no objection to that. He does not think there would be any delay. The substitute motion did not receive a second.

Councilmember Carroll stated he appreciates Mr. Cox's point; he thinks that the policy-administrative line is drawn. The policy is that Council wants to put the lights where they are needed and the evidence here is that it is needed; that he thinks it is appropriate to go ahead and acknowledge that.

Councilmember Short stated to Mr. Burkhalter that on occasion Mr. Corbett and Mr. Hoose have been able to find some equipment - maybe it was ordered for another purpose or something. That he would certainly ask that staff go as quickly as they can on this particular matter. That is a very, very dangerous intersection. If they could find something temporary, he would recommend that they consider it.

The vote was taken on the motion and carried unanimously.

#### RULES AND REGULATIONS FOR THE USE OF AMERICAN LEGION MEMORIAL STADIUM FOR NON-ATHLETIC EVENTS, ADOPTED.

Councilmember Selden moved approval of the Revised Rules and Regulations for the Use of Memorial Stadium for non-athletic events, as submitted by the City Attorney and including revisions by Councilmember Carroll. The motion was seconded by Councilmember Dannelly.

Mr. Selden asked if the term "user" would refer to the agent who administered the contract, rather than the rock group itself? Mr. Underhill replied it would be the entity that contracted for the use of the facility - normally it is the promoter.

Mr. John Hasty, Attorney for Kaleidoscope Productions, stated he was handed Mr. Carroll's suggested changes just a few minutes ago and there are some rather broad ambiguities in them that he would like to make sure he understands. He stated he had spoken to Mr. Carroll on the telephone about the insurance provisions. He asked what the term "User's Application" means.

Mr. Carroll replied he has not seen the User's Application but he understands from the regulations that it provides that the user will indicate certain information regarding . . . Mr. Hasty stated he is not talking about the application that the user might put the stadium to. Mr. Carroll replied no, his written application.

Mr. Hasty suggested that they use then the same language as used in the first paragraph which is "Application for Use of Memorial Stadium." Mr. Carroll replied that would be fine.

Mr. Hasty stated the words Mr. Carroll has added to Paragraph 7 which would make it incumbent upon a user to present a plan for the parking of every patron who attends for approval by the Parks and Recreation Commission, are going to border, in his opinion, on being illegal as a prior restraint. He stated the document Mr. Underhill gave them last Friday he is in complete agreement with. But, Mr. Carroll has asked that this be added.

Councilmember Short asked what is illegal about the parking plan? Mr. Hasty replied simply that you do not require anybody else who uses the stadium to do the same thing. If they will ask the Shriners to do the same thing for the Shrine Bowl - they turn up 28,000 people for that game; if they ask every high school every Thursday night to do the same thing; if they ask everyone who uses Park and Recreation property anywhere in this City to submit a plan to this Council for who is going to come there and park, then he sees nothing wrong with it, except that he thinks it would

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be a bad policy. But, to require someone who is not using this for an athletic event to prescribe the exact place for everybody who is going to park that is going to come there, is unconstitutional and would be stricken down if it were put to the test in the courts.

Mr. Carroll stated that would apply to all of these regulations to the extent that they do not apply to any other user. Mr. Hasty replied he does not think so. Regulations which go to the police power to subject a use other than an athletic event because of its different nature, he does not think so, but parking is one thing that everybody that uses that stadium has in common. That the insurance provisions that they are requiring are already provisions that they do not require of anyone else that uses the stadium; the prior approval of plans for its use is something they do not do anywhere else, or require anyone else to do. He simply says that he hopes that Council's purpose is to provide an orderly procedure where they can use this facility to generate funds. When they are talking about these parks, just this one use would be some \$200,000 a year from the rent they can get from it. To put a burden on the promoter to assign a parking place for everybody is going too far. If they will ask Mr. Diehl he will tell them that there are 5,000 available parking places within 3/4 of a mile already, without using the baseball field in the park.

Mr. Carroll stated he would be glad to add "such approval shall not be unreasonably withheld." They are not saying that he is going to be inflexible about this. In fact, he is sure he is going to be willing to work with them and make sure that it is taken care of. Perhaps it should be taken care of with the athletic events also. But, they have to be realistic here. When you are talking about 28,000 people coming to this area perhaps - parking spaces are available; it is just a question of making sure you have the owners' permission so that they can be used by the people who are coming to the event. They need to insure that they are not causing inconvenience to neighboring property owners with cars blocking their driveways or cars in their front yards. This is something that has occurred in the past.

Councilmember Cox stated he sees what Mr. Carroll is trying to get at, but it would appear to him that the parking plan would be the same for every event of its type. If he were Mr. Hasty he would just trot himself down to the facilities manager and zerox a copy of it, get something that works and then go with it. He does not see that anything is gained by requiring the promoter or his agent to come up with this plan every time. That the facility manager could say, look here is a plan, here are the people who have given us permission to park in their lots in the past. We expect you to go according to this plan.

Mr. Carroll replied he thinks that would be the process, but he wants to put the burden on somebody to make sure that process is carried out. That, in fact, the facilities are made available. They can leave the entire burden on the City, that whenever they have an event which expects to bring so many people they will make sure that so many parking spaces are available and, if necessary, transportation to them. But, if they just leave it up in the air; if they do not include it somewhere, they are just asking for inconvenience if not really some harm to people who live close by. As it stands now, on the property which is owned by the City for parking in the area and the property which CPCC owns which they allow the City to use, there is not enough space.

Councilmember Short stated the plan would be maybe not one plan but several - one for 5,000 people, one for 10,000, etc.. The reason he thinks that Mr. Carroll's proposal is not a real bad one is that he is sure Chuck will have these plans down there and anytime John or Kaleidoscope or somebody comes in he could say to him it is your duty to get the plan, which one do you need. He thinks it does have this significance - these various parking facilities, it is going to be necessary for somebody to make sure they are going to be open at midnight, or whatever hours this thing is going on. The upshot of Mr. Carroll's proposal, it seems to him, just puts on the promoter the duty to somehow see that these facilities are open. He feels that is not unreasonable.

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Councilmember Cox stated as long as they have this kind of understanding about the way it is going to be implemented, then he can go along with it.

Mr. Hasty stated he will reiterate what he said. He knows what Marion Diehl and Chuck Jordan will say; he knows how they will work; he knows exactly now how they can go to their office and work the problem out. The paradox of his situation is that he stands here for only one person who is going to use this facility. There are a lot of other people who will want to do the same thing. Mr. Jordan and Mr. Diehl are not going to be there forever. If they will look at the literal wording of this it says it is the entire responsibility of the promoter to provide the plan. Now, if they want to say that the promoter shall get the personnel to operate the parking facilities or something of that sort, that is fine. They do that anyone. But, he is not sure what they mean when they say they have to provide the plan. That could mean that they are going to have to go out and lease the places for people to park. He does not think that is intended.

He would suggest they pass it the way Mr. Underhill submitted it and ask Mr. Diehl to submit to Council a parking plan for all events in that stadium. They will be happy to adhere to whatever he says that plan ought to be. He does not think that this particular application is unique in this problem; it has been going on ever since he can remember - every Shrine Bowl game - and he does not think this particular event brings it any more to a head than any other. Instruct the department head to formulate a plan and put in the rules and regulations that the user shall adhere to the parking plan that is in existence by the Parks facility manager and they will do that.

Mayor Harris stated this is the first experience that Council has had in drafting rules and regulations for a Parks and Recreation facility, so they cannot look back. Maybe they will be doing the same thing for the Shriners in December. The thing he is concerned about in running this meeting is the installation of typed language like this at the start of the meeting which almost went by unnoticed. Mr. Underhill apologized for this but he only got the request this afternoon, too late to go out with the agenda on Friday. The Mayor stated if there was corrective language it should have been brought up when the item came up on the agenda. Council was almost going to vote on something that had different meanings. It is very important as far as the rules and regulations affecting a facility like this.

Councilmember Short suggested that Mr. Selden include in his motion a provision that the Park and Recreation Director and the City Manager, as expeditiously as they can, present Council with a set of rules and regulations for athletic events, not just parking. That he thinks it would not be a bad idea to review the entire picture - for athletic events, if they are going to review the non-athletic ones. It would clear up the sort of things that Mr. Hasty has mentioned.

Councilmember Selden stated he would rather that was introduced as a separate motion if possible.

Councilmember Carroll stated, in response to Mr. Hasty's remarks, there are plans that work sort of defacto now. As he understands it, in the past the Shriners have run Central Piedmont's multi-story lot, have had someone there to take up money and to let cars in and out. That process has been going on. All they want to do here is to make sure there is some responsibility for seeing that it is, in fact, carried through. That the people Mr. Hasty represents, and anyone who is concerned about the people who are going to be attending the event, are going to be concerned to see that they have good service in regard to the parking. He does not think it is asking anything unreasonable, but perhaps a necessary thing of holding an event there.

Mr. Hasty replied he sees nothing unreasonable about their adhering to a parking plan. That is fine and they are willing and ready to do that. He is simply saying he feels it is the City's place to formulate the plan and not the man who is going to rent the facility.



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Mr. Carroll stated what this is doing is putting more flexibility in there than Mr. Hasty wants. It is giving the Shriners or some other user the chance to run their parking plan if they want to, or to work out with Mr. Diehl that he run the parking plan, or however they want to do it. It is just saying that they have to have one. He is sure that experience will pretty quickly determine what forms it will take, depending on attendance.

Councilmember Leeper asked if it is stipulated in the rules and regulations that the City will be receiving the revenues from the parking? Mr. Underhill replied yes, the City reserves the concession rights for parking. Mr. Leeper stated, but we are asking the user to present a plan?

Mr. Cox stated there are two kinds of places where you park - the places you pay for and the places you don't. Mr. Carroll stated he is sure the user's plan will take into account the 2,000 or so paid places that are automatically there. That would be the starting point for the plan, depending on how many people are coming. He thinks it is agreed there will be no parking in the park, he thinks that is the sentiment of Council; that they do not want to continue that practice. In the past this has continued through the winter months with CPCC students parking there when there are no events. That is another issue.

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

YEAS: Councilmembers Carroll, Chafin, Cox, Dannelly, Frech, Leeper, Selden, Short and Trosch.  
NAY: Councilmember Locke.

ORDINANCE NO. 988-X AUTHORIZING AIRPORT BONDS AND MONDAY, MAY 1, 1978 SET AS DATE FOR THE PUBLIC HEARING ON THE BOND ORDER.

Councilmember Locke introduced the following order authorizing bonds:

Order Authorizing \$47,000,000 Airport Bonds.

Thereupon, on motion of Councilmember Cox, seconded by Councilmember Selden, and unanimously carried, the City Council designated the Director of Finance as the officer to make and file with the City Clerk the sworn statement of debt of the City which is required by The Local Government Bond Act, as amended, to be filed before the public hearing on the order.

Thereupon Mr. J. B. Fennell, Director of Finance, filed with the City Clerk, in the presence of the City Council, the sworn statement of debt as required.

Upon motion of Councilmember Cox, seconded by Councilmember Selden, and carried unanimously, the order entitled "Order Authorizing \$47,000,000 Airport Bonds" was passed on the first reading.

On motion of Councilmember Locke, seconded by Councilmember Selden, and carried unanimously, the City Council fixed 8:00 p. m., May 1, 1978, as the hour and day for the public hearing on the foregoing order, and directed the City Clerk to publish said order, together with the appended note as required by The Local Government Bond Act, as amended, in The Charlotte News not later than the sixth day before said date.

The order is recorded in full in Ordinance Book 25, beginning at Page 365 and ending at Page 368.

MOTION TO OPPOSE PORTION OF AMENDMENTS TO THE N.C. LOCAL GOVERNMENTAL EMPLOYEES RETIREMENT SYSTEM FOR EMPLOYEES NOT YET RETIRED, AND APPROVE PORTION GOING TO EMPLOYEES ALREADY RETIRED.

Councilmember Selden moved that City Council oppose the proposed changes to the Local Governmental Employees Retirement System. The motion was seconded by Councilmember Trosch.

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Ms. Trosch asked if City employees are covered by the death benefit provision; that changes in this provision are included in the proposal but no indication was made that we are under it.

Mr. B. A. Stuart, Assistant City Manager, replied our employees are not covered under the death benefit provision. This feature was added as part of the Retirement System some years back and at the time it was done it is his understanding that it was considered for inclusion in the City of Charlotte plan. Basically, the death benefit amounts to a term life insurance policy. The City did not do it, basically, because they felt that the term life insurance already available to employees was better; it was less expensive and would apply to all employees. The death benefit here would apply only to the two-thirds of the employees who are not in the Police or Fire system.

Ms. Trosch stated so all city employees are currently covered by a term insurance? Mr. Stuart replied yes. Ms. Trosch stated, secondly, she really wrestled with some figuring this week-end, and some problems with these particular proposals. First of all, she thinks it is important to note that additions to the State Employment Plan were adopted prior to the federal government's new Social Security Law. Under this new law, her figures indicate that the City will have to pay out in 1978, \$65,000 more in Social Security costs than in 1977; and by 1981 the cost will have increased \$168,000. The percentage Social Security cost to the City will continue to increase rapidly thereafter.

She stated when you combine the added Social Security cost and the added Retirement cost, under the proposal before them, the total cost to the City will be close to \$300,000 increase in pay in costs alone by 1981. These figures are very conservative because they do not take into account pay increases, inflation, or the dramatic raise in the Social Security ceiling from the 1977 ceiling of \$16,500 to a 1991 ceiling of \$40,000. As the Retirement System now stands, a 30-year employee, making an income of \$15,000, based on the figures given to them, will receive in combined Social Security and Retirement benefits close to \$13,000 annually at retirement, most of which is tax free for three years. In essence, at retirement, he will have \$13,000 in his pocket a year while before retirement he only had approximately \$11,500 take-home pay.

She stated that basically she has the over-riding concern that with the increased burden of Social Security and the cost of the Retirement System, there is a real danger of increasing the City's cost for retirement to the point that you cannot give adequate pay raises to present employees. She also has a real concern that these are substantial budget decisions, and yet they are being asked to make them prior to budget time. This concern needs to be looked at in light of our total budget pressures and decisions rather than piecemeal.

Mayor Harris stated he agrees with Ms. Trosch but he would be wondering about the retirees. Everything she has said does not affect the retired employee. The currently retired employee is getting hurt the most by inflation. Everything else is applicable to employees currently, except for retired employees.

Councilmember Selden stated he has a great deal of concern with the current retired employee, by being a current retired employee. He can empathize with them greatly. However, he has gone over the Retirement Plan in detail and he shares a great many of the concerns that Ms. Trosch has in terms of cost and in terms of benefit to employees and the comparison of benefits on the Fire, Police and other employees. If the other employees, which this deals with, were low on the totem pole in comparison with industry he would have much greater concern, both for the existing employees and those already retired. But, plan wise, the program today is substantially more liberal than a number of other programs of large industry in the City and in the Nation, including Southern Bell which has a 1.35 percent compared to an existing 1.5 proposed to raise to 1.55. The existing retired employee, in like degree, is well above the average. It is for that reason that he made his motion. He thinks that the City can do more and will have more opportunity to do more with respect to considerations of pay increases where the benefits are now rather than later. The later benefits are already folded in.

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Councilmember Short asked if Mr. Stuart was not going to give Council some further information about private industry? Mr. Stuart stated they contacted seven companies; they were able to get answers from three of them. Basically what they were zeroing in on was the basic benefit formula. We are talking about 1.50 percent as being what we now have in our formula; going up to 1.55. He stated they sought to find out from these three companies they could get information about if their benefit formula was comparable; and if they used a percentage similar to this.

Mr. Stuart replied these three employers ranged from 1.54 percent down to between 1.2 and 1.5 - 1.3 as indicated from Mr. Selden from Southern Bell. That means basically the benefits as computed are the same as, or less, then what we have for the city. They found out at the same time that all of these plans in the private sector are non-contributory. The employees do not contribute anything to the plan. Therefore, that provides an off-set in the private sector to the advantage of the employee, which is not found in our retirement plan.

Councilmember Short stated what he says is less benefit is paid, but less contribution is made. Councilmember Cox stated he thinks what he says is you cannot really tell; it is hard to compare because you have to get varying averages.

Councilmember Selden stated that insofar as this retirement is concerned, no state income tax is applicable to pension benefits. In private industry, state income tax is applicable.

Councilmember Cox stated he understands the interest assumption went up five or six percent here. He also understands that in private business the folks that guarantee pension benefits do not go to six percent. That is why the \$106,000 is low; and he would think we should keep our interest assumption more in line with what other people are assuming. He asked without judging his conclusion if his facts are accurate? Mayor Harris replied the actuarial interest factors is five versus six - six percent in the state, and five percent in the general industry. Councilmember Cox stated if you raise your interest assumption from five to six percent, then the \$106,000 is kept low; but if you keep it at five percent, then it costs more money. Mr. Burkhalter replied that is true.

Mayor Harris asked if the requirement of investing in North Carolina investments or anything like that in this plan? Mr. Stuart replied he is not sure about that. The Mayor stated that might have something to do with the guaranteed rate.

Councilmember Carroll stated as he understands what they are voting on, they are responding to a poll by the State on how the Council feels about this, which will be cranked in with what all the other cities and towns in North Carolina have decided. He understands they have decided overwhelmingly in favor of these proposals. That Mr. Short's comments were apropos at the last meeting that they are getting to look at the cart after the horse has gone down the path. Somehow they need to have some better way to have some input into this decision. He is impressed with the amount of thinking that has gone into what they should do and he knows that they need to strike that delicate balance of having salaries and retirement plans which are attractive and competitive, yet not getting to the New York top end heavy financial problems with it. He does not think they have any real option, but maybe they can be in a better position next year.

Councilmember Carroll made a substitute motion for approval of the portion going to the retirees and oppose the portion of increase which would only apply to those who have not retired. The motion was seconded by Councilmember Dannelly, and carried by the following vote:

YEAS: Councilmembers Carroll, Chafin, Dannelly, Frech, Leeper, Locke and Short.

NAYS: Councilmembers Cox, Selden and Trosch.

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Councilmember Short stated the trap set in Raleigh was a real one; it was just that they basically had no real choice there, although he cannot argue with what Councilmember Selden said.

#### SYLVESTER LEE APPOINTED TO THE HOUSING APPEALS BOARD.

Councilmember Short stated his desire to withdraw the name of Mr. Jim Stewart whom he had previously nominated to a position on the Housing Appeals Board, in order to recommend that Council approve the appointment of Mr. Sylvester Lee, previously nominated by Councilmember Carroll.

Mr. Carroll moved the appointment of Mr. Lee, as a Building Contractor, to the Housing Appeals Board for a term of three years. The motion was seconded by Councilmember Chafin, and carried unanimously.

#### AWARD OF CONTRACTS.

1. Councilmember Locke moved award of contract to the low bidder, F. T. Williams Company, Inc., in the amount of \$335,959.80, on a unit price basis, for the construction of storm drainage, resetting granite curb and installing brick sidewalks within the Fourth Ward Historic District. The motion was seconded by Councilmember Chafin.

Councilmember Short stated as he understands this, and with his limited knowledge of the cost of masonry, etc., they are being asked to spend some \$250,000 additional in order to put brick sidewalks in Fourth Ward. He asked Mr. Hopson if his arithmetic is correct in this.

Mr. Bob Hopson, Public Works Director, stated they are spending in the neighborhood of \$25,000. The brick sidewalks themselves, out of the whole sum, amounts to about \$40,000. The curb and gutter work amounts to about \$36,000. The great bulk of this money is for storm drainage, \$260,000, which is a normal increment. We really have no alternative. They either build these sidewalks out of brick, which is approved by the Historic District Commission, or we cannot build them at all. This money is the EDA money that they are talking about.

Councilmember Short stated he means we cannot build them at all, because we can only build what is approved by the Historic District Commission? Mr. Hopson agreed.

Mr. Crutcher Ross, Chairman of the Historic District Commission, stated he speaks on behalf of the Commission for the sidewalks. That Mr. Hopson has already pointed out the main thing he wanted to point out - that of the total figure, only approximately \$80,000 is for the brick sidewalks and also for the granite standing curbs. He stated he would be glad to answer any questions, but they feel very strongly that this is a good price and that this is the type of sidewalks that should be put in the area to blend with the type construction and the type of area they are looking forward to having down there.

He stated they appreciate the concern and the backing which they have gotten from Council. That a good point to bring out is that private enterprise and government has been working hand-in-hand to develop a fine neighborhood.

Councilmember Cox asked what it would cost if regular sidewalks were installed? Mr. Hopson replied approximately \$25,000 less. But, it is a historic district and it is the start of the whole system out there.

Mayor Harris stated, for the benefit of the newer Councilmembers, this is a continuation of the Fourth Ward Historic District. There are various standards being set there. That he has had, and perhaps each of them have had, some concerns and calls in the past about the communications between all of the various groups, which were all well meaning. But, one thing they have to have is the emphasis on the City's involvement in the program - it is very pronounced. That we do not let people

outside the City environment tell us, in effect, how to develop the District. This is the concern that has been expressed to him. These are City funds that we are spending there and this is the way it should be applied.

Councilmember Carroll stated the brick sidewalks, although they cost a little more, are something that are really going to go a long way to making a kind of quality atmosphere improvement that will pay back itself many times. His only question is, has something been worked out in the programming of this regarding putting the utilities underground so that they are not going to take these sidewalks up again after they have been put down?

Mr. Hopson replied these are going to be installed so that the undergrounding can be done at a future date, without tearing up the sidewalks.

The vote was taken on awarding the contract and carried unanimously.

The following bids were received:

F. T. Williams Company, Inc.	\$335,959.80
Blythe Industries	375,343.00
Crowder Construction Co.	407,065.50
Rea Construction Co.	424,854.00

- Councilmember Selden moved award of contract to the low bidder, Blythe Industries, in the amount of \$115,859.00, on a unit price basis, for North Charlotte C. D. Storm Drainage, Phase V. The motion was seconded by Councilmember Trosch, and carried unanimously.

The following bids were received:

Blythe Industries	\$115,859.00
T. A. Sherrill Construction Co.	128,705.00
Crowder Construction Co.	143,820.50
F. T. Williams Co., Inc.	147,919.00

- Motion was made by Councilmember Selden, seconded by Councilmember Trosch, awarding contract to the low bidder, Moretti Construction Co., in the amount of \$43,340.50, on a unit price basis, for the demolition of seventy (70) houses in the First Ward C. D. Target Area.

Councilmember Carroll asked if there has been any consideration given to a letter they had received about breaking this contract down so minority contractors would have a greater chance to bid?

Mr. Vernon Sawyer, Community Development Director, stated there are a total of 116 structures to be demolished in First Ward that are currently under contract. They let the first contracts in small increments just so that minority contractors would have a chance to bid on them and get some of the work. He has forgotten the total number that minority contractors got, but he thinks all but one or two contracts they were the successful bidders on. On this one, the houses were there, they needed to get them down, so they put this one in a lump sum.

Mr. Carroll asked if this finishes the whole area? Mr. Sawyer replied no it does not; it merely gets the worse. They are very careful to exclude any of those that they have chosen for rehabilitation. There are several others that are still there that they have had some inquiries about concerning moving them to other projects.

Councilmember Leeper stated our policy is to break these contracts down when possible, is it not? And, we are going to continue with that policy. This is just a special circumstance? Mr. Sawyer replied yes.

The vote was taken on the motion and carried unanimously.

The following bids were received:

Moretti Construction Co.	\$ 43,340.50
Piedmont Grading & Wrecking	50,850.00
Joyner Wrecking Company	99,212.00

CONTRACT FOR ENGINEERING DESIGN SERVICES WITH THE FIRM OF FRANK B. HICKS AND ASSOCIATES, INC., FOR DESIGN OF REPLACEMENT STRUCTURES FOR FOUR BRIDGES AT VARIOUS LOCATIONS IN THE CITY.

On motion of Councilmember Dannelly, seconded by Councilmember Selden, and carried unanimously, contract was awarded the firm of Frank B. Hicks and Associates, Inc., for engineering design services for replacement structures for four bridges at various locations in the City, at a fee not to exceed \$35,400.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTIES IN THE WEST MOREHEAD COMMUNITY DEVELOPMENT TARGET AREAS.

Motion was made by Councilmember Locke, seconded by Councilmember Chafin, and carried unanimously, to adopt a resolution authorizing condemnation proceedings for the acquisition of the following properties in the West Morehead Community Development Target Area:

1. 305-09 West Palmer Street, owned by Wachovia Bank & Trust Company, Trustees.
2. 313-17 West Plamer Street, owned by Isabelle Clanton Kennamer.
3. 321 West Plamer Street, owned by Louise Clanton.

The resolution is recorded in full in Resolutions Book 13, at Page 251.

AGENDA ITEMS REMOVED FROM CONSENT AGENDA.

Councilmember Trosch asked that Agenda Item No. 14 be removed from the consent agenda for discussion. Councilmember Selden requested that Agenda Item No. 16 be removed from the consent agenda for discussion.

CONSENT AGENDA APPROVED.

Motion was made by Councilmember Locke, seconded by Councilmember Selden, and carried unanimously, approving the consent agenda:

- (1) Three condemnation settlements involving Katherine Lewis Bundy and husband, Charles W. Bundy and Robert H. Smathers and wife, Margaret Brown Smathers in the acquisition of sanitary sewer right of way for the Stonehaven Lift Station and a sewer trunk in the 1974 Annexation Area No. I.
- (2) Ordinances ordering removal of trash, rubbish, junk and an abandoned motor vehicle:
  - (a) Ordinance No. 989-X ordering the removal of trash, rubbish and junk from premises located at 3640 Jonquil Avenue.
  - (b) Ordinance No. 990-X ordering the removal of trash, rubbish and junk from premises located at 7306 Lakeside Drive.
  - (c) Ordinance No. 991-X ordering the removal of trash, rubbish and junk from premises of vacant lot to the right of 1113 North Pegram Street.
  - (d) Ordinance No. 992-X ordering the removal of trash, rubbish and junk from premises at 1120 East 15th Street.
  - (e) Ordinance No. 993-X ordering the removal of trash, rubbish and junk from premises at 1108 Beatties Ford Road.

- (f) Ordinance No. 994-X ordering the removal of trash, rubbish and junk from premises at 1325 West Sixth Street.
- (g) Ordinance No. 995-X ordering the removal of trash, rubbish and junk from premises at 1314-1316 West Sixth Street.
- (h) Ordinance No. 996-X ordering the removal of trash, rubbish and junk from premises at 2121 Kenny Street.
- (i) Ordinance No. 997-X ordering the removal of an abandoned motor vehicle at 514 Yuma Street.

The ordinances are recorded in full in Ordinance Book 25, beginning at Page 369.

(3) Contracts for water mains and sanitary sewer mains:

- (a) Contract with Foard Construction Company for construction of 1,045 feet of 10-inch water main to serve Arrowood Southern Industrial Complex, outside the city, at an estimated cost of \$16,000, with no funds required from the City.
- (b) Contract with Charles W. Byrd for construction of 320 feet of 8-inch sewer line to serve Lots 15 and 16, Block 3 on Burtonwood Circle, inside the city, at an estimated cost of \$6,400. The applicant will advance 50% of the total cost and the remaining will be funded with 633.07 minor improvements in sanitary sewer system account.

(4) Encroachment agreement with the North Carolina Department of Transportation for the maintenance of existing water lines located five feet from the edge of the pavement along Longview Drive and Farrhill Road.

(5) Property Transactions:

- (a) Acquisition of 7.5' x 160' of easement, plus a temporary construction easement at 6601 Indian Lane, from James C. Huneycutt and Lucille D. Huneycutt, at \$500.00, for Annexation Area I Sanitary Sewer Project.
- (b) Acquisition of 15' x 19.16' of easement, plus a temporary construction easement at 7109 Plaza Road, from Joseph L. Bolton and wife, Sue H., at \$20.00, for Annexation Area I Sanitary Sewer Project.
- (c) Acquisition of 15' x 337.46' of easement, plus a temporary construction easement at 508 Tom Hunter Road, from Angelo J. Forlidas and Philip J. Forlidas, at \$650.00, for Annexation Area I Sanitary Sewer Project.
- (d) Acquisition of 15' x 212.01' of easement, plus a temporary construction easement at 7100 block of Plaza Road, from the Trustees for Plaza Road Baptist Church; John D. Gordon, Paul A. Gordon, David E. Johnson and John W. Gordon, at \$215.00, for Annexation Area I Sanitary Sewer Project.
- (e) Acquisition of 15' x 1,159.40' of easement, plus a temporary construction easement at 4500 block of I-85 North, from W. L. Peterson, Jr., at \$7,000.00, for Annexation Area I Sanitary Sewer Project.
- (f) Acquisition of two (2) parcels of real property in the West Morehead Community Development Target Area, at 127-31 West Bland Street, from Metropolitan United Presbyterian Church, in the amount of \$28,700.
- (g) Acquisition of one parcel of real property in the Fourth Ward Urban Renewal Area, at 515-19 West 10th Street, from Mr. & Mrs. Robert H. Tate, Jr., in the amount of \$14,500.

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RESOLUTION APPROVING SALE OF LAND TO GRIER HEIGHTS COMMUNITY DEVELOPMENT CORPORATION IN THE GRIER HEIGHTS COMMUNITY DEVELOPMENT TARGET AREA.

Councilmember Trosch moved adoption of a resolution approving the sale of land to Grier Heights Community Development Corporation in the Grier Heights Community Development Target Area, at a total bid amount of \$25,380. The motion was seconded by Councilmember Frech.

Councilmember Trosch stated this is an example of the neighborhoods in the CD areas taking the initiative and the governmental agencies cooperating with them. It is one of the objectives of our Economic Development Division under Hoyle Martin.

Also, if they have not been aware as we have done some rezoning of some business property in Grier Heights it has been with Walt Phillips and the group knowing what was to go here, which was a neighborhood shopping area, as it is actually being developed by some of the citizens of that community. She believes 25 board members.

She asked Mr. Martin if he would share with Council what this would entail? Mr. Martin stated the project Ms. Trosch is talking about refers to a project that has been undertaken by the citizens of the Grier Heights Community with the cooperation efforts of his department. That the \$25,380 referred to here is their own funds of the 15 people who are currently members of that Development Corporation to purchase the land; they have in mind putting on that land 6-8 businesses right now; and the plan calls for constructing a barber shop, beauty shop, washerette, a record shop and a convenience grocery store; there possibly will be one or two other structures and businesses going into that particular area. The basic plan at this time calls for them borrowing \$150,000 from our own loan fund for the purpose of building facilities there; and then hopefully they will get a longer term loan from the SBA to allow them to return their funds to us, and have a longer term loan to do other kinds of things they want to do in this particular project. In order to get the SBA loan they will need to increase their Board Members to 25. This is a very worthwhile project; it is the first of its kind where a neighborhood group is doing something of this nature. His Department is quite proud to be a part of helping them.

Mayor Harris asked if they have the zoning pattern down now for the entire area? Mr. Sawyer replied he can illustrate the proposed plan by a map which is the land use; but not by zoning pattern. They have a plan that has been approved; and was approved over a year ago. In the meantime some property has changed hands, and new owners have come into the picture, purchasing some of the land zoned industrial and residential in the eastern part of the project, near the Wendover Road Extension. One zoning proposal has already been presented to the Planning Commission for rezoning; and others are expected. They have a land use and zoning plan; but some things are beginning to be petitioned for change.

Mayor Harris stated he hopes we are not doing this in pieces, but the whole pie. Mr. Sawyer replied they are trying; they have a meeting with the interests that filed a petition to rezone a portion of this land last week, and as a result of that meeting they agreed to ask Council to postpone the hearing proposed for the 24th, pushing it ahead in time for another zoning petition to catch up with it so Council would get the whole picture at one time; and not be hit piece meal.

Councilmember Carroll stated he was pretty excited about this project; and he hopes it is not cold water because it is the sort of thing we should be doing. But he is disturbed about this zoning petition that is coming up, and the impact of that on the economic viability of this little shopping center.



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It looks to him, and all he knows about it is a copy of the letter Council received asking that the hearing be deferred, that we are talking about a 63 acre shopping center right next to it. Mr. Sawyer replied it is a substantial proposal. Councilmember Carroll stated he would hate to see us finance the kind of project we all really want to succeed, and put it at logger-heads with something that is going to drown it out. Mr. Sawyer replied they certainly want to see this succeed; they have very high expectations for it. He is not capable to speak to what the competition might be; but he knows this is proposed as a small neighborhood service type of shopping; and that is a proposal that just cannot be supported by the neighborhood.

Mayor Harris stated this is not the time and place to have a hearing regarding the other matter.

Councilmember Carroll stated in following up his concerns he would like to ask Mr. Sawyer to talk with the interests that is developing this other shopping center. Maybe there is an opportunity there for some of the minority interest to participate; or some way they can work together since they are going to be neighbors.

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

The resolution is recorded in full in Resolutions Book 13, at Page 252.

DISPOSAL OF HOUSING RECORDS MAINTAINED BY THE BUILDING INSPECTION DEPARTMENT, AUTHORIZED.

The request of the Director of the Building Inspection Department to dispose of records consisting of complaint and notice of hearings, and findings of facts and orders used in enforcement of the City's Housing Code, from January 1, 1974 through December 31, 1975 was presented for Council action.

Councilmember Selden stated he asked that this be deferred before as he wanted to examine the records to see the viability of use in connection with the in rem remedy in public housing and so on. He has reviewed a substantial sample of the records and he wishes to make a report.

The records would not be particularly useful; however, the examination did show some very interesting factors. First, our Inspection Department is very patient in following up on repairs, hearings and other actions. Second, some absentee owners are more difficult to deal with than others; some take action promptly and others drag their feet to a considerable degree.


He feels our actions with respect to the in rem remedy perhaps we could develop a carrot stick philosophy in this particular area where the absentee owner is prompt, and where he is not prompt.

stated  
Councilmember Selden/the degree of substandardness varies; it appears those units recommended for demolition are definitely beyond economic repair. Four, there were indications of repeats where houses brought up to standard were cited again within several months time indicating violations both within and in the neighborhood of vandalism.

Councilmember Selden moved approval of the disposal of Housing Records maintained by the Building Inspection Department as provided for in the Municipal Records Manual. The motion was seconded by Councilmember Locke, and carried unanimously.

ADJOURNMENT.

Upon motion of Councilmember Locke, seconded by Councilmember Selden, and carried unanimously, the meeting adjourned.

  
Ruth Armstrong, City Clerk