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The City Council of the City of Charlotte, North Carolina, met in regular session on Monday, August 7, 1978, at 3:00 o'clock p. m., in the Council Chamber, City Hall, with Mayor Kenneth R. Harris presiding, and Councilmembers Don Carroll, Betty Chafin, Tom Cox, Jr., Charlie Dannelly, Laura Frech, Harvey B. Gantt, Ron Leeper, Pat Locke, George K. Selden, H. Milton Short and Minette Trosch present.

ABSENT: None.

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INVOCATION.

The invocation was given by Councilmember Milton Short.

APPROVAL OF MINUTES.

Motion was made by Councilmember Trosch, seconded by Councilmember Frech, and unanimously carried, approving the minutes of the last meeting on July 24, 1978, as submitted.

NOMINATIONS TO CIVIL SERVICE BOARD SCHEDULED FOR AUGUST 21, 1978.

Mayor Harris announced that nominations will be made at the next meeting on August 21, 1978, to fill two (2) unexpired terms on the Civil Service Board. He stated these are very important positions and he hopes Councilmembers will give a lot of thought to their nominations.

Councilmember Cox reminded other Councilmembers that citizens have been encouraged to use the talent bank as a primary source of names for people to serve on the various boards and committees; that it does not appear that Councilmembers are using that source.

Councilmember Trosch requested that Councilmembers be supplied with the existing composition of the boards and committees; that the lists which they have are not up-to-date.

STATEMENT OF COUNCIL'S INFORMAL ACTION TO AUTHORIZE BOND REFERENDUM.

Mr. Burkhalter, City Manager, stated for the record that at the luncheon meeting prior to today's Council meeting, the City Council informally authorized the staff to prepare the bond papers necessary to have a referendum for a \$9.7 million in parks, \$8.8 million water and sewer, and \$1.5 million for storm drainage.

CITY OF CHARLOTTE EMPLOYEE PLAQUES PRESENTED TO RETIRED EMPLOYEES.

Mayor Harris recognized Mr. Herman J. Hoose, former Transportation Planning Coordinator - employed February 1, 1948 and retired June 27, 1978 - and presented him with the City of Charlotte Employee Plaque in appreciation for his service to the City. Mr. Hoose was extended best wishes by the individual Councilmembers, and expressed his appreciation.

Mr. Israel Stewart - Custodian, Mint Museum, employed August 15, 1973 and retired June 30, 1978 - was presented his Employee Plaque in absentia.

COUNCIL ADVISED OF COUNTY COMMISSION'S REQUEST THAT CHARLOTTE FIRE DEPARTMENT BE DESIGNATED AS FIRST RESPONDER IN EMERGENCY MEDICAL SERVICES.

Councilmember Chafin advised that Mr. Robert Miller who has been chairing the Mecklenburg Emergency Medical Advisory Council came over earlier today as a representative of the County Commission to let the City Council know

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that the Commission earlier passed a motion requesting that Council designate the Charlotte Fire Department as first responder in the Emergency Medical Service. They wanted to let Council know this as soon as possible so that the respective staffs could get together on this and bring something back to the City Council for approval.

Mr. Burkhalter, City Manager, stated he did not know this; that he would caution Council that they have not seen the plan - that unless they have a plan he does not know how they can supplement their contract to be first responders.

Councilmember Chafin replied they need to develop such a plan.

Mr. Burkhalter stated that on behalf of the Council, he told them that the City would be willing to consider this. The proposed contract which was sent him was one that they used with volunteers and he does not think they would want to consider that without knowing what the plan is. That he will be glad to work with them and perhaps they have something now.

HEARING ON PROPOSED SALE OF PROPERTIES IN THIRD WARD COMMUNITY DEVELOPMENT TARGET AREA TO MOTION, INC.; RESOLUTION APPROVING SALE OF SUCH PROPERTIES.

A scheduled public hearing was held on the proposed sale of properties in the Third Ward Community Development Target Area for rehabilitation and re-sale, to MOTION, Inc.

Mr. Vernon Sawyer, Director of Community Development, stated that this proposed sale of properties is all in accordance with the contract with MOTION, Inc. which Council approved some months ago. That state law requires that the sale to a non-profit corporation must be consummated after a public hearing.

No opposition was expressed to the proposed sale and there were no questions from Councilmembers.

On motion of Councilmember Leeper seconded by Councilmember Gantt, and unanimously carried, a resolution was adopted approving the sale of seven properties on Greenleaf Avenue in the Thrid Ward Community Development Target Area to MOTION, Inc., for a total amount of \$26,750.

The resolution is recorded in full in Resolutions Book 13, at Page 385.

HEARING ON PROPOSED SALE OF PROPERTY IN GREENVILLE URBAN RENEWAL AREA TO FIRST MAYFIELD MEMORIAL BAPTIST CHURCH; RESOLUTION APPROVING SALE OF SUCH PROPERTY.

A scheduled public hearing was held on the proposed sale of property in the Greenville Urban Renewal Area to First Mayfield Memorial Baptist Church for construction of a new facility.

Mr. Vernon Sawyer, Director of Community Development, pointed out on a map of the Greenville area the intersection of Statesville Road and Oaklawn; and stated that this proposal is for the sale of a piece of property which is just beyond that intersection on Oaklawn; that it was designated as a church site in the Urban Redevelopment Plan for this project area. The first attempt to sell it was to a church that was in the Greenville project and was having to be relocated. That sale did not work out; the church could not raise the money, and finally bought another church elsewhere. The CD Department has been in contact with Mayfield Memorial Church for a number of months; they have plans which have been presented to the department; that the concept and everything looks fine.

Councilmember Frech asked if Mr. Sawyer has any idea what Urban Redevelopment originally paid for this land? Mr. Sawyer replied that he did not know; that he could find out. He explained that the whole philosophy of urban renewal was first to eliminate the blight; that was the primary objective, and the money was really spent to accomplish that objective. Secondary to that, the City ended up with land that it had to sell; it had that land appraised

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and sells it at its fair market value. Here again, the reason they are having this public hearing is because state law requires it prior to a sale to a non-profit organization. He stated it would be difficult to get this information on the amount originally paid for the land because it does not match the former lot arrangement - some of it has been used for streets, etc.

Councilmember Gantt stated his question has more to do with the overall development of Greenville. That it has been a long time since most of that was cleared; that he noticed from one of the capital improvement status reports that the City owns all but .4 per cent of the land in Greenville, and that we are also developing a park in that area. Mr. Sawyer confirmed this, stating it is right in the center and will be brought into that.

Mr. Gantt stated the park is almost completed, it is related to the neighborhood center, and he understands MOTION is getting ready to apply for Section 8 funds to build some additional housing in there? Mr. Sawyer replied he does not believe so; they have applied with Section 8 for the housing they already have.

Mr. Bob Acree of MOTION, Inc. stated they have applied for a Section 8 grant for a new apartment complex. Councilmember Gantt stated he is aware of a shopping center going in there and it seems as though they may be getting "off the ground" in that area. He asked who will maintain the park? Mr. Sawyer replied that is being turned over to the Department of Park and Recreation.

Councilmember Gantt stated that Mr. Sawyer should tell them in advance that they are getting this park; that someone appeared before Council earlier and complained about a park that Mr. Diehl did not know anything about because CD had built it.

Councilmember Leeper asked if he could get a small map of the Greenville area with a breakdown of how all of the vacant property is currently zoned? Mr. Sawyer agreed to get this information for him.

No opposition was expressed to the sale of this property.

On motion of Councilmember Locke, seconded by Councilmember Leeper, and carried unanimously, a resolution approving the sale of 98,490 square feet of property in the Greenville Urban Renewal Area to First Mayfield Memorial Baptist Church, for a total amount of \$17,728.30.

The resolution is recorded in full in Resolutions Book 13, at Page 386.

ORDINANCE NO. 158-X DESIGNATING PORTIONS OF THE EXTERIOR AND INTERIOR OF THE LATTA ARCADE AS HISTORIC PROPERTY.

Motion was made by Councilmember Selden, seconded by Councilmember Chafin, and unanimously carried, adopting the subject ordinance to designate portions of the exterior and interior of the Latta Arcade in the 300 block of South Tryon Street in Charlotte, as historic property.

The ordinance is recorded in full in Ordinance Book 26, at Page 83.

ORDINANCE NO. 159 AMENDING THE FLOODWAY ORDINANCE TO COMPLY WITH STANDARDS OF THE FEDERAL INSURANCE ADMINISTRATION.

On motion of Councilmember Cox, seconded by Councilmember Carroll, and unanimously carried, the subject ordinance was adopted amending the Floodway Ordinance to comply with standards of the Federal Insurance Administration.

The ordinance is recorded in full in Ordinance Book 26, at Page 86.

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ORDINANCE NO. 160 AMENDING THE SUBDIVISION REGULATIONS TO REQUIRE THAT FLOODWAY INFORMATION BE INCLUDED ON FINAL PLATS APPROVED BY THE PLANNING COMMISSION.

Motion was made by Councilmember Selden, seconded by Councilmember Cox, and unanimously carried, adopting the subject ordinance amending the subdivision regulations to require that floodway information be included on final plats approved by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 26, at Page 89.

COUNCIL RULES SUSPENDED IN ORDER TO DISCUSS NON-AGENDA ITEMS.

On motion of Councilmember Selden, seconded by Councilmember Carroll, and unanimously carried, Council rules were suspended in order to discuss the following item.

PERMISSION GRANTED BEALER WHOLESALE COMPANY TO SERVE FOOD AND BEER IN PARK ROAD PARK AT NATIONAL SOFTBALL TOURNAMENT.

Motion was made by Councilmember Selden, seconded by Councilmember Short, allowing Bealer Wholesale Company to host a food and beer party at the conclusion of a National Slow Pitch Softball Championship Tournament at Park Road Park August 31 - September 4, 1978. The motion carried as follows:

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

NAY: Councilmember Trosch.

Mr. Burkhalter advised that on the August 21st agenda a proposed policy for such requests will be presented.

FINANCE COMMITTEE CHARGED WITH RESPONSIBILITY OF PARKS BOND PACKAGE.

Mayor Harris stated that the Finance Committee chaired by Councilmember Cox, would be the appropriate committee to take the matter concerning the parks, hear the citizen input concerning priorities, and report back to Council in the next few weeks on the items to be included in the parks bond package. Mr. Cox asked about the time frame and after further consideration the Mayor stated the committee should make a report to Council sometime before the public hearing on September 11th.

CONTRACT WITH THE CHERRY COMMUNITY ORGANIZATION FOR A HOUSING CONDITIONS SURVEY WITHIN THE CHERRY NEIGHBORHOOD STRATEGY AREA.

Motion was made by Councilmember Short, seconded by Councilmember Chafin, to approve a contract with the Cherry Community Organization for a Housing Conditions Survey within the Cherry Neighborhood Strategy Area, for a total of \$10,000. It would provide for a report on housing conditions, feasibility of renovation and cost.

Mr. Brevard Myers stated that without knowledge that this item would be on the agenda today, he had on August 4th written the Mayor the following letter:

"The amendments to "The Preliminary Plan for the Expenditure of Community Development Block Grant Funds" as approved by the Council on Monday, February 27, 1978, contained the following:

'The goals for the revised Community Development and Re-development Plan for Cherry are to maintain Cherry as a residential neighborhood, and to rehabilitate the housing stock in Cherry so that it is safe and sound and so that the longevity of the dwellings is increased. In order to accomplish these goals, the dominance of absentee ownership of the dwellings in Cherry should be eliminated.'

"I also understand that the special Housing Committee is completing its report.

"As an assist in eliminating absentee ownership and breaking the inaction of all parties involved, I would like to offer the City or its assigns all the residential property which my family owns in the Cherry Community for the sum of Three Hundred Twenty-five Thousand Dollars (\$325,000). This is contingent upon closing the transaction by the end of this calendar year as we have definite plans and a time table for reinvesting these funds. This property is listed as follows:

Tax Code	Triplexes	Duplexes	Single	Vacant House Sites	Total Units
125-216-7			1		1
125-234-25	3				9
125-224-02	3				9
125-233-13					
125-243-33				2	
125-243-38				7	
125-245-1)					
125-245-5)				3	
125-245-6)					
125-234-6		1	6		8
125-234-10		7	5		19
125-234-17)					
125-234-23)		9	1	4	19
125-234-24)					
	6	17	13	16	65

"This selection provides 13 units for sale to the occupants, 16 lots for 'in fill' construction and 52 units for upgrading and operation by the suggested 'nonprofit' entity. With a few exceptions these units are 'standard' with reference to the City Housing Code.

"Your attention is called to the fact that this purchase price is less than the Contingency Fund set up in the Preliminary Plan of the Community Development Funds for the Cherry Community.

"I will be glad to meet with you or other responsible City representatives at any mutually convenient time. Please let me know if there are any questions."

Mr. Myers stated he is neither speaking for or against the proposed contract; he simply asks that Council decide what they are going to do with the report before they direct the group to begin their work, and then stick with that objective and expedite whatever action they plan to take in Cherry. That they are in a state of not knowing where they are going; it is hurting the entire community; it is deterring good planning. He asked that they move on.

Mayor Harris stated this offer is not relative to the item under consideration, but he appreciates knowing about it. He indicated he had not seen the letter.

Councilmember Selden asked if the City were to purchase this property would it change the study proposed in this contract? Mr. Sawyer replied that the plan is being formulated primarily by the neighborhood organization.

Mr. Myers stated they are going to make a study of the cost of updating this property - if a private individual does it it will be one thing, if Community Development does it it will be another, if the community group does it it is another. That the study should be directed toward what their ultimate objective is going to be.

Councilmember Short asked if the property Mr. Myers is offering to sell is largely contiguous lots? Mr. Myers replied except for two odd tracts they are virtually two-thirds of a block at a time. Mr. Short stated it is not just a sprinkling of isolated properties? Mr. Myers replied no; and that one is a single house and could be sold to the occupant.

Councilmember Selden stated, in view of the fact that this might change the subject contract, he will make a substitute motion to defer this until the next meeting in order to evaluate that aspect of the situation. The motion was seconded by Councilmember Locke.

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Councilmember Gantt stated he is not sure how this would change the substance of the survey. Is he saying that if the City chooses to buy this that the survey that the Cherry Community is planning on doing would not be needed? Mr. Selden replied perhaps a portion of it would not be required - the number of units, etc. It was brought out that Mr. Myer's proposal covers 65 units which is a small part of the almost 300 units which are proposed to be studied.

Councilmember Short stated it seems to him that this offer heightens the need for this group to sponsor this study.

Mr. Sharif Abdullah stated he is the attorney for the Cherry Community Organization; that the way they understand this, the offer of Mr. Myers would not necessarily change the outcome of the survey. It is their goal to survey each and every house in Cherry, whether they are owner-occupied, whether they are vacant, whether they are tenant-occupied. By surveying the houses, they will get a clear indication of exactly how much it would take to renovate that piece of property, if it is worth renovation, if it is worth the asking price for it.

To give them a little history of the negotiation situation, there was one property that was on the market for \$10,000, but through negotiation and doing a housing stock survey on that property they managed to get a purchase option for \$4,000. That they will be able to find out what the true market value of the property is by having the survey take place. It should be wrapped up before the deadline that Mr. Myers proposes.

Mayor Harris stated the matter is that Mr. Myers has made an offer to the City and can Mr. Sawyer use the Cherry Organization to establish whether it is the proper value. That is the question he would have. There would be no reason to pay for appraising the City's own property.

Mr. Sawyer stated the contract they are recommending for approval today does not deal with the values of property; it deals only with the condition of the property. Councilmember Cox stated but it does talk about the cost of rehabilitating it and placing a value. Councilmember Gantt stated it would relate to value, but it would seem to him that an appraisal would only tell what the value of that property is right now; it would not be inconsistent to have the Cherry survey go on because some of the information would be very valuable in establishing the future value of that property.

Mayor Harris replied that is his question - do we need that on these pieces of property, to have the organization do that kind of study for the City, if the City considers this as a reasonable offer.

Councilmember Carroll stated they need the study irregardless of how they proceed because their interest is rehabilitating the Cherry neighborhood. They need to do that whether the neighborhood organization is the owner, whether the occupants are the owners. They need to come up with a budget and overall plan which they have been long delayed in getting. That for that reason he sees no reason to delay it. That the information they have is important regarding the sale, but under state law that all has to be appraised anyway.

Councilmember Selden stated he does not question the need for a study per se. That the study calls for 80 percent; maybe this would distinguish between units that would be studied and units that would not be studied. Maybe there is no need to study those units that the City will buy on an appraisal value basis, or an offer price and appraisal value basis. Mr. Carroll stated they will need to be studied too to come up with the part of the plan for the whole community.

Councilmember Cox stated they are trying to grope for a solution; that if it is appropriate he would like to ask the City Manager for an opinion to help them sort this thing out.

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Mr. Burkhalter replied to be honest with them, he will tell them to start with that he has staff people already on board to do this type of work. The reason the contract is before Council today is because the Council instructed him that they wanted to enter into an agreement with this community to do this kind of study themselves. There is no objection to their doing it, but he just wants them to know that staff is competent to do this same thing. But, due to the fact that they are going to do it, or he assumes they are, he see no reason for not doing it now because it will be helpful in the future to have this information.

On motion of Councilmember Gantt, seconded by Councilmember Leeper, and carried unanimously, the question was called; and the vote taken on the substitute motion for deferral. The motion failed by the following vote:

YEAS: Councilmembers Selden and Locke.

NAYS: Councilmembers Carroll, Chafin, Cox, Dannelly, Frech, Gantt, Leeper, Short and Trosch.

Councilmember Short stated he is sure Mr. Myers is good for whatever he claims to offer; he does not question his ability to deliver; but just to get the specifics straight, he would like for him to state who owns the land he is offering for sale. Mr. Myers stated it is owned by himself, John Myers and a family trust. Mr. Short asked if John Dwelle is involved and Mr. Myers replied no.

The vote was taken on the original motion to approve the contract and it carried unanimously.

AGREEMENT WITH THE URBAN REINVESTMENT TASK FORCE TO PROVIDE A PLAN FOR DEVELOPING A NEIGHBORHOOD HOUSING SERVICES PROGRAM.

Motion was made by Councilmember Chafin, seconded by Councilmember Gantt, to approve an agreement with the Urban Reinvestment Task Force to provide a plan for developing a Neighborhood Housing Services Program; the City to provide \$35,000 for administrative costs in the first year and make a commitment for providing a revolving loan fund.

Mayor Harris recognized two representatives of the Urban Reinvestment Task Force - Ms. Margaret Frisbee, Deputy Assistant Director; and Ms. Meta Wright, Assistant Field Representative.

Councilmember Locke stated she has some questions about this. She asked Mr. Sawyer to explain a paragraph in the agenda attachment which gave the NHS organization's operating expenses as approximately \$60,000 per year and stated "if necessary, the City shall contribute the balance of the NHS's operating budget." How much money does he think the City will be asked to provide other than the \$35,000?

Mr. Sawyer, Community Development Director, stated that on Page 1 of the explanation of the agenda item, he presented the big picture as they understand it of the total need for funds over a three-year period. That a three-year period was chosen because that is the amount of time that a typical project takes. The \$35,000 is just for the initial developmental period.

Ms. Locke stated she thought that was all the Council had committed themselves for. Mr. Sawyer replied that is all they will commit themselves to at this point. Ms. Locke stated but if they go further, they will also have to go with the rotating fund which is \$250,000 too. Mr. Sawyer replied yes. Ms. Locke stated it was her understanding that they were only to give the seed money, \$35,000, and in other cities the Savings and Loans are the ones who have provided the money. She does not mind giving \$35,000 each year for the next three years, but to give a total of \$250,000 plus is an exorbitant price to pay.

Mr. Sawyer stated he does not know where she got this information; that his department did not furnish Council with information that said the City only has responsibility for \$35,000. Ms. Locke stated that is what Council said.

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Mr. Sawyer stated that this recommendation which is before Council today is for an appropriation of \$35,000 to finance what is called in this whole process a developmental period. That will finance local staff; it will also include assistance by Ms. Wright and Ms. Frisbee as needed during this ten to twelve month period, to see whether or not the City Council wants to go further. If at the end of that period, Council's decision is to pursue this as a local program, then the Neighborhood Housing Services Non-Profit Corporation is formed in accordance with the guidelines and at that time Council will make another decision as to whether or not they want to finance the revolving loan fund over a three-year period, and whether or not they want to contribute the balance of the \$60,000 that remains after efforts are made to raise this money - the operating money only - from local private means.

Councilmember Locke stated she is concerned that they are getting themselves into something that they may never be able to get out of. She does not mind the \$35,000 but they may be committing themselves to a lot of money over a long period if they even vote this \$35,000.

Mr. Sawyer stated that he wants to impress upon Council that this is not intended to be a one year operation, or a one year contract; he would like for them to feel that if they go into this phase they need to be open-minded about the remainder.

Councilmember Trosch stated she has a lot of the concerns that Ms. Locke has mentioned in that she believes that voting this contract, as she reads the agreement, does in essence commit them to the \$250,000 revolving loan fund, plus any additional relief in the \$60,000; plus providing capital improvements, increased City services, systematic minimum housing code compliance - a very large commitment they would be making. That in the budget hearing they were to investigate the possibility of involvement of the private sector and its interest in this. From the agreement, it looks as though there was not a lot of incentive for the private sector since the City was saying they would commit the \$250,000 plus anything that was left from the \$60,000.

She asked if in the other cities the \$250,000 was always done by the public sector; that she did not read in the material given them at budget time that this was the case. She understood it was more difficult to get private money in the initial stages and public money now has begun to be funneled into it, but not necessarily have to be. She does not mind beginning to look into the interest of the community, in the private sector, for the possibilities. That it is a good program in many ways; she just has the problem too in this particular agreement with the spelling out of the \$250,000. She also keeps remembering the Villa Heights people where they felt Council was committed and Council said well they would come back later with money.

Mr. Sawyer responded by stating that the reason they invited Ms. Frisbee and Ms. Wright today was to speak to such questions and to speak to the incentives and philosophies.

Councilmember Gantt stated that the definition of what constitutes a successful survey or a successful period after the \$35,000 is used seems to be the key in Council's decision as to whether they want to go further.

Ms. Frisbee stated it would be their hope that the program would to fruition after nine or ten months and would become an operational and locally controlled Neighborhood Housing Services program similar to the programs which are now operational around the country. Including the 15 they are working on right now, there will be about 65 programs by the end of the year. The seed money is to pay for local staff persons to work for this period of time with her and with Ms. Wright in bringing the program into operation. The revolving loan fund does primarily come from city sources, plus a \$50,000 grant from her organization, Urban Reinvestment Task Force. They try to raise funds - the \$300,000 is the minimal amount. The operational programs have been around for a number of years. The first one was in Pittsburgh and it has been in operation for ten years. That through private sources they have raised their fund now to about \$900,000. Many other

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cities have gone way past the \$300,000 level, and they get that money from foundations, local corporations, businesses, insurance companies; they are now getting it from credit unions as they are recognizing that they have an interest in inner city neighborhoods. So, the track record is good down the line. She stated they would not want to get into a program in the early stages and not have some assurance that there was going to be money for this revolving loan fund.

She will give them one other example of how that is used. That is not the only money that is loaned out in the neighborhood; it is just a small portion of money. That money goes to a family which is not able to get money from a private source. In the cities that they have worked in and have a track record in, that money has levered anywhere from five to ten times as much in terms of private home improvement loans. So, that is really seed money in a sense.

Councilmember Selden asked if he understands correctly that the parent organization will not go into a venture in a city unless there is a commitment on the \$250,000?

Ms. Frisbee replied that is right; with an understanding that the City has a right at the end of the developmental process to say that they think it is a good program, or not a good program, and do not want it to go forward. That as Mr. Sawyer told them, today they would be just committing funds for this year for \$35,000 to go through the process. That she thinks it is only fair to be honest, and they have never gone through the process and not come up with an operational program. That they are talking about just \$100,000 for the first year. In the first year of operation \$100,000 is sufficient; the remaining money would come in the second and third year.

Councilmember Gantt asked if when she says \$100,000 is she including operational plus the revolving funds? Ms. Frisbee replied no, the revolving funds from the city are \$100,000. She thinks they should also talk about the \$60,000 operating budget. That they make every attempt to raise that from the local banks, savings and loan associations, and in most cases all of it is raised locally, from private sources. That is in the contract in case they are not able to, they do not want to get all the cooperation and not be able to get operational because of money that cannot be raised locally.

Councilmember Selden asked if the City went along with the program and made the commitment and then they were not satisfied with the program, at the end of the first year, they could close out?

Ms. Frisbee replied that they will have made a commitment though that if the program comes together and they are satisfied that it is what they promised to deliver which is a fully operational NHS program similar to others around the country, they would then release the first year's contribution to the revolving loan fund.

Councilmember Gantt asked what constitutes a successful program? Would they come into the community and pick a target area that fits the criteria of a certain percentage of single family houses, a certain percentage of home ownership, etc. etc. Ms. Frisbee replied they would not pick the target area, but they would work with the local residents, the lenders, and people from the City and jointly they would pick the target area that they would like to work in. At the end of the period they are here there would be staff hired, a neighborhood that would be identified, and they would give periodic reports to Council about their progress in identifying that neighborhood. That what they consider as being successful is that a real partnership of the private sector, community residents and the city is pulled together - all working together to renovate one neighborhood in the City of Charlotte. That after a year you can look at some other things to measure success - how many loans have been made, how much money has been collected in the area, how many people have been serviced, how many houses have actually been fixed up. At the end of a year, or two, you have some very measurable things to look at.

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Councilmember Gantt stated this is not a program to further a system of Fourth Ward development, is it? Is this more the grey areas type - Plaza-Midwood and such areas.

Mayor Harris stated he believes the basic requirement is 50 percent owner-occupied homes, and three out of four have to meet normal loan standards. That it is a very good program; that it is one way of using a lot of private capital.

Councilmember Frech asked if by the time they finish the nine or ten months development, will they have the operating money - the \$60,000 - lined up? Would they be able to tell Council at that time the amount the city would have to put in? Ms. Frisbee replied yes.

Mayor Harris asked how much money will be involved in the savings and loan area? Mr. Willard Gatling, Jr. of First Federal Savings and Loan, replied he does not know that, but there is interest from his institution in the NHS and he is satisfied the interest in there from private lending institutions. That the beauty of this thing is that they are linking hands with so many elements of the community. That he has seen the operation in Dallas which is the model in the country - he saw the neighborhood with the homes fixed up and pictures of what they looked like before in various stages of deterioration; he also saw the one in Pittsburgh. He stated it is a tribute to the community to promote this sort of thing.

Councilmember Frech stated she would like to point out that this looks like a case of you spend some money now to repair it while you can, or you go in later and clear it at a huge cost.

Councilmember Chafin stated Council might be interested in knowing that this program was reviewed briefly by the Housing Task Force last week. It was endorsed by a slim margin because many of the members of the task force felt that they had not had adequate time to study it and get sufficient background on it, but they did feel that it is a program that preserves neighborhoods, that preserves housing stock, moderate income housing, low-moderate income housing stock that we so desperately need in this city to prevent neighborhoods from becoming Community Development target areas where huge sums of money have to be invested. It was also felt by at least some members of the task force that an investment in this revolving loan fund would not create a problem for the task force in terms of implementing their recommendations because it is going to take some time to gear up most of the programs that the task force is recommending. This is a proven program, it has a good track record, and hopefully it can be geared up within the year's period of time; that they would expect it to be operational within that period.

Councilmember Carroll asked what happens to the revolving fund should the program come to an end? In other words, it is a perfect model and everybody does the job and decides to go home. Does the City get its money back? Ms. Frisbee replied no, the money stays in the neighborhood for ongoing maintenance. That with the program in Dallas - they are now moving on, they have completed the Love Field area in Dallas, it is 100 percent completed. A decision has been made to keep the money there and to move on to a new neighborhood.

Mr. Carroll stated he understands the concept of eventually moving around the whole city, but say you get the whole city taken care of, what happens to the \$2 million that is left in the revolving fund at that point? Ms. Frisbee replied she thinks it stays right in the community; there are people who have been working on this for years and years and their attitude is that housing maintenance is never over. You complete Love Field tomorrow and in five years you had better go back in and put new roofs and new painting to keep it up constantly. That, there again, she would be kidding them if she stated the money would come back.

Mr. Carroll asked who actually holds the revolving fund? Ms. Frisbee replied it would be in the name of the Neighborhood Housing Services Corporation - a non-profit corporation. Mr. Carroll asked if the articles of the incorporation generally provide for what happens to that money should the corporation be dissolved? Ms. Frisbee did not know the answer to this question.

Ms. Wright stated they have just finished developing a program in Charleston, S. C. That NHS is really a partnership between neighborhood residents, lenders and city officials. It creates that kind of trust that was not there before. The lenders sometimes may not have trusted the city officials, the city officials probably felt they did not want to put new streets and new sidewalks in a neighborhood, or invest in a neighborhood, because the people were not fixing up their houses, the people felt they did not want to fix up their houses because they could not get the money from local lending institutions. The local lending institutions felt if the City would not improve the public amenities, the residents were not interested in improving their houses, then why should they loan money there. That what the NHS program is during the development is to create this trusting partnership; to start pulling these elements together. That a lot of these things are weeded out. A local coordinator is hired to work very closely with pulling these elements together. Along with that local coordinator's salary, there also comes a series of workshops between residents, lenders and city officials. The cards are put on the table and when you start pulling out of that deck, you start talking about these things Council is asking about right now, and some of these things start opening up, the the lenders start to think that neighborhood is okay; the residents of the neighborhood begin to say they want to stay in their neighborhood. When everyone understands what the needs are of everyone else in the neighborhood, then these things start pulling together. Then the City Council, during the process of the development, would get periodic reports of what is happening; the local coordinator would come in, she herself would be in sometimes. She will be in the City of Charlotte during the development and will be working with the local coordinator in pulling these things together. They will keep Council on top of what is going on and they will know before the end of the development where they are going. They want Council to know. The only way NHS is going to work is if the members of City Council, the Mayor, the lenders, and residents from all across the board, say, "This is not a give-away program; it is a loan program."

In answer to Mr. Carroll's question, Ms. Wright stated that in the by-laws there is included a dissolution clause. The non-profit status that the organization will have and will be controlled by does provide a clause dissolution. If in the event of dissolution, the funds of the corporation are definitely generated back into the community. In the case of dissolution, however, it can only be moved to a similar type organization, with the same type of 501-3C regulation by the federal government.

Mr. Carroll stated that is the answer he was looking for - if the organization dissolves, then the money has to be transferred to another non-profit organization which has the same goals.

Councilmember Leeper's call for the question carried unanimously.

Councilmember Short asked if the \$60,000 annual operating money comes out of local taxes? Mr. Sawyer replied yes, that is the maximum; that the \$35,000 is not Community Development funds. That in case there is some misunderstanding, this is not a Community Development program.

The Mayor ruled that any further discussion is out of order, and called for the vote on the motion which carried as follows:

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

COMMITTEE TO BE APPOINTED TO STUDY AND MAKE RECOMMENDATIONS FOR FUTURE ELIMINATION OF PARKING ON CENTRAL AVENUE BETWEEN THOMAS AND PECAN AVENUES.

Motion was made by Councilmember Selden, seconded by Councilmember Leeper, to approve the recommendation of the Traffic Engineering Department that the parking spaces on Central Avenue, between Pecan and Thomas Avenues, be eliminated.

Mr. B. A. Corbett, Traffic Engineering Director, stated that in February he made a presentation to Council which came about as a result of the appearance on their accident program of a section of Central Avenue, between The Plaza and Pecan Avenue. Further analysis of that problem showed that the

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majority of the difficulty occurred in the single block between Pecan and Thomas. He stated that particular section of Central Avenue is some 50 feet wide and parking is permitted on both sides, 24 hours a day. Parking is limited to one hour maximum. The roadway is divided into four 9-ft. lanes; that Council will recall that as part of his previous presentation he showed a time-lapse photography study of the difficulty that traffic has in maneuvering in those four lanes when parking is present. The problem was that in that one block area, in a three-year period, there were 66 accidents which were a direct result of vehicles striking parked cars or cars entering or leaving parking spaces striking vehicles going along Central Avenue. He recommended to Council at that time that parking be removed permanently at all times. Council asked that his staff go back and contact the neighborhood groups and the merchants in the area and to prepare a plan showing what additional parking should be provided in the area.

Subsequently, they notified the three neighborhood groups that there might be, at a later date, another presentation of matters relating to the parking removal. These letters were sent out on May 15th and they had no response to the letters. Their assumption then was that there was not great interest in what they proposed to do. Then, according to Council's instruction, they wrote individual letters to all of the merchants - some 18 - advising them that they were going to remove the parking on July 17th.

Following that a petition came into the Manager's office protesting that action and subsequent to that some people appeared before Council and the matter was placed on the agenda today. He stated that in the petition which was presented by the businessmen in the area, they asked that the removal of parking be confined solely to the peak hours and permit parking to stay the rest of the time.

Using a chart which he had prepared he showed Council what is involved in that situation. It indicated that in the morning, during the peak hours, the vehicle volume along Central Avenue is very high. During the off-peak it drops off and about noontime it evens off; in the afternoon the outbound peak picks up and then it drops off very rapidly. The curb usage during the peak traffic hours is very low. In fact, during the low traffic volume hours the curb usage increases - it is exactly opposite in almost each case to the vehicle volume.

What happens to the accident picture? The accidents are not heaviest when the vehicle volume is heaviest; they are heaviest when the vehicle volume is lowest. That what is happening is that the frequency of accidents along this block occurs not during the peak hours, but during the hours of heaviest parking. That in answer to the petition, the removal of parking only during the peak hours would not solve the problem in reducing accidents along this block of Central Avenue. If their goal is to reduce accidents, then the only thing that can solve that problem will be to remove parking throughout the day.

Mr. Corbett stated that as part of their study they did a detailed analysis of the 22 parking spaces which are located there. There were some 187 vehicles that parked in those 22 spaces during the regular hours of the business day. Out of those, 19 cars occupied a total of 11 of those spaces (50 percent of them) for the entire day. These were all illegal parkers, in that they were parking longer than one hour. This means there were only 11 spaces left for the remainder of the people who parked there.

Another thing that they discovered was that only 59 percent of those parking spaces, taking into consideration all 22 of them, were used throughout the total day. That means they had a vacancy ratio of 41 percent. Another interesting fact was that on the north side of the street, where parking had been provided to some extent by the merchants to the rear of the structures, the parking spaces there are utilized only 30 percent of the time. This would tend to indicate that where off-street parking has been provided behind the buildings, there is a reduced use of the on-street parking spaces. He pointed out on the map the area behind the buildings which is available for parking use - one area could accommodate 7 vehicles, another which could accommodate 10 and a parking lot on the corner which could accommodate 18; another unimproved lot could accommodate about 40. None of these areas are improved.

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He stated Council has also asked that they come up with a plan for improving Thomas and other streets in the area to provide additional parking. Using a chart he indicated how Thomas Avenue could be improved by adding some curbs and gutters and some planting areas. It would provide some restrictions on businesses which now drive straight in from the street, but they can get a total of 31 parking spaces there. There would be a cost associated with that, a cost which at the present time is not budgetted - \$92,900.

An alternative solution is to improve, not only Thomas, but also Gordan which runs parallel with Thomas; set both of them as one-way streets, with Gordan going in the northern direction and Thomas going in the southern direction. This would provide angle parking and a one-way path. With this they could get a total of 27 on Thomas and 13 on Gordan, a total of 40 on both streets; it would also provide channelization improvements at Gordan and Pecan. The cost estimate on that is \$151,000, which is not budgetted.

Councilmember Gantt referred to the Thomas and Gordan Avenues proposal made in response to Council's request that he examine other potential on-street parking and asked Mr. Corbett if he senses that that is going to assist in the access to stores along Central Avenue - will people park down Thomas Avenue and walk all the way back to Central?

Mr. Corbett replied he has his doubts if people will walk from that area to the stores; that Council should not misunderstand him - he is not recommending that plan as a solution, it is just something they looked at and are providing for their information.

Councilmember Selden asked if it is correct, as a speaker at the informal session stated, that there are more parking spaces along Central Avenue on the north side than on the south side, thus making it disproportioned?

Mr. Corbett replied he does not recall the exact numbers, but they are roughly the same. He pointed out of the entire length of Central Avenue, three and a half miles, from Tenth Street all the way out to Sharon Amity, there is no other parking permitted on the street.

Councilmember Cox stated Mr. Corbett has talked about accidents in terms of percentages, for his own information, could he give him the numbers behind those percentages? Mr. Corbett replied there were 66 accidents in three years that involved contact between parked vehicles, or vehicles getting in and out of parking spaces. In the two-block area from The Plaza to Pecan Avenue, in three years, there were a total of 185 accidents, but all of those are not attributable to the parking spaces, only 66 are. There were no deaths; there were 62 personal injuries involved and the property damage totalled \$98,210.

Councilmember Carroll asked if they considered any alternatives to deal with the safety problem other than taking the parking off? Mr. Corbett replied no, that is the only one as far as these parking spaces are concerned. That is the only solution as far as the 66 accidents involving the vehicles going in and out of parking spaces which were struck. The only thing they can do is get rid of the parking.

Mr. Carroll asked if he considered alternatives that might slow traffic down, and Mr. Corbett replied that speeding is not a problem in there. They did consider other alternatives to attack other types of accidents. For example, a proposal is made in their report to install a left-turn signal at The Plaza because the accident problem there is one of left turns and is not associated with the parking.

Councilmember Gantt asked about the parking lot on the corner of Thomas and Central and Mr. Corbett stated it is a privately-owned parking lot.

Councilmember Frech asked Mr. Corbett which neighborhood organizations he contacted and he replied Plaza, Midwood and Chantilly. Ms. Frech stated Plaza-Midwood is one, did he contact Elizabeth? Mr. Corbett replied he does not have the information with him, but they sent out three letters. Ms. Frech stated that Mr. Hatley (president of the Plaza-Midwood Association)

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did call the staff person who signed the letter; that the letter said they were planning to hold a meeting and would notify them when the meeting would be. Mr. Corbett stated the letter they sent out on May 15 said that they were planning to make another presentation to City Council - they did not tell them that they would notify them but ask them to keep in contact with the Manager's office or with his office to find out when the meeting would be. Ms. Frech again stated that Mr. Hatley has a letter which said they would have a meeting and would they like an answer, and that they would notify them when the meeting would be; that Mr. Hatley says he did call and talk with his office, telling them they were interested and would like to be notified and that nothing more was done.

Mr. Corbett replied that the information he had was that no one called his office. The Mayor referred to the fact that Mr. Hatley had spoken at the informal meeting and also stated that the letter had stated it was up to them to contact the merchants in the area.

Mr. Jerry Hannes, L. & S. Fashion Shops, stated there are several solutions that he can offer that will not be as drastic as a complete ban on parking. No parking during peak periods, 7:30 to 10:00 and 4:00 to 6:00. Spaces where cars can park should be marked - at present the markings have disappeared - and parking within the marked lines should be enforced. That if people are given tickets for parking outside the lines and learn to park close to the curb, less accidents will occur. That the parking limit of 60 minutes has never been enforced in that block. That when they speak of 66 accidents in three years they are talking about two a month and with careless drivers that is not much.

Mr. Dennis Maynard, 1513 Central Avenue, stated he can think of several things that might improve the situation. They could use some signs that would instruct people to park close to the curb and also to exit their cars from the sidewalk side. That he has seen some of those accidents because many of them occur right in front of his store, but every accident he has seen was caused by people parking about two or three feet away from the curb, out into the traffic lane. He has never seen an accident for any other reason, and he has been there for about six years.

He stated they also have ample sidewalk space and it would seem that it would be very easy to widen the street and he knows there is a lot of expense involved in doing that, but there is enough space to widen the street another three or four feet. That if they have parking removed, it is very hard to get across to people that there is parking in other places. How are you going to let them know this? That all of his customers park right in front of the store and they are not going to park a block or two away to come and buy and 10 to 15-cent item, and a lot of his business is small items. If he has to move because of no parking, many of the people in that neighborhood who are not well-to-do or wealthy people and have very limited income, have to do a lot of their own maintenance work in their homes themselves - they cannot afford to call plumbers and electricians, carpenters and this type of thing - would have no place to go to buy nails, bolts and nuts and hardware items. They do not have transportation; they have to walk wherever they go.

Mayor Harris asked if they have a merchants' association out there; Mr. Maynard indicated that they did not, and the Mayor suggested they should get together.

Councilmember Leeper stated he has a question before any other speakers are heard which perhaps they could address. He would like to know the problem in improving some of that property in the back:

Mr. Jorce Arroba, 1516 Central Avenue, stated if they are forced to close their shops, after a few months all of the colonial look will be gone. He stated there are a number of businesses, not just two or three and listed the wide variety of shops. That 50 people would be unemployed and 150 would be affected. He made three alternative suggestions: Reroute the big trucks; widen the street using part of the sidewalks; or lower the speed limit to 18 or 20 mph in that section. He told Councilmembers if they would help him he would vote for their re-election.

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Mr. Rick Hutchins, 1517 Central Avenue, stated his business is Atlantic Stage Equipment and they deal in both sales and rentals. That his business is very popular at this time; they have only been open one year. Most of his customers park right in the front because most people have to load up their equipment. They may be there from five minutes to an hour.

Mayor Harris asked that he address Mr. Leeper's question about the availability of rear exits, etc. Mr. Hutchins stated they do have rear parking but it is very limited; they can hardly get their employees in there, and their part-time employees. When they have an 18-wheel truck come in with deliveries - which happens every day - the employees have to go out and move their cars and stay in them until the truck leaves. That they cannot have customers coming in from the back as that is used for inventory; they strive for their front door displays so that when they come in they are impressed.

If they eliminated parking completely in front of his store, he does not know what they would do; it would hurt their business tremendously. That as has already been said, one solution would be to enforce the one-hour parking limit. They could handle that better than eliminating parking altogether.

Mr. Nelson Gaertner, 1521 Central Avenue, spoke of Mr. Corbett's plan for placing parking on Thomas and the other streets at a cost of \$243,000. The main thing they are concerned about is the parking. They do not have parking in the back - the lots which Mr. Corbett showed on the map are private lots. Mayor Harris asked about the corner parking lot and Mr. Gaertner stated that is a restaurant parking lot. That it will really hurt his business if the parking spaces are removed.

He stated the number of accidents over a three-year period is very low. Also, one of the problems, as Mr. Corbett stated, is that some people use the spaces to park all day. That definitely should be changed; it would be a matter for the police officers to enforce this. Councilmember Short asked who the people are who park there all day long? Mr. Gaertner replied he would rather not mention names. Mayor Harris asked if they were employees and someone else replied that some of them were. He also questioned that 7 cars could be parked in the one area which Mr. Corbett mentioned; and Mr. Corbett explained that his point was if it was properly cleaned up and utilized to best advantage, there is space for 7 cars. He stated it is private property he supposes; it does not belong to the City. Mr. Gaertner stated that is the trouble - if they could get land it would be fine; or if the City can provide the land.

Mr. Gaertner stated not one single car passes on that street under 35 or 40mph; that by North Carolina law, the maximum speed limit in a business area is 20mph. Mr. Corbett stated the law was changed three years ago to 35mph.

Councilmember Short asked what was meant when some of the speakers had mentioned to exit from the sidewalk side - do they mean that when someone parks a car there they should slide across and get out on the other side of the car, rather than opening the door on the driver's side? The reply was yes. Mr. Short stated and they mean the City should put a sign there that tells people to do that, in order to eliminate the danger of getting out of their cars into traffic?

Mr. Gaertner stated if they will draw a line for the parking, they will instruct their customers to be more careful. He stated once again it is the car against the man; that once the parking is removed, that area will be another Independence Boulevard.

Mr. Kenneth Demert, 1512 Central Avenue, stated he will be brief and to the point - if they lose the parking on Central he will have to move his business. He is in the clock business and if someone has to walk a block or two they will go some place else - to a mall or somewhere to get their work done. If he has to move, he will lose a good percentage of his business. He is on the south side and the parking back there is a disgrace - you would need a tank to park back there, you would not take a vehicle back there.

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Councilmember Frech asked the merchants if they are familiar with a study that has been done by the UNCC Department of Architecture related to the revitalization of that area, and the indication was to the contrary.

Ms. Frech made a substitute motion that the Traffic Engineering Department be instructed to remove parking from that part of Central during peak traffic hours (7-9 and 4-6) if they wish, but that parking be continued in that area until Council has had a chance to consider ways of implementing the proposal for trying to revitalize this area. The motion was seconded by Councilmember Trosch.

Councilmember Dannelly stated he can certainly understand the problem the merchants have; and he has been trying to think of a compromise. That when it comes to compromises sometimes it is hard to get both sides to agree to it because somebody comes up with the short end. That Mr. Corbett has indicated that one side has developed some parking areas at the rear of the stores which would cut down on some of the on-street parking. That as he has driven along that area he has noticed that the problem with that particular block is the amount of space that the traffic lanes have. His compromise is that Council ask Mr. Corbett to study the situation and see what the probability safety-wise would be in eliminating parking only on one side of Central so that you could take that space and increase the size of the traffic lanes.

Ms. Frech stated she would accept this suggestion as an amendment to her motion; that what she is aiming at is further study of the number of possibilities.

Councilmember Cox suggested another amendment; that there should be three features of the appropriate motion - peak parking now, but to declare Council's intention to remove parking within one year, unless some kind of provision can be found through careful study within that period of time.

Mayor Harris ruled Mr. Cox's suggestion out of order because it is contrary to the major motion.

Councilmember Frech stated one of the major provisions of the Plaza-Midwood revitalization plan is an attempt to get the parking off of the street and somewhere else; that is what they are aiming at eventually - a year's limit might be too much.

Councilmember Selden asked Mr. Corbett if at the time they resolve this matter they want to exclude parking on the north side in the morning hours and exclude parking on the south side in the afternoon hours, would this appreciably help the accident situation.

Mr. Corbett stated that peak hour parking restrictions would not in any way assist in reducing the accidents, because they could not move the lane lines over to take advantage of the peak hour parking restrictions. When you put the parking back on and went back to the four lanes in the reduced up to 6 ft. space, it would have no effect.

As to Mr. Selden's suggestion of allowing parking on one side in the morning and the opposite side in the afternoon, it would be the same problem. There is, however, a possibility - they have already examined this to some extent - of permitting parking on one side only at all times. That he would suggest this as a compromise to the other possibilities.

Councilmember Carroll stated he has one thought on the time limit suggested by Councilmember Cox. The problem he has with that is that he really believes that this neighborhood, as they saw in depth at the presentation from UNCC, is on a sort of teeter-totter and they really are anxious to do what they can to revitalize it - not to cause people to leave. That hopefully this problem will result in the merchants who are present today getting together and working more with Council on that proposal. He does not think they should eliminate parking entirely until they have some alternative which is acceptable to them and acceptable to their customers. That perhaps the thing to do, and perhaps Ms. Frech will amend her motion accordingly, is to study what

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Mr. Corbett is suggesting but in the meantime to keep the status quo and also in the meantime ask the merchants to go forward and work with the City on looking at the Plaza-Midwood proposals. That also they should include in the motion some instructions for signs regarding the danger of people parking and exiting from their cars in order to cut down on the accident problem. Ms. Frech agreed to accept this addition.

Councilmember Short stated that to borrow one of Councilmember Gantt's phrases, they pretty well ought to "bite the bullet." That we are faced with constant injuries to human beings plus the \$98,000 in property damage. That whoever is making the motion he would hope would just simply call for the elimination of this parking at a certain time ahead that would give these folks some opportunity to rework their business situation, if that is what is necessary. Perhaps the time should be about next January 1st or February 1st. That he could not himself operate a business in a situation of just constant loss of people's property and even injuries to the individuals involved.

He stated he thinks that is basically a City policy with reference to radial arterial streets leading out of the City of Charlotte because on-street parking on every other radial arterials leading out of the city has been eliminated, according to Mr. Corbett. (Mr. Corbett stated parking has not been eliminated in downtown Charlotte.)

Mr. Dannelly stated he really feels that if they eliminated parking completely those businesses would be hurt tremendously; they are small businesses and they would have a hard time staying in business. But, he would strongly urge Councilmembers to consider what he has said in addition to what Mr. Corbett has said in eliminating parking on one side. If they have driven that area, the problem is the amount of space you have in the traffic lanes. If you eliminate parking on one side you would have more space.

Councilmember Gantt stated that like everyone else, he is concerned about Plaza-Midwood - there is no question about that. It is one of our prime grey areas. He just cannot help but think that a little child was hit last week and in that kind of situation there would not even be debate on this Council about what need to be done. That it seems to him that Council has to develop some policy on this area. That the UNCC study seems to be pushing them in the direction of trying to decide how they will go about redeveloping that area and the relationship between the private and the public sectors.

That notwithstanding, it would seem to him that they need to "carry a carrot and a stick" in this situation. He does not see, in Ms. Frech's motion, any incentive at all for the businessmen to get together and try to improve that situation - he does not see that happening. Certainly the emotion on the peak hour thing refutes the evidence that Council has before it. He would prefer something akin to what Mr. Cox is talking about, which would be that they give them a period of time in which they would leave the situation as it is but hopefully the Mayor or someone would put together a task force that would talk about an alternative to this situation. The businessmen would then have, and this is necessary, the possibility of the elimination of parking on Central Avenue hanging over their heads as an incentive to sit down and talk about a real solution to this. That, as a Council, they should make the commitment to either purchase some land for parking that is convenient, or whatever. But, they can start the whole process of renewal here, if they but will. But, to leave it open-ended; to have this come up next year as a debate, is just not looking at the real situation. That Mr. Corbett has presented, from his perspective, the fact that people are hurt and property is damaged in that area, and Council cannot deny that that is happening. The only reason they are sort of vacillating is that these are businessmen that they want to be sensitive to and they have the neighborhood groups behind them; and this is a very sensitive Council in terms of neighborhood groups. But, they cannot deny the fact that the public health and safety is being endangered here; so why not force the confrontation to resolve the issue. He would rather defeat Ms. Frech's motion and start over.

Councilmember Frech stated she would not like to see parking immediately taken off because he does not think there is an incentive there. That she will accept an amendment but she is not sure about the time limit.

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She agrees the incentive should be there, and she thinks they have made it fairly plain to these gentlemen that they do intend at some point in the future to do something about this. Mr. Gantt stated that they should include this in the motion, and Ms. Frech stated she would accept a time limit of one year.

Councilmember Selden stated that since he made the original motion, if the substitute motion is defeated, he intends to amend his motion to put a time limit of one year on when the parking would be discontinued.

(THE MEETING WAS RECESSED AT THIS POINT - 4:49 P. M. - AND RECONVENED AT 5:01 P. M.)

(The Mayor announced that the County Commission has passed a resolution which instructs the City and County Managers to work out a merger of the Animal Control Departments for a joint operation by September 6th. The County plans to sell its animal shelter property on September 6th. That they also approved a \$10 million parks matter for the possibility of a November referendum, and \$1.6 million for a CPCC parking deck.)

Councilmember Frech withdrew her previous substitute motion and made another that a Committee be established, consisting of representatives of Council, City Staff and business people along Central Avenue, to report with six (6) months, or not later than six months, on a date on which parking would be removed along Central Avenue and on other possible alternatives to help businessmen and provide parking in this area. The motion was seconded by Councilmember Short.

Councilmember Gantt asked who would appoint the Committee and Ms. Frech replied the Mayor would appoint them.

Councilmember Selden asked if the Committee would recommend a firm date when parking would be removed and Ms. Frech replied yes, and also would recommend other alternatives to parking on the street.

Councilmember Dannelly stated he could go along with the motion if it said that committee draw up procedures to eliminate parking or some alternative in six months, which means they have six months to settle the issue and that is long enough.

Councilmember Carroll stated he thinks that is the intent of it; that Council has to settle the issue, but they are going to come back to Council in no later than six months with their recommendations to resolve it.

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

YEAS: Councilmembers Frech, Short, Carroll, Chafin, Cox, Gantt, Locke and Trosch.

NAYS: Councilmembers Dannelly, Leeper and Selden.

CONTRACT WITH ED MYRICK, INC. TO JUNE 30, 1979, FOR TRANSIT ADVERTISING SERVICES.

Motion was made by Councilmember Cox, seconded by Councilmember Chafin, to approve a contract with Ed Myrick, Inc. for transit advertising services to June 30, 1979, for a total of \$800.00 per month.

Councilmember Trosch asked the amount spent prior to the creation of the marketing function within the CTS on these services?

Mr. Michael Kidd, Transit Coordinator, stated that before the position was created they had some people working on a part time basis, but the agency handled an awful lot of this. It was not done on a retainer type basis as this contract is - it was on a project-by-project basis.

The vote was taken on the motion to approve the contract and carried unanimously.

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SUPPLEMENTAL AGREEMENT TO A CONTRACT WITH ANECO COMPANY FOR INSTALLATION OF THE LIGHTING SYSTEM FOR THE NEW PARALLEL RUNWAY AT DOUGLAS MUNICIPAL AIRPORT.

Motion was made by Councilmember Locke, seconded by Councilmember Short, approving a supplemental agreement to a 1975 contract with Aneco Company for installation of the lighting system for the new parallel runway at Douglas municipal Airport, for a total of \$179,212, the agreement to include suspension and increased unit price costs. The motion carried unanimously.

SUPPLEMENTAL LEASE/USE AGREEMENTS FOR DOUGLAS MUNICIPAL AIRPORT WITH FIVE AIRLINES TO JUNE 30, 1983.

Motion was made by Councilmember Locke, seconded by Councilmember Cox, and carried unanimously, approving supplemental lease/use agreements outlining responsibilities and obligations for occupancy, rental and landing fees to June 30, 1983, with the following airlines: Eastern, Delta, Piedmont, Southern and United.

LEASE/USE AGREEMENTS FOR DOUGLAS MUNICIPAL AIRPORT WITH FIVE AIRLINES FOR PERIOD FROM 1982 TO 2007.

Motion was made by Councilmember Selden, seconded by Councilmember Short, and carried unanimously, approving lease/use agreements for Douglas Municipal Airport outlining responsibilities and obligations for the construction, financing and use of the new airline terminal complex and other airport facilities for the period from 1982 to 2007, with the following airlines: Eastern, Delta, Piedmont, Southern and United.

Councilmember Carroll asked if this is in addition to the \$11 million federal plus \$47 million bonds? Mr. Birmingham, Airport Manager, replied that money was included in that total amount that they had planned to use for this purpose. That \$58 million is the total.

Councilmember Short stated he does not recall anyone saying originally that the airlines have just simply agreed to underwrite the total debt service and it does appear to be in these final contracts. Mr. Birmingham replied that is something that has been added in the last three weeks. That the original report they made to Council was that the airlines agreed to underwrite \$26 million plus the old bonds; subsequently, after some negotiations with Mr. Fennell and Mr. Callahan and himself agreed in the final analysis to pick up the whole amount if we had a shortfall of cash in the concession revenue. Mr. Short stated he thinks that is very good to get that in the contract.

Council congratulated everyone involved in negotiating these contracts.

Mr. Burkhalter stated these are unusual contracts; that they did in a few months' time what normally would take over a year to do and they did it because Admiral Callahan and Vice President Cooper of Eastern Airlines who flew up here on Friday afternoons, worked all Friday night and all day Saturday and left Sunday afternoon, week after week after week, to work this out. That this is the sort of little thing that you never hear about.

Mayor Harris stated he is sure they will use the same kind of diligence in dealing with all of the other contracts and building that terminal to stay within the budget.

Mr. Stan Brookshire of the Airport Advisory Committee thanked the Mayor and members of Council for not only their support but for their leadership in promoting the recent bond issue for the airport; that it may prove to be a high-water mark in this particular administration. That one reason he is pleased about the contracts is that they do assure that these bonds will be self liquidated. That part of the reason they can be assured that they are is the fact that these contracts are subject to adjustment year by year to represent changes in our economic structure in the years ahead. That

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you cannot write a 25-year contract and be sure that it is not only binding on both parties but that it is fair and equitable to both parties. If we continue to have the kind of inflation that we have now, the terms of this contract may be double or tripled - that is, the payments by the airlines - before the bonds are retired.

ORDINANCE NO. 161-X TO PROVIDE FUNDS TO COVER AUDIT EXCEPTIONS ON THE PROJECT, WATER WAY ROUTE ALONG SUGAR CREEK.

On motion of Councilmember Cox, seconded by Councilmember Selden, and carried unanimously, the subject ordinance was adopted to provide funds in the amount of \$6,177, for the Water Way Route Along Sugar Creek.

The ordinance is recorded in full in Ordinance Book 26, at Page 90.

ACTIONS TO PROVIDE A LOCATIONAL STUDY FOR THE MINT MUSEUM OF ART.

Ordinance No. 162-X was adopted unanimously, on motion of Councilmember Locke and seconded by Councilmember Selden, to finance a consultant to complete a location study for the proposed expansion of the Mint Museum of Art, for a total of \$12,000.

A motion was made by Councilmember Locke, seconded by Councilmember Trosch to approve a contract with Economics Research Associates to conduct a study of possible sites for the proposed expansion for a total of \$10,000, in addition to travel and subsistence costs.

Councilmember Carroll stated one of the things in the proposal which concerns him is Paragraph 5 regarding the groups from which opinions would be sought. That it seems that we pretty well know what these groups' views are, at least they are going to be vocal enough to express them. That they also need to get some feedback from the public in general. Ms. Locke stated that was their intent and that she believes it is included somewhere in the contract.

Mr. Bill Stuart, Assistant City Manager, stated it would be fair to say that the funds for the study are sufficient to provide representation of the community attitude. But, as far as any systematic review of public opinion by survey or something like that, that would not be provided for within the resources available in the study.

Mr. Carroll stated his feeling is that we have a lot of people who have strong feelings one way or the other in these organizations, but he does not have any feeling for what the general public feels about it.

Mr. Stuart stated there may be a way to work that in. At this point, basically the input and information about what the community's attitude in general would be would have to come from various forms of representation on the Planning Commission, City Council, Arts and Science Council leadership, etc. It may be possible to work in some representatives of neighborhood groups, for example, but their experience tells them that to do a survey involves money. It may be possible to invite information through a mailout program or questionnaire or something like that. They will certainly explore that; he does not see any reason why that could not be incorporated. If it costs money, more than what this involves, then that would be something they would bring back to Council.

Councilmember Trosch stated that the original proposal by the Mint Museum included a sampling of the general population and she thought then that was a very good inclusion.

Councilmember Frech asked if the consultant is going to look at one of the major points that the Museum Board of Trustees made, that is, the claim that the Museum's collection is of a character that it cannot be divided; it must be kept in one place? Mr. Stuart replied that will definitely be looked at.

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

The ordinance is recorded in full in Ordinance Book 26, at Page 91.

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ORDINANCE NO. 163-X APPROPRIATING STATE CLEAN WATER GRANT REVENUES FOR WATER DISTRIBUTION SYSTEM CONSTRUCTION IN THE 1977 ANNEXATION AREAS, FOR A TOTAL OF \$649,557, TO SUPPLEMENT CITY APPROPRIATIONS.

Motion was made by Councilmember Cox, seconded by Councilmember Selden, to adopt the subject ordinance appropriating State Clean Water grant revenues for water distribution system construction in the 1977 annexation areas, for a total of \$649,557, to supplement city appropriations.

In response to a question by Councilmember Carroll, Mr. R. D. Campbell, Assistant Utility Director, stated this has to do with the construction of the water distribution system in all of the annexation areas - none in particular. There was not enough in the bond referendum and in the amount carried over from 1972, so they had to appropriate 25 percent state funds. They were not sure they would need that, nor that they would even get it, at the time they made the recommendation on the referendum.

Mr. Carroll stated none of this is new additional main lines to serve the annexed area? Mr. Campbell replied this is as they originally laid it out.

The vote was taken on the motion and carried unanimously.

The ordinance is recorded in full in Ordinance Book 26, at Page 92.

NEW WATER AND SEWER RATE SCHEDULES BASED ON THE ARTHUR YOUNG METHODOLOGY STUDY, APPROVED.

Councilmember Locke moved approval of the water and sewer rate schedules based on the Arthur Young Methodology Study. The motion was seconded by Councilmember Selden.

Councilmember Trosch stated that a lot of time and effort has been spent on Council's part relating to this methodology and she supports Ms. Locke's motion.

Councilmember Carroll asked if they can act on this today and Mr. Underhill replied they can act on this motion; that they will have to bring some ordinance amendments back to Council at a future time as they affect the City Code.

Mr. Burkhalter stated the motion ought to say that they adopt the rates as proposed at the last meeting, subject to the approval of the Community Facilities Committee. That if he is reasonably assured that they are going to do it next time, then he does not have to have any interim instructions. Otherwise, they ought to have something else ready to go.

Mr. Marion Ward, Chairman of the CFC, stated that at the completion of the public hearing on July 24th, Mr. Beck speaking for the committee, advised that the CFC, having heard the hearing, endorses the rates presented by the Finance Department with the understanding, of course, that they approve the methodology of the Arthur Young study which Council adopted last fall, if Council is satisfied with the Utility Department's budget as presented. Again, he will read into the record that the CFC recommends, if Council is satisfied with that budget, that they approve the rates.

Councilmember Short stated that the Councilmembers, particularly the new ones, needed to know more about what they had earlier in the form of protection for the poor and also in the business arrangement that businesses have built into their cost structures. He recommended again that they read the comments they had received in the form of a memorandum from himself and Councilmember Carroll.

He stated if Council does prefer to go along with Councilmembers Locke and Selden's and the CFC's views, that it would be rather remarkable, and rather much of a disruption, to wet industries in this community and also

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to the poorer citizens, if this were just suddenly dumped on them. If this is done, it seems to him, it certainly should be phased in. That it would be his own view that they really do not want to go to a totally strict cost accounting system. As he has attempted to make clear, the policy we have followed in the past, consisting of a low minimum and a graduated rate schedule for water service, and the apartment compromise. That the service rates, etc. that are related to what people more or less expect to pay and can afford are entirely defensible.

Mr. Short made a substitute motion that the six suggestions made in his and Mr. Carroll's memorandum be adopted, which motion was seconded by Mr. Carroll. The substitute motion failed by the following vote:

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

Councilmember Cox called for the question on the original motion and it carried unanimously.

Councilmember Carroll stated he is still concerned that as they sat through the budget sessions, they really put off a close look at the Utilities budget until the time of setting the rates. He is disturbed by the 18 percent increase and would like to ask the Manager to give them a little more information as to why costs are escalating so rapidly - that is an awful lot in one year. Councilmember Cox stated those comments are appropriate and he would like to see that himself.

Mayor Harris stated he has received some letters regarding the matter; that we have had a 12-1/2 percent increase in the last three years so it is a pretty hefty increase for the users. He requested that Mr. Burkhalter give Council a report on that.

Mr. Carroll stated that as a part of that he would like to have a handle on the future, whether we have an escalation of 18 percent because of expenses this year that are out of range, or whether this looks like a curve that is going up that sharply.

Mr. Burkhalter stated he can point out a few things now to alleviate some worries. That when they start this they are within 2 percent of what Arthur Young said we would be this year. So, we are in the ballpark, according to their estimates. That secondly, in this budget they are now financing capital improvements through the rate structure. That is something they have to recognize. A question was asked about an effective date, and Mr. Burkhalter stated they would make that as soon as possible.

The vote was taken on the original motion by Councilmember Locke and carried as follows:

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

Mr. Ward expressed appreciation on behalf of the Community Facilities Committee to City Council for moving ahead on the rates because they respect the needs of the department to have the rates established so they can begin to operate in the proper enterprise system mode - that is, to pay for the services with the revenue.

That as a matter of clarification, the specific rate amounts may come as something new to the customer, but the procedure certainly should not, because prior to the previous Council's adoption of the system, public hearings were held, the "lifeline" concept was discussed at great length and, as a matter of fact, the CFC evaluated this and found that the minimum rate does not affect, by nearly the margin you would think, the low income and the single residents. The fact is that 55 gallons of water a day will not sustain the average individual, much less a family. Usually it takes 80 to 100 gallons per day for the average person. That the minimum rate is not really a lifeline at all; they found it merely supported the small business with just a toilet in the back of the store, or the resident of a

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home who went off for a vacation for two months and did not have to pay an excessive rate while he was gone. That the Council should feel less concern over inequities to the people than they might have worried about. He assured Council of the Committee's willingness to assist them in clarifying anything that came about during the hearings last year, or in any other way they are needed.

Councilmember Carroll stated that Mr. Burkhalter referred to our coming out within 2 percent of what Arthur Young Associates had said; does he have any suggestions about that? Mr. Ward stated he would have to respond to that by saying that the first time they saw the new rates was at the same time Council has so they are no further than Council on that.

Councilmember Selden asked Mr. Ward if his committee would take into consideration whether it is possible to do something for the small towns outside in terms of maintenance, etc.

Mr. Ward replied if the Council wishes to ask the CFC to look into the particular needs of the small towns, just as they have for the North Mecklenburg 201 District, they will respond to their request if they do that as a Council.

The Mayor thanked Mr. Bob Beck, whose term on the CFC is expiring in September, for his service. That he and Mr. Bill Harward, the County appointee whose term is also expiring, have worked very hard on this study.

ORDINANCE NO. 164-X TO AMEND THE 1978-79 BUDGET ORDINANCE TRANSFERRING FUNDS TO PROVIDE A SUPPLEMENTAL APPROPRIATION FOR THE ACQUISITION AND DEVELOPMENT OF PROPERTY FOR A SATELLITE YARD BY THE PUBLIC WORKS DEPARTMENT; APPROVAL OF THE PURCHASE OF PROPERTY ON SWEDEN ROAD FOR SATELLITE YARD.

Councilmember Gantt moved adoption of the subject ordinance to appropriate \$105,000 in supplemental funds to finance the acquisition and development of property for a satellite yard facility by the Public Works Department. The motion was seconded by Councilmember Locke.

Councilmember Carroll stated he would like to know where the money is coming from. The Mayor replied it has been around a long time; that they have been trying to do this for about four years.

Mr. Robert Hopson, Public Works Director, stated the money comes from Revenue Sharing. Mr. Carroll's question as to whether this was from this year or an old year was referred to the Budget Director. Mr. Tom Finnie stated the \$105,000 is the Revenue Sharing fund balance right now - that during the budget hearings Council appropriated in excess of \$400,000 of interest earned on revenue sharing funds. That money, as of July 1st, reverted back causing the fund balance. They try not to appropriate all of the interest earned fund balance in any given year. This was some that they still have that reverted as of July 1, after the books were closed.

Councilmember Carroll stated then this is just a completely unallocated account of General Revenue Sharing funds. How much do we have left? Mr. Finnie replied right now it is approximately \$300,000.

The vote was taken on the motion and carried unanimously.

The motion to approve the purchase of 12.45 acres of property on Sweden Road from J. A. Jones Construction Company for the satellite yard was made by Councilmember Locke, seconded by Councilmember Cox, and carried unanimously.

The ordinance is recorded in Ordinance Book 26, at Page 93.

AMENDMENT OF THE PAY PLAN TO CHANGE THE PAY RANGE ASSIGNMENT FOR THE SOCIAL SERVICES COORDINATOR CLASS FROM PAY RANGE 24 TO PAY RANGE 22, TABLED.

Councilmember Trosch stated she understands there is more to the subject recommendation from the Personnel Department than meets the eye; that she feels it would be more appropriate to handle it in Executive Session, and asked the City Attorney for his opinion.

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Mr. Underhill, City Attorney, stated in his opinion this is not a matter that could be discussed in executive session.

Councilmember Gantt, after conferring with the City Attorney on the technicality involved, moved that the matter be tabled, which motion was seconded by Councilmember Dannelly. There was a question about setting a specific time.

Councilmember Gantt stated he will be very frank about it. That he agrees with Ms. Trosch and he raised this question in the budget hearing because it happened to be the only position that they were downgrading. That notwithstanding the material that was supplied to Council by Mr. Wilder and the staff, he feels that pending litigation on another matter affects this very definitely. He would prefer that the City not make any change on any of its policy until such time as that is resolved.

The vote to table the matter was unanimous.

RECOMMENDATION TO ESTABLISH A SPECIAL PROJECTS OFFICE DEFERRED TWO WEEKS.

Councilmember Short stated the establishment of a Special Projects Office would be a great thing and moved approval of the recommendation. The motion was seconded by Councilmember Chafin.

Councilmember Trosch stated that right now the Planning and Public Works Committee is looking into the much larger fragmented planning process that we have in our community. That they are looking in great depth as to possible alternatives to planning and the coordination and implementation of those plans. That this proposal should not be considered piecemeal, but as a part of the larger plan after the committee has its report ready. Ms. Trosch moved that a decision on this matter be deferred.

Councilmember Gantt seconded the substitute motion, stating that what is presented here by the staff makes a lot of sense. However, he agrees with Ms. Trosch that one of the very kinds of things they have been looking at in the committee - the study of the planning process itself - seems to be addressed here in a relatively narrow area. What they are doing is combining transportation coordination with grants for transportation and any other kind of program. That there is in the minds of a majority of the members of the Planning and Public Works Committee a growing consensus that the whole structure of planning and implementation needs to be put together. In fact, some of the Mayor's comments he has heard of in recent weeks seem to speak to that position also.

That the committee is close enough to at least bringing something to Council in regard to one more consultant to look at our whole planning structure that he believes it might be appropriate to ask the staff not to act on the Productivity recommendation, or to answer the staff by sanctioning this, but to simply defer this matter until a later time. They could leave the situation as it is and perform those functions that are required.

Mr. Burkhalter replied by stating he would request a time element on this. That he has been pushed by a number of Councilmembers to do something about this and it is time, in his opinion, that they did something. But, he has no problem with operating as they are. Transportation planning is going on. For example, just today they were notified that the centerline has been established for the southern route and they are getting ready to notify people that they can come in and look at this information. There are areas in which the Acting Transportation Coordinator is busy - he will meet with the State Board in Raleigh on Wednesday to discuss the airport.

He stated the one thing he does not have is the grant situation and this is getting to be more and more of a problem. There are many areas - for instance, the Mayor is highly concerned about a senior citizens headquarters. We are now approaching the purchase of property by the Housing Authority. They want to get grants to match this and are running around without proper direction. If Council could see fit to approve this recommendation, understanding that he is going to employ that person but not the other until Council decides what it is going to do, he would be perfectly happy.

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The Mayor stated that today he signed a letter brought by the Housing Authority requesting a grant of \$12 million to rehabilitate Piedmont Courts, Fairview Homes and Southside. That they were on top of this, but they need some emphasis on the grantsmanship of it.

Councilmember Gantt stated he just does not think it is that urgent. First of all, we have a coordinator. If they need that grantsman, for the time being he would suggest they come back to Council with that specific request and they could go ahead and hire that person and let him work as a member of the City Manager's staff.

Mr. Burkhalter replied that is what this recommendation would be anyway. He stated that he has already explained to them that they may come back to Council later with a request for someone for Energy. That the only other position in the recommendation was the one for coordination of the Fourth Ward and the uptown plan. That they have been through this and Council knows where they are in these plans. He is not as concerned about that as he is about the grantsman part. He asked Council if they could approve the recommendation leaving out the Fourth Ward part. In response to a question about the number of positions he is asking for, Mr. Burkhalter replied there are two now and what they are asking for is the addition to two more, one would be the grantsman. If they wish to eliminate the coordinator for the uptown and Fourth Ward, that is fine. He is not pushing hard for this but he just wants them to know they do not have anyone doing it.

Councilmember Gantt stated he is in sympathy with everything the City Manager is trying to do and Mr. Burkhalter replied he understands what he is talking about in his statement and he has no problem with that at all.

After further discussion of the time element for the deferral and other details of the recommendation on which several Councilmembers expressed the opinion that it was a good idea, Councilmember Chafin stated it is really not a planning function to which Mr. Cox agreed. Ms. Trosch stated she totally disagrees; that from the months she has set in on the planning study she would definitely have to say it is part of the planning process. Ms. Chafin conceded that there are planning functions but in the case of a grantsman, no. Ms. Trosch agreed to a deferral of two weeks.

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

ORDINANCE NO. 165 ESTABLISHING A CODE OF ETHICS FOR CITY OF CHARLOTTE OFFICIALS.

Councilmember Short moved the adoption, on its second reading, of the subject ordinance establishing a Code of Ethics for City Officials. The motion was seconded by Councilmember Chafin.

Councilmember Selden made a substitute motion, seconded by Councilmember Cox for discussion, that the Code of Ethics be approved as presented with the exception of Paragraph (3) of Page 2 in which the 5 percent wording of the original draft should be inserted. Mr. Selden explained that if a zoning change came before Council involving a corporation in which a Councilmember's spouse owned just one share of stock, they would appropriately acknowledge this and asked to be excused, and naturally the Council would excuse them; he just does not think that is appropriate.

Councilmember Cox stated he has a very strong objection to this and he is not going to bore Council with all of the reasons, but he will get it down to a basic kind of idea. That is that they are not really gaining anything by having that 5 percent limit in there. That he tried several times to get out of voting, claiming some kind of relationship with IBM, and this Council has not excused him when he thought he had a real conflict. What they are going to get into the situation of is this: If he owned 100 shares of K-Mart stock, clearly less than 5 percent, and something came before Council involving K-Mart and the rest of Council would say that is not substantial enough for them to excuse him. His question is why does he have to declare it if it is not substantial?

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Another point that really makes the point for him is that this ordinance - this part of it - puts the burden of disclosure on the ordinance itself and not on the individual. That is a very important concept for them to keep in mind, especially relating to that 5 percent. That he would be very careful to disclose all of his relationships where he thought there was any kind of possibility of conflict of interest; that he would be crazy not to. He would do it anyway; that the burden of disclosure is on him. If you put the 5 percent in there you are putting the burden of disclosure on the ordinance. He stated that bonds are not mentioned and bonds are more valuable than common stock. What about mutual funds? If he owned some mutual funds who owned shares of stock in corporations with which Council dealt then he would have an obligation to disclose that.

Mr. Underhill stated that this covers mutual funds.

Mr. Cox replied then that means he has to disclose all of his stocks in a mutual fund, over which he has no control of what they buy or sell. That to get to the letter of the thing, he has to disclose that. There are also other things - stock options. There may be people who now, or will in the future, serve on this Council who may have stock options. It does not say anything about stock options and they are a very motivating type of thing.

Another thing is convertibles - there are financial vehicles that you can convert debt into equity capital. That, to him, is a motivating factor if someone wanted to pursue their own gain. He stated there is no benefit in putting in the 5 percent. That suppose he owned 5 percent of IBM; over a period of time, people are going to get an idea of his net worth and he does not think that is anybody's business.

Councilmember Frech stated what bothers her is how are they going to be sure at any time that what you are holding is 5 percent? Mayor Harris stated that is the individual Councilmember's responsibility. Mr. Cox stated if the burden is put on him then he is going to tell them; but if you put it on the ordinance somebody else down the road may come to the meeting and calculate that if they have 4.8 percent then they do not have to disclose. But if you put the burden on him then he will disclose it.

Councilmember Frech stated she is not sure that she understands yet the opposition to disclosing. It does not mean that you are automatically disqualified from voting. She really sees this more as a protection for Councilmembers themselves against someone coming along later and making comments on their stock holdings. That the trend today is toward greater openness.

Mayor Harris called attention to Mr. Underhill's note because that was not clear two weeks ago, that they would disclose the information on the spouse as well as children in your household.

Councilmember Selden stated if they go down to the last notch, the pension fund from which he draws a pension is a beneficial ownership; and he has no idea in the world of what their respective holdings are or would be; and it would be a rather complicated and detailed - impossible - situation for him to maintain this accounting and the changes from month to month to determine whether he has beneficial ownership in this particular aspect.

Mr. Underhill stated the reason he put the 5 percent phrase in there is that it is very standard; that in practically every ordinance that he looked at included that. Mayor Harris stated they reviewed about half dozen ordinances from various cities and it was a sort of standard catchall clause.

Councilmember Cox stated the problem may be, with him, that if you asked him how much he owned he is liable not to tell them. That the problem may be in the City Charter which says that they have to exclude him. That if he could exclude himself for a perfunctory kind of reason, and put the burden on him, then he would prefer this.

APPOINTMENTS TO COUNCIL ON AGING FOR ONE YEAR TERMS.

The following nominations to the Council on Aging for one year terms were considered:

- (1) David Garris, nominated by Councilmember Leeper.
- (2) Angus Simpson, nominated by Councilmember Trosch.
- (3) Mrs. Gilbert F. Hambley, nominated by Councilmember Cox.

The results of the first ballot were announced as follows:

- (1) David Garris - 8 votes: Councilmembers Frech, Dannelly, Short, Chafin, Leeper, Gantt, Locke and Carroll.
- (2) Angus Simpson - 2 votes: Councilmembers Trosch and Selden.
- (3) Mrs. Gilbert G. Hambley - 0 votes.

Mayor Harris announced that David Garris had been appointed to the Council on Aging for a one year term.

The results of the second ballot were announced as follows:

- (1) Angus Simpson - 6 votes: Councilmembers Trosch, Selden, Frech, Gantt, Short and Dannelly.
- (2) Mrs. Gilbert F. Hambley - 4 votes: Councilmembers Carroll, Leeper, Locke and Chafin.

Mayor Harris announced that Angus Simpson had been appointed to the Council on Aging for a one year term.

APPOINTMENTS TO COUNCIL ON AGING FOR TWO YEAR TERMS DEFERRED.

The following nominations to the Council on Aging for two year terms were considered:

- (1) James Hawkins, nominated by Councilmember Chafin.
- (2) Betty Watson, nominated by Councilmember Frech.
- (3) Mac Webb, nominated by Councilmember Carroll.

The results of the first ballot were announced as follows:

- (1) James Hawkins - 4 votes: Councilmembers Short, Selden, Locke and Chafin.
- (2) Betty Watson - 3 votes: Councilmembers Leeper, Trosch and French.
- (3) Mac Webb - 3 votes: Councilmembers Carroll, Dannelly and Gantt.

Ms. Vi Alexander announced a tie vote, stating another vote would be taken to break the tie between Mrs. Watson and Mr. Webb.

The results of the vote to break the tie were announced as follows:

- (1) Betty Watson - 4 votes: Councilmembers Selden, Trosch, Leeper and Frech.
- (2) Mac Webb - 6 votes: Councilmembers Carroll, Chafin, Locke, Gantt Short and Dannelly.

Ms. Alexander stated the second ballot would be between Mr. Webb and Mr. Hawkins for a two year term.

(MAYOR HARRIS LEFT THE MEETING AT THIS TIME AND MAYOR PRO TEM CHAFIN PRESIDED UNTIL NOTED IN MINUTES.)

The results of the second ballot were announced as follows:

- (1) Mac Webb - 5 votes: Councilmembers Carroll, Trosch, Dannelly, Leeper and Gantt.
- (2) James Hawkins - 4 votes: Councilmembers Selden, Frech, Locke and Short (Note: Mayor pro tem Chafin did not vote.)

Ms. Alexander advised that according to the procedure, if no nominee receives at least six (6) votes after the second balloting, each Councilmember shall have an opportunity to make one additional nomination at the next meeting.

After discussion, Councilmember Selden moved to defer appointing the two year term vacancies until the next meeting. The motion was seconded by Councilmember Dannelly, and unanimously carried.

RULES SUSPENDED TO CONSIDER ALL SEVEN APPOINTMENTS TO COUNCIL ON AGING FOR THREE YEAR TERMS.

After discussion, Councilmember Carroll moved to suspend the rules for the seven three year vacancies so Council could select them by voting for seven at one time and requiring that all seven, to be elected, get a majority, or at least six votes. The motion was seconded by Councilmember Selden, and carried unanimously.

(MAYOR HARRIS RETURNED TO THE MEETING AT THIS TIME AND PRESIDED FOR THE REMAINDER OF THE SESSION.)

SEVEN APPOINTMENTS TO COUNCIL ON AGING FOR THREE YEAR TERMS.

Councilmember Trosch stated she would withdraw her nomination of Mr. Angus Simpson since he was appointed to a one year term earlier.

The following nominations to the Council on Aging for three year terms were considered:

- (1) Dr. Winson R. Coleman, nominated by Councilmember Dannelly.
- (2) Hattie Harris, nominated by Councilmember Carroll.
- (3) Elizabeth Wigfall, nominated by Councilmember Leeper.
- (4) Willie Joplin, nominated by Councilmember Frech.
- (5) Mrs. Gilbert F. Hambley, nominated by Councilmember Cox.
- (6) Richard Elmore, nominated by Councilmember Selden.
- (7) Mary Selden, nominated by Councilmember Chafin.
- (8) Elizabeth Weekly Gibson, nominated by Councilmember Short.

The results of the first ballot were announced as follows:

- (1) Dr. Winson R. Coleman - 10 votes: Councilmembers Short, Carroll, Selden, Trosch, French, Leeper, Locke, Gantt, Chafin and Dannelly.
- (2) Hattie Harris - 8 votes: Councilmembers Short, Carroll, Trosch, Frech, Leeper, Gantt, Chafin and Dannelly.
- (3) Elizabeth Wigfall - 10 votes: Councilmembers Short, Carroll, Selden, Trosch, Frech, Leeper, Locke, Gantt, Chafin and Dannelly.
- (4) Willie Joplin - 9 votes: Councilmembers Short, Carroll, Selden, French, Leeper, Locke, Gantt, Chafin and Dannelly.
- (5) Mrs. Gilbert Hambley - 9 votes: Councilmembers Short, Carroll, Selden, Trosch, Frech, Leeper, Locke, Gantt and Chafin.
- (6) Richard Elmore - 5 votes: Councilmembers Selden, Trosch, Frech, Locke and Dannelly.

- (7) Mary Selden - 10 votes: Councilmembers Short, Carroll, Selden, Trosch, Frech, Leeper, Locke, Gantt, Chafin and Dannelly.
- (8) Elizabeth Weekly Gibson - 10 votes: Councilmembers Short, Carroll, Selden, Trosch, Frech, Leeper, Locke, Gantt, Chafin and Dannelly.

Mayor Harris announced the following appointments to the Council on Aging for three year terms:

- (1) Dr. Winson R. Coleman
- (2) Elizabeth Wigfall
- (3) Mary Selden
- (4) Elizabeth Weekly Gibson
- (5) Willie Joplin
- (6) Mrs. Gilbert F. Hambley
- (7) Ms. Hattie Harris.

APPOINTMENTS TO MUNICIPAL INFORMATION ADVISORY BOARD, DEFERRED.

The following nominations to the Municipal Information Advisory Board for one vacancy for an unexpired term were considered:

- (1) Belinda Stinson, nominated by Councilmember Leeper.
- (2) Kay Turner, nominated by Councilmember Chafin.
- (3) Donald Young, nominated by Councilmember French.

The results of the first ballot were announced as follows:

- (1) Belinda Stinson - 5 votes: Councilmembers Leeper, Trosch, Gantt, Dannelly and Carroll.
- (2) Kay Turner - 5 votes: Councilmembers Selden, Frech, Locke, Chafin and Short.
- (3) Donald Young - 0 votes.

Ms. Alexander announced a tie vote, stating another vote would be taken to break the tie between Ms. Stinson and Ms. Turner.

The results of the vote to break the tie were announced as follows:

- (1) Belinda Stinson - 5 votes: Councilmembers Leeper, Trosch, Gantt, Dannelly and Carroll.
- (2) Kay Turner - 5 votes: Councilmembers Selden, Frech, Locke, Chafin and Short.

Ms. Alexander stated neither nominee had received six (6) votes after the second balloting, each Councilmember would have an opportunity to make one additional nomination at the next meeting.

After discussion, Councilmember Short moved to defer the appointments on the Municipal Information Advisory Board until the next meeting. The motion was seconded by Councilmember Dannelly, and unanimously carried.

NOMINATIONS TO COMMUNITY FACILITIES COMMITTEE.

Council was advised there were two vacancies on the Community Facilities Committee for two year terms. That Mr. Robert Beck's term expires on September 1, 1978 and is not eligible for reappointment and Ms. Anne Morris' term expires September 1, 1978 and she is eligible for reappointment.

Councilmember Gantt nominated Mr. Bobby Martin.
Councilmember Short nominated Mr. Horace Lutz.
Councilmember Chafin nominated Ms. Anne Morris for re-appointment.

NOMINATIONS TO SPIRIT SQUARE BOARD OF DIRECTORS.

Council was advised there was one vacancy on the Spirit Square Board of Directors. That Ms. Dee Cockinos had resigned from the Board and the appointment is for an unexpired term to end June 1, 1980.

Councilmember Dannelly nominated Reverend George Goodman.
Councilmember Locke nominated Ms. Tom Belk.
Councilmember Selden nominated Ms. Margaret Dover.
Councilmember Frech nominated Ms. Patricia Heard.

NOMINATIONS TO ZONING BOARD OF ADJUSTMENT.

Council was advised there was one vacancy on the Zoning Board of Adjustment. That Mr. William J. McCoy had resigned from the Board and appointment is for the unexpired term to end January 30, 1980.

Councilmember Selden nominated Mr. Steve Helms.
Councilmember Carroll nominated Ms. Mary Olive Johnson.

NOMINATION TO CHARLOTTE HISTORIC DISTRICT COMMISSION.

Council was advised there was one vacancy on the Charlotte Historic District Commission. That Ms. Kimm Jolly's term had expired and appointment is to be a representative of the Planning Commission.

Councilmember Chafin nominated Ms. Peggy Culbertson.

REQUEST FOR COPIES OF BOARDS AND COMMISSIONS BOOKLET.

Councilmember Trosch requested the Clerk to forward copies of the Boards and Commissions Booklet to members of Council as soon as possible.

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RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY AT 534 AND 531 CAMPUS STREET, OWNED BY GETHSEMANE AME ZION CHURCH, FOR FIVE POINTS COMMUNITY DEVELOPMENT TARGET.

Councilmember Selden moved adoption of a resolution authorizing condemnation proceedings for the acquisition of property at 534 and 531 Campus Street, owned by Gethsemane AME Zion Church, for Five Points Community Development Target Area. The motion was seconded by Councilmember Chafin.

Councilmember Selden asked about Reverend Battle's reaction to the negotiations and Mr. Burkhalter replied the contractor moves the fence and pays for moving the fence. That they are only taking a small area of land; apparently according to the Mayor, they thought the City was going to take their signs, etc.

Mr. Sawyer stated he had no conversation with Reverend Battle. That he called to tell him it was going to be on the agenda but he was not in and he left word with his secretary to give him that message and if he had any questions, to call him.

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

The resolution is recorded in full in Resolutions Book 13, at Page 387.

ALL BIDS RECEIVED FOR POLISHING LAGOON FOR SUGAR CREEK WASTEWATER TREATMENT PLAN ADDITIONS, REJECTED AND READVERTISED.

Councilmember Locke moved all bids received for Polishing Lagoon for Sugar Creek Wastewater Treatment Plan be rejected and readvertised. The motion was seconded by Councilmember Selden and carried unanimously.

PAYMENT TO WESTERN CAROLINA TRACTOR COMPANY, AUTHORIZED.

Upon motion of Councilmember Selden, seconded by Councilmember Short, and unanimously carried, payment was approved, in the amount of \$9,121.76, to Western Carolina Tractor Company, for emergency repair parts for a crawler tractor used at the York Road Landfill.

CONSENT AGENDA APPROVED.

Motion was made by Councilmember Dannelly, seconded by Councilmember Selden, and unanimously carried, approving the Consent Agenda as follows:

- (1) Resolution stating an intent to close portions of Greenleaf Avenue and Westbrook Drive, and calling a Public Hearing on the question, on Monday, September 18, 1978, at 8:00 o'clock p.m.
- (2) Resolution calling for a Public Hearing to consider a proposal by MOTION, Inc. for the purchase of eight houses and lots located in the Third Ward Community Development Target Area, on Monday, September 11, 1978, at 3:00 o'clock p.m.

The resolutions are recorded in full in Resolutions Book 13, beginning on Page 388.

- (3) Change Order No. 1, in contract with Blythe Industries, Inc., in the amount of \$5,506.85, to restore graded areas of New Parallel Runway at Douglas Municipal Airport.
- (4) Loan Agreement with Joseph D. Burke, Jr. and Geraldine B. Burke, 909 Woodside Avenue, North Charlotte Target Area, in the amount of \$7,850.
- (5) Loan Agreements with MOTION, Inc., totalling \$44,250:
 - (a) 917 Greenleaf Avenue, \$7,100;
 - (b) 1104 Greenleaf Avenue, \$5,500;
 - (c) 1105 Greenleaf Avenue, \$6,050;
 - (d) 1109 Greenleaf Avenue, \$6,650;
 - (e) 1115 Greenleaf Avenue, \$6,700;
 - (f) 1117 Greenleaf Avenue, \$6,000;
 - (g) 1121 Greenleaf Avenue, \$6,250.
- (6) Open end non-exclusive contract for Real Estate Broker's Services with First Colony Corporation in Brooklyn Urban Renewal Project No. N. C. R-43.
- (7) Contracts for water main extensions:
 - (a) Contract with Raintree Corporation for the construction of 10,742 linear feet of 8-inch, 6-inch, 2-inch and 1-1/2 inch water mains to serve Raintree Section IV, Village of Williamsburg, outside the city, at an estimated cost of \$90,800, all at no cost to the City.
 - (b) Contract with The Mathisen Company for the construction of 1,260 linear feet of 6-inch water main to serve Sharon Forest II, Phase I, inside the city, at an estimated cost of \$10,400, all at no cost to the City.
 - (c) Contract with The Mathisen Company for construction of 1,460 linear feet of 8-inch sewer main to serve Sharon Forest II, Phase I, inside the city, at an estimated cost of \$29,200, all at no cost to the City.
- (8) Approval of the following Encroachment Agreements with N. C. Dept. of Transportation:
 - (a) Agreement for existing water and sewer lines for Walnut Creek I-D and I-E.
 - (b) Agreement permitting the City to construct new or maintain existing water and sewer lines in Walnut Creek, Section I-A and I-D.

(continued)

(8) continued

- (c) Agreement permitting the City to construct new or maintain existing water and sewer lines in Sardis Woods, III-C.
- (d) Agreement permitting the City to construct new or maintain existing water and sewer lines in Walnut Creek Section V Subdivision.
- (e) Agreement permitting the City to service and maintain existing water and sewer lines in Johnston Road.
- (f) Agreement permitting the City to service and maintain existing water and sewer lines in Chestnut Lake III Subdivision.

(9) Adoption of the following ordinances ordering the removal of weeds, grass, trash, rubbish and junk, and abandoned motor vehicles:

- (a) Ordinance No.166-X ordering removal of weeds and grass from vacant lot right of Bearwood Avenue;
- (b) Ordinance No.167-X ordering removal of trash, rubbish, miscellaneous junk from 800 Woodside Avenue;
- (c) Ordinance No.168-X ordering removal of weeds and grass at 421 Heathcliff Street;
- (d) Ordinance No.169-X ordering removal of weeds, trash, grass and rubbish at corner of West Boulevard and Ridge;
- (e) Ordinance No.170-X ordering the removal of weeds and grass at 1319 Fordham Road;
- (f) Ordinance No.171-X ordering the removal of weeds and grass at 3606 Sargeant Drive;
- (g) Ordinance No.172-X ordering the removal of weeds, trash and rubbish from vacant lot 201 N. Irwin and W. Fifth Street.
- (h) Ordinance No.173-X ordering removal of weeds, grass, trash and rubbish at 828 E. 37th Street.
- (i) Ordinance No.174-X ordering removal of weeds and grass from vacant lot left of 1420 Parkwood Avenue;
- (j) Ordinance No.175-X ordering removal of weeds, grass, trash and rubbish at 1601 Parkwood Avenue;
- (k) Ordinance No.176-X ordering removal of trash, rubbish and junk at 425-27 Heflin Street;
- (l) Ordinance No.177-X ordering removal of trash, rubbish and junk at 429-31 Heflin Street;
- (m) Ordinance No.178-X ordering the removal of weeds and grass on vacant lot corner Seigle Avenue and Belmont Avenue, to left of 854 Belmont Avenue.
- (n) Ordinance No.179-X ordering the removal of trash, rubbish and junk at 1000 Fern Avenue;
- (o) Ordinance No.180-X ordering the removal of weeds and grass at 111 North Gardner Avenue
- (p) Ordinance No.181-X ordering the removal of weeds and grass from vacant lot adjacent to 1710 Irma Street;
- (q) Ordinance No.182-X ordering the removal of weeds and grass from vacant lot adjacent to 1912 Russell Avenue;
- (r) Ordinance No.183-X ordering the removal of weeds, grass and tree limbs at 2331 Booker Avenue;
- (s) Ordinance No.184-X ordering the removal of weeds, grass and junk at 307 S. Crigler Avenue;
- (t) Ordinance No.185-X ordering the removal of weeds and grass at 306 Katonah Avenue;
- (u) Ordinance No. 186-X ordering the removal of weeds, grass, trash and rubbish at 664 Ideal Way;
- (v) Ordinance No.187-X ordering the removal of weeds, grass and junk at 518 Edgegreen Avenue;
- (w) Ordinance No.188-X ordering the removal of trash, rubbish and junk at dead-end of Doverdale Lane;
- (x) Ordinance No.189-X ordering the removal of weeds, trash, grass, rubbish and junk at 421 Campus Street;

(continued)

(9) continued

- (y) Ordinance No. 190-X ordering the removal of weeds and grass at 1420 Remount Road;
- (z) Ordinance No. 191-X ordering the removal of weeds and grass from vacant lot left 425 Hartford Avenue;
- (aa) Ordinance No. 192-X ordering the removal of weeds and grass at 4205 Plato Avenue;
- (bb) Ordinance No. 193-X ordering the removal of trash, rubbish and miscellaneous junk at 2200 Custer Street;
- (cc) Ordinance No. 194-X ordering the removal of weeds, grass, trash and rubbish at 205 West Boulevard;
- (dd) Ordinance No. 195-X ordering the removal of weeds, grass, trash and rubbish at 332 Marsh Road;
- (ee) Ordinance No. 196-X ordering the removal of weeds, grass, trash and junk at 1715 Amhurst Place.
- (ff) Ordinance No. 197-X ordering the removal of weeds and grass from vacant lot adjacent to 1717 Amhurst Place;
- (gg) Ordinance No. 198-X ordering the removal of weeds, grass, trash and junk at 1707 Amhurst Place;
- (hh) Ordinance No. 199-X ordering the removal of weeds and grass from vacant lot at corner of Amhurst and Lillington;
- (ii) Ordinance No. 200-X ordering the removal of weeds and grass from vacant lot between 1713 & 1801 Luther Street;
- (jj) Ordinance No. 201-X ordering the removal of weeds, grass, trash and rubbish at 1713 Luther Street;
- (kk) Ordinance No. 202-X ordering the removal of weeds and grass from vacant lot 1600 Luther Street;
- (ll) Ordinance No. 203-X ordering the removal of weeds, grass and junk from vacant lot adjacent to 226 Baldwin Avenue;
- (mm) Ordinance No. 204-X ordering the removal of miscellaneous junk from 315 & 313 S. Torrence Street;
- (nn) Ordinance No. 205-X ordering the removal of weeds, grass, trash, rubbish and junk at 3125 Columbus Circle;
- (oo) Ordinance No. 206-X ordering the removal of weeds and grass from vacant lot 2100 block Roslyn Avenue;
- (pp) Ordinance No. 207-X ordering the removal of weeds and grass from vacant lot 2108 Oaklawn Avenue;
- (qq) Ordinance No. 208-X ordering the removal of weeds and grass from vacant lot adjacent to 2022 Garnette Place;
- (rr) Ordinance No. 209-X ordering the removal of weeds, grass, trash and rubbish from vacant lot adjacent to 1604 Cummings Avenue;
- (ss) Ordinance No. 210-X ordering the removal of weeds and grass from vacant lot adjacent to 1504 Norris Avenue;
- (tt) Ordinance No. 211-X ordering the removal of weeds and grass from vacant lot adjacent to 3415 Cypress Pond Drive;
- (uu) Ordinance No. 212-X ordering the removal of weeds and grass from vacant lot adjacent to 5717 Ilford.
- (vv) Ordinance No. 213-X ordering the removal of trash, rubbish and miscellaneous junk at 4013 Donna Avenue;
- (ww) Ordinance No. 214-X ordering the removal of weeds and grass from vacant lot to rt. of 2823 The Plaza;
- (xx) Ordinance No. 215-X ordering the removal of weeds, grass, trash and rubbish at 1813 Umstead & lot to right.
- (yy) Ordinance No. 216-X ordering the removal of trash at 2028-30 East Seventh Street;
- (zz) Ordinance No. 217-X ordering the removal of junk, trash and rubbish at 3746-48 Ellington;
- (aaa) Ordinance No. 218-X ordering the removal of weeds and grass from 5617 Park Road and adjacent vacant lot.
- (bbb) Ordinance No. 219-X ordering the removal of weeds and grass from vacant lot 1807 Montford Drive;

(continued)

(9) continued

- (ccc) Ordinance No. 220-X ordering the removal of weeds, grass, trash, rubbish and junk from 347 Echodale;
- (ddd) Ordinance No. 221-X ordering the removal of weeds and grass from vacant lot corner Baldwin & Kings Drive;
- (eee) Ordinance No. 222-X ordering the removal of weeds and grass from vacant lot between 709 & 717 Baldwin Avenue;
- (fff) Ordinance No. 223-X ordering the removal of weeds and grass from vacant lot between 709 & 717 Baldwin Avenue;
- (ggg) Ordinance No. 224-X ordering the removal of weeds, grass, trash, rubbish and junk at 6322 Skycrest Lane;
- (hhh) Ordinance No. 225-X ordering the removal of weeds and grass from vacant lot adjacent to 304 Baldwin Avenue;
- (iii) Ordinance No. 226-X ordering the removal of trash, rubbish and junk at 407 Cecil Street;
- (jjj) Ordinance No. 227-x ordering the removal of junk, trash and rubbish at 5233 Queen Anne Road;
- (kkk) Ordinance No. 228-X ordering the removal of weeds, grass, trash and rubbish at 308 Marsh Road;
- (lll) Ordinance No. 229-X ordering the removal of an abandoned motor vehicle at 1332 Richland;
- (mmm) Ordinance No. 230-X ordering the removal of an abandoned motor vehicle at 1921 Summey Avenue;
- (nnn) Ordinance No. 231-X ordering the removal of an abandoned motor vehicle at 3506 Ellington;
- (ooo) Ordinance NO. 232-X ordering the removal of abandoned motor vehicles at 1230 Dade Street;
- (ppp) Ordinance No. 233-X ordering the removal of abandoned motor vehicles at 2724 Hillard Street;
- (qqq) Ordinance No. 234-X ordering the removal of an abandoned motor vehicle at 3137 Columbus Circle;
- (rrr) Ordinance No. 235-X ordering the removal of an abandoned motor vehicle at 1000 Fern Avenue;
- (sss) Ordinance No. 236-X ordering the removal of an abandoned motor vehicle at 6322 Skycrest Lane.

The ordinances are recorded in full in Ordinance Book 26, beginning on Page 101.

(10) Approval of the following property transactions:

- (a) Acquisition of 94 sq. ft. of easement, at 3300 Freedom Drive, from Bayrock Investment Company, at purchase price of \$1.00, for proposed right-of-way for Tucka-seegee and Ashley Roads intersection.
- (b) Acquisition of 92,315.75 sq. ft. plus temporary construction easement, at 8700 East Independence Boulevard, from E. I. DuPont De Nemours and Company, at \$3,692.00, for Beards Creek Interceptor.

For Annexation Area I Sanitary Sewer:

- (c) Acquisition of 6693.45 sq. ft. plus construction easement, at 7005 Plaza Road, from Lafayette M. Alexander, et al and Ship Ahoy, Ltd., at \$450.00.
- (d) Acquisition of 5392.65 sq. ft. plus construction easement, at 7005 Plaza Road, from Lafayette M. Alexander, et al and Ship Ahoy, Ltd., at \$360.00.

(continued)

(10)

continued

- (e) Acquisition of 1,729.2 sq. ft. plus temporary construction easement, at 7205 Plaza Road, from Howard A. Hilton and wife, Irmgard S., at \$450.00.
- (f) Acquisition of 2,679.97+ sq. ft. plus temporary construction easement, at 1801 Dutchess Street, from Lillian M. Bates and George W. Bates, at \$300.00.
- (g) Acquisition of 6,106.28 sq. ft. plus temporary construction easement, at 1809 Dutchess Street, from Mary T. Park, at \$821.00.
- (h) Acquisition of 3,380.40+ sq. ft. plus temporary construction easement, at 4429 North Interstate 85 Access Road, from Hertz Realty Corporation, at \$225.00.
- (i) Acquisition of 8,959.20 sq. ft. plus temporary construction easement, at 4718 North Graham Street, from White Motor Corporation, at \$597.00.
- (j) Acquisition of 5,266.05 sq. ft. plus temporary construction easement, at 1635 Cannon Avenue, from Grace P. Plyler, at \$702.00.
- (k) Acquisition of 1,087.8 sq. ft. plus temporary construction easement, at 1437 Sugar Creek Road, from Sarah Macie Flowe, at \$300.00.
- (l) Acquisition of 3,829.05 sq. ft. plus temporary construction easement, at 1821 Lisbon Lane, from Mary T. Park, at \$905.00.

For Annexation Area 2 Sanitary Sewer:

- (m) Acquisition of 3,128.40 sq. ft. plus temporary construction easement, at 6101 Verndale Road, from Harold J. Caldwell and wife, Mildred S., at \$209.00.
- (n) Acquisition of 3,380.40 sq. ft. plus temporary construction easement, at 6200 Block of Delta Road, from Fred Stewart, at \$226.00.
- (o) Acquisition of 1,758.75 sq. ft. plus temporary construction easement, at 6200 Block of Delta Road, from Fred Stewart, at \$118.00.
- (p) Acquisition of 2,523.15 sq. ft. plus temporary construction easement, at 6300 Block of Delta Road, from Fred Stewart, at \$169.00.
- (q) Acquisition of 1,117.58 sq. ft. plus temporary construction easement, at 7300 Barcliff Drive, from N. C. N. B. Mortgage Corporation, at \$150.00.
- (r) Acquisition of 1,410.53+ sq. ft. plus temporary construction easement, at 7306 Barcliff Drive, from Clifford H. Motes, at \$169.00.

(continued)

- (10) cont.
- (s) Acquisition of 10,066.95 sq. ft. plus temporary construction easement, at 4900 Block of Lawrence Orr Road, from Mattie Kathleen Davidson King, at \$672.00.
 - (t) Acquisition of 155.40+ sq. ft. plus temporary construction easement, at 4822 Dogwood Place, from Robert M. Styles and wife, Cassie E., at \$18.00.
 - (u) Acquisition of 224 sq. ft. plus temporary construction easement, at 1304 Marlwood Circle, from Wade H. Helms and wife, Ida P., at \$250.00.
 - (v) Acquisition of 2,075 sq. ft. plus temporary construction easement, at 1304 Marlwood Circle, from Wade H. Helms and wife, Ida P., at \$750.00.
 - (w) Acquisition of 5,574.00 sq. ft. plus temporary construction easement, at 1155 Robinhood Circle, from William Everett Rhyne and wife, Mildred H., at \$372.00.
 - (x) Acquisition of 5,403.75 sq. ft. plus temporary construction easement, at 244 Stillwell Oaks Circle, from T. A. Lyerly and wife, Sylvia M., at \$450.00.
 - (y) Acquisition of 1,012.20+ sq. ft. plus temporary construction easement, at 401 Stillwell Oaks Circle, from James O. Belk and wife, Margaret J., at \$68.00.
 - (z) Acquisition of 1,231.95+ sq. ft. at 321 Stillwell Oaks Circle, from Walter M. Jones and Bobby Gene Jones, at \$323.00.
 - (aa) Acquisition of 1,842.60 sq. ft. plus temporary construction easement, at 205 Stillwell Oaks Circle, from Wilmer E. McCracken, at \$123.00.
 - (bb) Acquisition of 211.00+ sq. ft. plus temporary construction easement, at 417 Stillwell Oaks Circle, from Richard Stockdale Taylor and wife, Lila M., at \$16.00.
 - (cc) Acquisition of 1,586.25+ sq. ft. plus temporary construction easement, at 423 Stillwell Oaks Circle, from Teddy L. Sansbury and wife, Katherine W., at \$106.00.
 - (dd) Acquisition of 1,640.85 sq. ft. plus temporary construction easement, at 6132 Lake Forest Road, from Edison Brevard Davis and wife, Nancy J., at \$110.00.
 - (ee) Acquisition of 35.69+ sq. ft. plus temporary construction easement, at 6332 Verndale Road, from H. L. Huntley and wife, Edna, at \$23.00.
 - (ff) Acquisition of 525+ sq. ft. plus temporary construction easement, at 6116 Verndale Road, from Billy G. Jones, at \$43.00.
 - (gg) Acquisition of 2,017.65 sq. ft. plus temporary construction easement, at 6100 Verndale Road, from Bernice H. McLeod, at \$135.00.
 - (hh) Acquisition of 3,024.75+ sq. ft. plus temporary construction easement, at 6307 Barcliff Drive, from Oren Barkley and wife, Betty D., at \$202.00.

(continued)

(10) cont.

For Annexation Area 8 Sanitary Sewer:

- (ii) Acquisition of 10,465.65 sq. ft. plus temporary construction easement, at 4400-4600 Block of I-85, from J. C. Brookshire, at \$698.00.
- (jj) Acquisition of 625.65 sq. ft. plus temporary construction easement, off Little Rock Road at I-85, from Aetna Life Insurance Company, at \$52.00.
- (kk) Acquisition of 1,612.25 sq. ft. plus temporary construction easement, at 5600 Block Freedom Drive, from Ralph Jerry Hoffman and Frances J. Hoffman a/k/a Joan Y. Hoffman, at \$365.00.
- (ll) Acquisition of 7,459.95 sq. ft. plus temporary construction easement, at 6215 Elmwood Circle, from Zebulon H. Morgan, Jr. and wife, Brenda H., at \$650.00.
- (mm) Acquisition of 25.31+ sq. ft. plus temporary construction easement, at 6229 Elmwood Circle, from Josephine M. Clary, at \$12.00.
- (nn) Acquisition of 3,687.15+ sq. ft. plus temporary construction easement, at 1000 Block of Little Rock Road, from Jake M. Black and wife, Betty J., at \$500.00.
- (oo) Acquisition of 9,198.90 sq. ft. plus temporary construction easement, off McDonald Road, from American Textile Corporation, at \$614.00.
- (pp) Acquisition of 7,575.15 sq. ft. plus temporary construction easement, at 8216-8224 Kerrybrook Circle, from Margaret H. Robinson, at \$505.00.
- (qq) Acquisition of 2,854.80+ sq. ft. plus temporary construction easement, at 6701 Pawnee Drive, from Paul R. Dingler and wife, Margaret, at \$191.00.
- (rr) Acquisition of 1,529.10 sq. ft. plus temporary construction, at 6708 Manderley Drive, from St. James Methodist Church, at \$204.00.
- (ss) Acquisition of 8,918.70 sq. ft. plus temporary construction easement, at 2700 Block of Burkholder Road, from Trustees of Mulberry Baptist Church, at \$595.00.
- (tt) Acquisition of 2,193.60 sq. ft. plus temporary construction easement, at 2718 Daleview Drive, from Robert Drane Harkey and wife, Barbara P., at \$750.00.
- (uu) Acquisition of 14,234.90 sq. ft. plus temporary construction easement, off 2200 Block of Little Rock Road, from Thomas F. Wilson, at \$949.00.
- (vv) Acquisition of 1,992.90 sq. ft. plus temporary construction easement, at corner of Little Rock Road and 6700 Block of Tuckaseegee Road, from Thomas F. Wilson, at \$133.00.
- (ww) Acquisition of 1,186.35 sq. ft. plus temporary construction easement, at 6708 Tuckaseegee Road, from John F. Eggleston and wife, Helen P., at \$200.00.
- (xx) Acquisition of 2,251.35 sq. ft. plus temporary construction easement, at 2108 Toddville Road, from D. R. Lane and wife, Louise, at \$500.00.

(continued)

- (10) cont.
- (zz) Acquisition of 6,107.85 sq. ft. plus temporary construction easement, at 2000-2100 Block of Toddville Road, from Daisy M. Stone, at \$1,000.00.
 - (aaa) Acquisition of 3,733.65 sq. ft. plus temporary construction easement, at 2011 Toddville Road, from Robert H. Stone, Jr., at \$500.00.
 - (bbb) Acquisition of 4,454.70 sq. ft. plus temporary construction easement, at 5401 Pinebrook Drive, from Houston Lee Woody and wife, Doris, at \$297.00.
 - (ccc) Acquisition of 12,161.85 sq. ft. plus temporary construction easement, at 4925 Thrift Road, from Carson E. Burke, at \$1,000.00.
 - (ddd) Acquisition of 1,587.75 sq. ft. plus temporary construction easement, at 2348 Toddville Road, from Bruce Mason Pistole and wife, Mary K., at \$450.00.
 - (eee) Acquisition of 1,949.25 sq. ft. plus temporary construction easement, at 2412 Toddville Road, from Hubert Glenn Goodman and wife, Kathryn, at \$400.00.
 - (fff) Acquisition of 8,074.50 sq. ft. plus temporary construction easement, at 2525 Dogwood Circle, from Ronda Earl Warren and wife, Edith B., at \$539.00.
 - (ggg) Acquisition of 3,578.70 sq. ft. plus temporary construction easement, at 2600 Dogwood Circle, from Eva Wright Hartman, at \$239.00.
 - (hhh) Acquisition of 853.05+ sq. ft. plus temporary construction easement, at 2717 Dogwood Circle, from William Boyette Gardner, at \$57.00.
- (11) Approval of the issuance of a Special Officer Permit to Charles Wesley McIver, 853-J Farmhurst Drive, for use on the premises of Park and Recreation Department. The applicant has been approved by the Police Department.

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ANNOUNCEMENT OF TRANSPORTATION COMMITTEE MEETING ON AUGUST 10, 1978.

Councilmember Gantt announced a meeting of the Transportation Committee on August 10, 1978, at 3:00 o'clock p.m., in the Council Chamber. He stated he would like for Mr. Burkhalter to inform Mr. Bobo that the Committee would like to have reconsideration of the bus master plan commitment placed on the agenda again in light of some information he had received from ATE.

Councilmember Gantt stated he received a copy of a letter to Mr. Kidd from the Central Offices of ATE with regard to the services they might be able to offer as part of the Plan.

REQUEST TO ALLOW TRANSPORTATION COMMITTEE TO WORK WITH STAFF AND STATE HIGHWAY DEPARTMENT ON REVIEWING THE DESIGN CRITERIA FOR THE LATTER LEG OF THE INNER BELT EXPRESSWAY.

Councilmember Gantt stated he would like to ask Mayor Harris to consider allowing the Transportation Committee to work with Staff and the State Highway Department on reviewing the design criteria for the latter leg of the Inner Belt Expressway, that is, the portion from Kenilworth Avenue to I-77. He stated in a meeting they had with concerned residents of that particular expressway, the minutes reflected concern with regard to the land use and design of the roadway itself, rather than the question of the transportation alternative of the road.

He stated, without question, Council, in effect, said that the expressway around the inner part of the City was needed, however, he has found the final design of the road from Kenilworth to Independence Boulevard has not yet been finalized, or at least, is not ready to go out for bids. That he thinks it would be a good time for them to examine what alternatives there are and what the conditions of that road are likely to be.

Councilmember Gantt moved that this be placed with the Transportation Committee so they might put into operation the necessary apparatus to have the State present it to the Committee so they could make recommendations to Council.

Mayor Harris asked if he wanted to have the item concerning from Kenilworth to I-77, the design, and ask the State to meet with the Transportation Committee and Staff go over their design and Councilmember Gantt replied that is correct. Mayor Harris asked if they had a design for this portion yet and Councilmember Gantt replied it has not been finalized. He stated he could not see any other way they could act on what they suggested to the citizens and that was that they were concerned about the aesthetic considerations of the road itself and were looking at ways they could, in fact, evaluate the impact of that road to land uses around it.

Councilmember Gantt stated in that connection, it would seem to him it would be a good time for them to examine what it is first that the State plans to do and have our staff have some input and the Transportation Committee itself, take a look at it. Mayor Harris asked who builds the interstate system and Councilmember Gantt replied the State.

Mr. Burkhalter stated his concern is whether this should be Transportation Committee or the Public Works Committee; that Transportation was created primarily for bus transit. Councilmember Gantt replied this has been a debate in his own mind for a long time since Council formed Committees. That they have spent a lot of time on transit issues but it is not a transit committee - it is a Transportation Committee. He stated that they simply had had no issues to deal with, with regard to thoroughfares. That he would be happy to have it as a combined committee of Transit or possibly they would want to present it first to Council, but the point is if we are going to make some input in this process, we need to know what they are doing right now.

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Councilmember Gantt stated he hesitated to bring this up because he did not want any negative reactions with regard to whether they were questioning the need for the Inner Belt at this time.

Mayor Harris stated he would write a letter to Billy Rose concerning this matter and see when he would arrange to have some staff meet down here with them. Councilmember Gantt stated he would be quite willing to have the entire Council hear the presentation on the design of the latter leg of that road.

Mayor Harris asked if he was limiting it to the design aspect and Councilmember Gantt replied he is going on the basis that Council, at least one time he is aware of, has confirmed the decisions that were made by a number of other Councils as to need for the road, but what they have not decided on is to at least have some input on, or be informed of the design of this portion.

Councilmember Selden stated there was a study made, before he came on Council, by Lewis Clark which dealt with screening and other things and Council should be able to assist in dealing with any adverse reaction. He stated he does not want to see any delays in the actual implementation of the plan.

Councilmember Gantt stated that is why he would like to do this now rather than have citizens come in at the point in time when we are ready to let contracts on this and delay the project.

STATEMENT BY COUNCILMEMBER GANTT CONCERNING THE PURCHASE OF PROPERTY
IN THE FOURTH WARD REDEVELOPMENT AREA.

Councilmember Gantt read the following memorandum to Mayor Harris and Members of City Council:

"In accordance with the recently passed amendment to G. S. 160-A-511 relative to ownership of property in a redevelopment area, I should like to disclose the following in compliance with the amended Statute:

It is my intention to purchase the property located at 517 North Poplar Street, consisting of approximately 9,500 square feet in the Fourth Ward area on or about August 15, 1978, for the sole purpose of constructing a residence. It is my intention, upon completion of the residence, to occupy the premises as my principal residence."

Councilmember Gantt requested the above memorandum to be recorded as a part of the minutes of the meeting. That he would like to note this is the same piece of property that he had to sell last year, so there will not be any question about it later.

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REPORT REQUESTED ON CITY'S SIDEWALK POLICY.

Councilmember Leeper stated he is still waiting on a report about where we are in terms of our sidewalk policy in the area of Alleghany, Carlisle and Carramore Streets. Mr. Burkhalter replied he had received the new sidewalk priority list from Public Works and Councilmembers would be receiving a copy of it shortly.

REPORT REQUESTED ON USE OF WILMORE SCHOOL FOR COMMUNITY PURPOSES.

Councilmember Leeper stated he made a request sometime back about looking at the possibilities of using Wilmore School for PAL Programs. That he would like to follow up on that and see if there is any way they can use that school, particularly the auditorium. Mr. Burkhalter replied he forwarded that request to the staff.

Councilmember Leeper requested Mr. Burkhalter to check with them and see whether this can be developed. He stated his main concern is to start using some of the facilities we already have which will benefit the whole community.

DISCUSSION OF DEVELOPING BETTER UTILIZATION POLICIES OF SCHOOL FACILITIES TO BE PLACED ON NEXT AGENDA.

Councilmember Leeper stated he would like for Council to consider giving Councilmember Trosch and him some directions in terms of beginning to deal with the Liaison Committee to at least talk about developing better utilization policies of school facilities, and at least consider developing swimming pools in the Bond Package. He stated we, as taxpayers, own and operate these and he would certainly like to see some policy develop at some point in terms of community use. That possibly the Liaison Committee might be a beginning point so they can talk about things like this and he would like some direction from Council.

Mayor Harris asked if Council ever did anything officially on their memorandum and Councilmember Trosch replied she, Bob Walton and Louise Brennan were going to meet at lunch to try to finalize this and then it will go to Committee and then to Council.

Councilmember Short asked if the County also voted to have a \$10 million park issue? That either the Mayor or someone on this Committee ought to get together with the County on this. Councilmember Leeper replied he would like to know if his Committee was going to get some directions from Council about discussing this.

Councilmember Short stated they should wait until Council comes up with an agreed list to see what they are really going to be putting before the voters. Councilmember Leeper replied we already have the school facilities and we ought to have better use of them. That this is something that we can now begin to at least discuss.

Councilmember Dannelly stated there is going to be a school-community park at Carmel. That he does not know if it will include a swimming pool or not. He stated he does not know what the County has in their budget or what they are thinking about when it comes to swimming pools, but they might think about the possibility of getting a swimming pool at South Mecklenburg which could serve the county residents; particularly those who are neglected when it comes to having swimming pools in their area, Pineville, Pine Valley, etc. He stated this is one thing they could start discussing with the County and the school system.

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Mayor Harris stated Councilmember Leeper is asking for a directive to pursue the idea of using all the school facilities and Councilmember Leeper replied that is correct.

Councilmember Leeper moved to place the subject of developing better utilization policies of school facilities on the agenda. The motion was seconded by Councilmember Trosch and unanimously carried.

REPORT ON ANIMAL SHELTER TO BE PLACED ON AGENDA.

Councilmember Frech asked if the Mayor and members of Council had received copies of the Animal Shelter report and Mayor Harris replied yes. She stated she would apologize to them that they did not receive the report before so much of it was made public. That she would suggest they read it because sometimes what is printed in the newspapers tends to take things out of context.

Councilmember Frech moved to place the report on the next agenda. The motion was seconded by Councilmember Selden, and carried unanimously.

Mayor Harris stated this Committee has done a great job, spent many, many hours and they should be commended.

REPORT REQUESTED ON SIGNS IN FRONT OF BUILDINGS.

Councilmember Trosch stated several weeks ago she requested a report concerning signing in front of governmental buildings to identify them. Perhaps it is something the Liaison Committee could consider if it is going to involve a joint effort.

Mr. Burkhalter replied he forwarded this request to the Planning Department to see if any planning regulations were violated and then it was sent to Public Relations for some design work. That several people will be involved. Councilmember Trosch asked to have this report when it is completed.

FILL

REPORT REQUESTED ON EXAMINING IN-FIELD REQUIREMENTS IN THIRD WARD.

Councilmember Selden stated Councilmember Carroll drew up an excellent memorandum about examining the in-field requirements of Third Ward. He hopes that action is being taken on that; that he is adding his interest to that of Mr. Carroll.

REPORT REQUESTED ON AUTOMOBILE ACCIDENT AND STANDARD PROCEDURES IN POLICE DEPARTMENT.

Councilmember Selden stated he would appreciate some member of staff investigating a report concerning a 16-year old who was speeding in a residential neighborhood recently at 10:30 o'clock p.m. and plowed into some shrubbery and trees. He stated he was informed the young man had been drinking but when the police came out, they stated they could not give him a ticket because they had been instructed by the District Attorney that they do not bring charges in a situation like this.

He stated he would like the City Manager to investigate this and advise him if this was, in fact, standard procedure in the Police Department.

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INTERVIEWS FOR ENGINEERS FOR SUGAR CREEK AND IRWIN CREEK REHABILITATION
ODOR PROBLEMS TO BE HELD ON AUGUST 17, 1978.

Mr. Burkhalter advised staff will be interviewing engineers for the Sugar Creek and Irwin Creek Rehabilitation Odor problems at 8:30 o'clock a.m., in August 17, in the Second Floor Conference Room.

COMMENTS RELATIVE TO PLAZA MIDWOOD AREA.

Councilmember Carroll stated relative to the merchants who were here today from the Plaza Midwood Area, he feels like after we get the report back from the Planning Commission, we still need to follow their recommendation up. They recommended some sort of Task Force and he would hope that they could encompass that in the long range plan to the Committee which is going to be appointed to deal with the traffic.

Mayor Harris stated the Plaza Midwood Study was very good and he would like to make this our Fourth Ward out-of-town. That it is a real target area for some developing between private and public interests in the future. He stated it would be a very good target area and beautiful to restore; it would take a massive organization effort and a lot of capital.

Councilmember Carroll stated it is like downtown and the development of the urban renewal area, if we have a good plan and are on top of it and pushing it, we can make it happen.

Mayor Harris stated those people felt there was a commitment to this area from Council and Council ought to try to do something about this. He stated if any member of Council had any ideas of how this is to be structured or further thoughts about the study, he would like to hear from them.

PRELIMINARY REPORT REQUESTED ON PLANNING FOR THE STATESVILLE-DERITA ROAD
AREA.

Councilmember Carroll stated he asked Mr. Fred Bryant, Acting Planning Director, when he was going to give Council a preliminary report on some planning for the Statesville Derita Road area about 30 days ago; that he would assume this report would be at the next meeting and he would like to go ahead on this.

REPORT REQUESTED ON EXTENDING HOURS OF OPERATION AT REVOLUTION GOLF
COURSE.

Councilmember Dannelly stated several weeks ago he requested that someone look into having the hours of operation at Revolution Golf Course extended so working people could use it. Mr. Burkhalter replied he would get him a report on this.

NAMING OF A PORTION OF THE INDEPENDENCE EXPRESSWAY TO BE PLACED ON
THE AGENDA.

Councilmember Short moved the naming of the Independence Expressway to "The John Belk Expressway" be placed on the agenda for consideration. The motion was seconded by Councilmember Selden.

Councilmember Short stated this portion is totally within the city limits of Charlotte; it would be a convenience to local people and he feels we should use this name. That it has been ok'd to him, personally, by the Planning Commission and by the North Carolina Board of Transportation.

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Councilmember Short stated we should go ahead with this and he believes the State Board, and even the feds will back it up. That if there is some technicality that says you cannot have an expressway with a federal number and also with a name, he feels it could be waived in this case. He stated this is strictly within the inner city and we should go ahead anyway; that if they want to stop us, then they can try, but he does not think they will.

REPORT REQUESTED ON BALANCED GROWTH PRESENTATION.

Councilmember Chafin stated she would like to ask the City Manager when Council is going to have a presentation on Balanced Growth and Mr. Burkhalter replied the staff is preparing it at this time.

RULES SUSPENDED TO ALLOW DISCUSSION OF NON-AGENDA ITEM.

Councilmember Chafin moved that the rules be suspended to allow discussion of non-agenda item. The motion was seconded by Councilmember Selden, and carried unanimously.

COUNCIL MEETING ON AUGUST 21, 1978 TO BEGIN AT 12:00 NOON.

After discussion, Councilmember Chafin moved that the City Council Meeting on August 21 be scheduled to begin at 12:00 o'clock Noon. The motion was seconded by Councilmember Selden, and carried unanimously.

CITY ATTORNEY ADVISES COUNCIL OF LEAGUE LEGISLATIVE COMMITTEE MEETING IN RALEIGH, ON AUGUST 15, 1978.

Mr. Underhill stated he and Councilmember Short, as members of the League Legislative Committee, will meet in Raleigh on August 15th, which is the first full meeting of that Committee, to consider the League's Legislative Program for 1979 Session. That Councilmember Short will make a report when they return about what the League is considering at that time. He stated there will not be any final decisions until the Convention in October.

He stated in that connection, if anyone has any ideas for that list, he would like for them to bring them to his attention in the next few weeks.

COUNCIL INFORMED OF PROPOSED WELCOME CENTER ON I-77.

Mayor Harris stated he received a call last week from Mr. Burnette; that the State is interested in proposing a Welcome Center on I-77 at Tyvola Road, if Council is interested. That Welcome Centers have become somewhat passe on our highways and monies have not been funded for them recently. He stated now they have an interest in perhaps building on City property at Tyvola and I-77, where there used to be a landfill.

He stated Mr. Burnette was interested in whether or not Council would support the use of that land for a Welcome Center, if they can get a \$1.3 million from the State to build it there. Councilmember Short asked if it was proposed for the northeast corner and Mayor Harris replied yes; it would be a welcome center for people coming into the State from the south.

Mr. Burkhalter stated he had a communication from the Chamber of Commerce urging them to consider this proposal. That he would ask

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two things - first, to see if the State would pay for it because most of this would be interstate funds, 90%, and they ought to refund the City for that property, and second, he has asked traffic and other people to look at this because it is a very, very busy intersection right now. He stated he will give a report to Council.

ANNOUNCEMENT OF PUBLIC WORKS AND PLANNING COMMISSION MEETING ON
AUGUST 17, 1978.

Councilmember Gantt announced a meeting of the Public Works and Planning Committee on August 17, 1978, at 4:00 o'clock p.m.

ADJOURNMENT.

Upon motion of Councilmember Chafin, seconded by Councilmember Gantt, and unanimously carried, the meeting was adjourned at 7:32 o'clock p.m.



Louise H. Comfort, Deputy City Clerk