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The City Council of the City of Charlotte, North Carolina, met in regular session on Monday, December 18, 1978, at 8:00 o'clock p.m., in the Education Center, with Mayor Kenneth R. Harris presiding, and Councilmembers Don Carroll, Betty Chafin, Tom Cox, Jr., Laura Frech, Harvey B. Gantt, Ron Leeper, Pat Locke, George K. Selden, Jr., H. Milton Short, Jr. and Minette Trosch present.

ABSENT: Councilmember Charlie Dannelly (comes in meeting later).

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INVOCATION:

The invocation was given by Reverend Alvin Reiners, Holy Comforter Episcopal Church.

PRESENTATION TO F. MARION DIEHL, DIRECTOR OF PARKS AND RECREATION.

Mr. Ray Kisiah, American Athletic Union, stated since 1885, the Amateur Athletic Union in the United States has sponsored programs for amateur athletes in this country. National and international programs which the AAU has been involved in are very well known. The Olympics being only one. Not so well known are the local programs, particularly for young people that are sponsored throughout every city and county in America.

That in 1961, the AAU recognizing the roll that the professional recreators played in this program decided to establish a special award, in fact, two special awards. One for the AAU Public Recreation Man of the Year and the other for the AAU Public Recreation Woman of the Year. This award is not necessarily based upon achievement or outstanding contributions during a given year, but over, in most instances, a number of years.

The nominations for this national award are taken from each of the AAU 56 District Associations of which North Carolina is one. Then the national finalist are sent to an awards committee, of course, and selected like any other normal awards presentation would be done.

That they have two outstanding individuals this year, the winner of the AAU Woman of the Year was a professional recreator in Tucson, Arizona and the winner of the AAU Man of the Year award this year was from North Carolina. The award this year is based on over 33 years of service to the youth of this community through amateur athletics.

Mr. Mayor and members of the Council, it is a rare privilege for me to be able to present the award of the AAU Public Recreation Man of the Year to Mr. F. Marion Diehl, Director of Parks and Recreation for the City of Charlotte.

Mr. F. Marion Diehl, Director of Parks and Recreation, stated he is very honored and pleased and appreciative to receive this national award. He is sure that every recreation department and all of their employees as well as all of the members of the North Carolina Amateur Athletic Union deserve this trophy and this honor just as much as I do. He is certain that they are sharing it with him. He stated to Mayor Harris that he would like to take a minute or two to tell them about the national award.

Mr. Diehl stated this was the first time it has been awarded to two persons from the same state. It is also the first time it has been awarded to two persons from the same city; also the first time it has been awarded to two men from the same recreation department. Mr. Ray Kisiah won this honor himself in 1965; Mr. Kisiah also work with the Charlotte Park and Recreation Commission from 1950 - 1954, 1956-1962. He thinks this speaks well for your

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State, your City and especially for your Parks and Recreation Department here in the City of Charlotte. He thanked all who had a hand in making him the recipient of this National Award, and especially thanked Mr. Ray Kisiah.

Mayor Harris and the Councilmembers expressed their congratulations to Mr. Diehl.

ANNOUNCEMENT OF APPOINTMENTS.

Mayor Harris announced that Councilmember Minette Trosch and Councilmember Ron Leeper have been reappointed to the the Inter-Governmental Liaison Committee. That Councilmember Pat Locke has been designated to the Centralina Council of Governments, with alternates Councilmembers Charlie Dannelly and George Selden.

SUSPENSION OF RULES TO PLACE AN ADDITIONAL ITEM ON AGENDA, AND EXECUTIVE SESSION SET FOR TUESDAY, DECEMBER 19, 1978.

Councilmember Chafin moved to suspend the rules to place an additional item on the agenda to deal with it early in the session while the news media is present. The motion was seconded by Councilmember Trosch. Ms. Chafin stated the purpose is to call an executive session of Council.

Councilmember Carroll stated he would like to be excluded as he has been on previous occasions when Council meets to discuss the item concerning the Police Department. The City Attorney advised that Council has excused Councilmember Carroll previously, and it is still in effect.

Councilmember Chafin moved that the City Council hold an executive closed session on Tuesday, December 19, 1978, at 2:00 o'clock p.m., in the Second Floor Conference Room, City Hall, for the purpose of meeting with the City Attorney and Mr. David B. Sentelle, an Attorney hired by the City Council to investigate alleged wire-tapping and destruction of evidence by the Police Department pursuant to the provisions of G.S. 143-318.3(a)(4) and (b), and G.S. 143-318.4(7). The motion was seconded by Councilmember Selden, and carried unanimously.

MINUTES OF SPECIAL MEETING ON NOVEMBER 30, APPROVED.

Motion was made by Councilmember Trosch, seconded by Councilmember Frech, and carried unanimously, approving the minutes of the Special Council Meeting on Thursday, November 30, 1978.

ORDINANCE NO. 465-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE AMENDING THE ZONING MAP BY CHANGING THE ZONING OF PROPERTY LOCATED EAST OF TURNER AVENUE, OR EAST OF INTERSECTION OF TURNER AVENUE AND STATE STREET, ON PETITION OF CHARLIE HOPKINS.

Motion was made by Councilmember Gantt, seconded by Councilmember Chafin, and carried unanimously to adopt the subject ordinance changing the zoning from R-6MF to B-1(CD) as recommended by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 26, at Page 416.

ORDINANCE NO. 466-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE TO AMEND THE ZONING MAP BY CHANGING THE ZONING OF PROPERTY LOCATED AT SPRINGDALE AVENUE, LENNOX AVENUE AND PARK ROAD, ADOPTED.

Councilmember Selden moved adoption of the subject ordinance changing the zoning from O-6 to R-6MF with the exception of the property at 1819 Springdale Avenue, the AHEPA House site. The motion was seconded by Councilmember Gantt.

Councilmember Chafin made a substitute motion to rezone all five properties to R-6MF as petitioned. The motion was seconded by Councilmember Frech.

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Councilman Leeper stated at the discussion of this petition during the public hearing, he raised the question about the particular property on Springdale Avenue and whether the persons who were interested in using that property, the Greek Church, would be willing to have that as a conditional zoning and they indicated that they did not have any problem with that. That Ms. Chafin's motion, and he understands that they cannot make that a conditional zoning, that is his concern that that property be used and used only for that purpose. He asked Mr. Landers to speak to this.

Mr. Bob Landers, Planning Commission, stated with respect to the rezoning of the AHEPA site on Springdale, if the property is rezoned to R-6MF for them to carry out their plan, they will go through a Special Use Permit for a quasi-judicial hearing, and that would be equivalent or better than the conditional.

Councilman Leeper then asked if they would have to come back to Council with the request on conditional zoning and plan? Mr. Landers stated with a request for a Special Use Permit for the fraternal organization within the R-6MF District.

Councilwoman Frech stated that she wants to see the AHEPA organization use the property and apparently they can even if it is rezoned to R-6MF. What worries her is that Council is sure that they intend to use and it is not a use we object to but if something were to happen and they didn't, or the property were to be sold then it would still have office zoning. So the purpose of protecting the neighborhood is not really served unless Council rezones the property with the understanding they can apply for a conditional use permit.

Councilwoman Trosch asked Mr. Landers if they also had to have a filing fee also to go to Special Use; is it \$100 fee? Mr. Landers replied that is correct. Ms. Trosch asked if screening is required between office and residential; this is referring to the Park Road property where there seems to be no screening there and one of the reasons by the Planning Commission given to exempt that from the rezoning was the fact that there was no screening there; that she was under the impression that this was required?

Mr. Landers replied that screening is required between an office use and a residential use. The presence of an alley-way constitutes a separation from the office and a residential. Screening will not be required where an alley-way separates the two properties, at least under the present conditions it is not required.

Councilman Selden asked in addition to the \$100 fee for a conditional zoning application, they would also run the risk of not being able to accomplish their objectives? Mr. Landers stated he was not sure that he understood what Mr. Selden was saying. Mr. Selden stated that it can be turned down by this Council. Mr. Landers stated under the Special Use Permit, if the petitioner provides evidence, sufficient evidence to demonstrate that he has met the required findings of fact, the general consensus is that he is entitled to the permit and there is less discretion there than there is in the conditional rezoning.

Councilwoman Chafin stated that she made her motion with the understanding that the AHEPA organization would be required to go through the Special Use process; that she regrets that they would be imposing this additional requirement on them, but along the line that Ms. Frech was speaking, she feels that their real purpose here is to protect the neighborhood and to establish a zoning pattern that represents good land use rather than to respond to the concerns of one organization. That she feels certain and she will lead the effort that the Dilworthians will help them raise that necessary \$100; that their decision tonight should be based on good land use patterns and their efforts to protect the neighborhood and she feels that the appropriate zoning should be R-6MF. That she has every faith and confidence in the world in this organization and their commitment to Dilworth.

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Councilman Short stated he feels that the proposed motion would be just some additional technical rigamarole to get to exactly the same result. The danger you mentioned is quite remote that some how Dilworth might be polluted by using one path way instead of another to get to this result. That he thinks the Planning Commission report stated it quite well that Council might as well go to that result by the simplest method.

That he wanted to mention one other point in connection with this zoning and campaigning that has occurred by the fine citizens of Dilworth who have pushed this matter. In talking over this matter with a number of the Dilworth citizens during the course of the week, individuals who gave him telephone calls or came by to see him, he just observed that none of them seem to know what had been done, if anything, to involve the owners of these five properties in the consideration of these matters. It seems to him that it is a little bit like the situation last week where the Council had planned to go out and visit Mrs. Davis' property and had not told Mrs. Davis about it. That it was just a denial that seemed to be of open government. That in fact he asked one very prominent member of the Dilworth group to give him a run down of their efforts to include the owners of these lots and there considerations of this matter and he never gave him anything. The party to whom he made this request is one who is involved in enforcing the laws in this community about open government and disclosure.

That he thinks this matter gets to be a little bit serious, and he is going to ask that this be out on the agenda by next meeting for a little bit of discussion because he thinks there are two or three very easy simple things that could be done that would eliminate these kinds of problems. Mr. Short stated that he is going to vote for the motion. The substance of this motion as Mr. Selden has it or as either group has it, is good but the procedures used where someone is trying to zone someone elses property, leaves a lot to be desired here in this community and they can very simply hem this up.

Councilman Short requested that this put on the next agenda. Mayor Harris stated that he could do this as a separate item.

Councilman Gantt stated he liked a lot of what Mr. Short had just said about the notification of the property owners; he also liked the idea of Mr. Selden's initial motion and the points made about the same results are likely to be achieved. That what gives him some concern is the fact that they are going to make it a little difficult; but he does not think that \$100 is substantial, the attorney's fees may be a little more substantial for the Special Use Hearing. In terms of community goodwill he thinks the purpose of the Dilworth organization sought is being achieved. It is not as if this Greek organization is a Johnny-come-lately to the community. That he has no feelings that this is the kind of fly-by-night arrangement or some kind of delaying tactic or tactic that they are using to avoid the situation of having the property changed to another designation.

Mr. Gantt stated they showed Council a floor plan and elevation of the property that they intend to build and he frankly in the hearing got the feeling that they intended to build this. Whether they build this tomorrow or next year, he does not know but he has the feeling it is going to be built; to him it appeared to be an investment in the community. That he could not find contrary to the overall goals of the neighborhood and he just wondered if the purpose of the community goodwill is served by in fact, bringing about what in fact could be a technicality to insure that nothing else is ever built there.

He stated that the church has been there a long time and he does not know if they are going to sale that anytime soon. That he felt Mr. Selden's motion was one that would satisfy all parties; and the people he talked to from the Dilworth Community seem to have more concern about the 1817 Park Road property than they did about the status of the AHEPA House; so he wonders why they want to be inpunitive to this particular organization at this time. He questions why they need to even introduce that. He understands why Ms. Chafin introduced it to insure that the property never is changed; but he wonders whether or not given the situation of nine votes being required will we run the risk of losing the whole thing.

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Councilmember Carroll stated he understands what Mr. Gantt is saying, and what he thinks the purpose of Mr. Selden's motion. He would suggest as a compromise the motion include that we waive any fee to initiate the petition so that the burden is decreased. Council has done this in the past when other things have come before us which have not been brought about by the person directly affected. He does think there is a certain orderliness in the procedure Ms. Chafin suggests in that Council is approaching it in terms of what the classification should be and what it abuts on the other sides where the residences are located; and they want to permit the use the AHEPA House wants to have there. He suggests that be considered as a way to get the proper classification, and yet minimize any burden on the AHEPA organization.

Councilmember Chafin stated she would accept that as an amendment to her motion.

Mayor Harris stated the motion as amended will include the waiving of the \$100 fee.

Councilmember Selden stated there is no possible way they can waive the attorney's fee in a quasi judicial hearing. Councilmember Leeper stated he was prepared to support the motion until Mr. Carroll added the stipulation in there. He has some problems with that, particularly since it was indicated that the \$100 was not the real burden, it was the attorney's fee that was going to be the burden on the group. He understands what Mr. Gantt is saying and he still personally feels the R-6MF is the proper zoning for that piece of property, giving the location in the community. He stated he just does not want them to get into any kind of problems they cannot get themselves out of and other people will ask Council to do the same thing. He cannot support it.

The vote was taken on the substitute motion as amended, and fail to carry on the following vote:

YEAS: Councilmembers Chafin, Frech, Carroll and Trosch.

NAYS: Councilmembers Cox, Gantt, Leeper, Locke, Selden and Short, and Mayor Harris.

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

The ordinance is recorded in full in Ordinance Book 26, at Pages 417 and 418.

ORDINANCE NO. 467-Z AMENDING SECTION 23-8 OF THE CITY CODE AMENDING THE ZONING MAP TO CHANGE THE ZONING OF PROPERTY ON EAST INDEPENDENCE BOULEVARD AND IDLEWILD ROAD, ON PETITION OF GRIER WALLACE, JR., ADOPTED.

Motion was made By Councilmember Selden and seconded by Councilmember Short to adopt the subject ordinance changing the zoning from R-9 and R-9 Conditional Parking to B-2(CD) for parking of motor vehicles on a 5.7 acre parcel located at the northerlymost corner of the intersection of East Independence Boulevard and Idlewild Road, as recommended by the Planning Commission.

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

The ordinance is recorded in full in Ordinance Book 26, at Page 419.

MOTION TO SUSPEND RULES AND MOVE TO AGENDA ITEM NO. 9

Councilmember Chafin moved that Council suspend its rules to move to Agenda Item No. 9 in deference to an out of the city guest. The motion was seconded by Councilmember Locke.

Councilmember Cox stated he does not like doing this. Mayor Harris stated Ms. Besty Stafford from the Regional Office of HUD in Greensboro is here, and she has to return tonight. Mr. Cox stated there are other people present who would like to have their items taken care of also. Mayor Harris stated we requested Ms. Stafford to come down tonight, and she does have to return tonight.

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

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RESOLUTION APPROVING THE HOUSING OPPORTUNITIES PLAN.

Mr. Wilson stated the Housing Opportunity Plan is to provide a wider geographic choice of housing opportunities for low income house holds rather than concentrated assisted housing or low income households in a few districts in the region.

Some of the immediate benefits to the region would be a locally determined distribution formula. Right now HUD has a formula they prepare annually and they distribute the allocations to the region.

Another benefit would be the wider participation of more jurisdictions in the provision of assisted housing. They feel this would result in deconcentration of lower income persons in some of the jurisdictions of the regions that are over concentrated in terms of the relative degree of concentration within a region.

There are bonus points that go to Community Development Discretionary Communities for participating in the area-wide housing opportunity plan. These are very important factors to the smaller communities within the region. Of the eight communities funded with discretionary money this year, six of those communities rated marginal in the competition. Without 50 points next year they may not be funded. This could result in a potential loss of approximately \$4.0 million to the region if these communities do not get the additional 50 points. At least eight other regions are preparing housing opportunity plans; if they are approved those jurisdictions would benefit from the 50 points.

There is a potential benefit to the region should the housing opportunity plan be approved. The region would then become eligible to apply for bonus allocations for Section 8 and Community Development monies through HUD. This additional allocation would range, if we were awarded the bonus, for a minimum of 10% to a maximum of 50% of what the regional allocation currently is.

He compared the HUD Plan in terms of how it compares to the HOP formula that has been developed, and the possible benefits to the City of Charlotte.

First. There is a guaranteed minimum to the City of Charlotte of participating in the area-wide Housing Opportunity Plan. The HUD allocation formula would not have a guaranteed minimum.

Second. There is the first right of refusal of any unused allocation in Mecklenburg County. If the County received an allocation, and the small towns receive a fair share allocation under the HOP formula and they do not utilize these funds, they would be made available to the City of Charlotte. Under the HUD formula this is currently not the case. There is no such guarantee.

There is also a guarantee in the HOP formula to the City of Charlotte that if any unused funds resulted in the region after every effort was made to facilitate housing, these unused funds will go to the City of Charlotte. This is a basic incentive that has been put into the plan for the City of Charlotte with the hopes that it will be incentive enough to participate with them.

Another guarantee is that the HOP formula that they prepared will remain constant. It will be subject to annual review; and if any changes are made agreements will be re-negotiated with the participants in the HOP. As of now, there is no guarantee that the HUD formula will remain constant. In fact, they received information today that the formula used last year has changed slightly. In 1978 the HUD formula gave Charlotte-Mecklenburg County 44.6 percent of the regional allocation. In the information they have just received from the area HUD office indicates that this year approximately \$3.1 million will be distributed to the region; and this will be the breakdown - 42% to the City of Charlotte; 8% to Mecklenburg County for a total of 50%.

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Mr. Wilson stated the HOP formula shows the City of Charlotte with 33.6% and Mecklenburg County the balance with the small towns with 12.5% for a total of 46.1%. In this case the City of Charlotte and Mecklenburg County was favored; because of the changes in the HUD formula there is no guarantee that would continue to be the case.

A long range benefit to the City of Charlotte would be the City of Charlotte would no longer have to bear the responsibility of not only providing housing for its own needs but also providing housing for the needs of a number of other jurisdictions in the region. Thus far, only 35 jurisdictions have pledged their support and their participation and their intent to try to facilitate housing.

A few considerations Council should give in making a decision to participate.

One. Should they consider providing housing on a wider geographic basis to lower income persons, should concentration be a factor of the Board. Especially considering the fact that the City of Charlotte is the highest concentrated unit in the region. It has both the highest number of low income persons and the highest percentage.

They should also consider what would be the long and short range effects should some of the discretionary communities lose its allocations. This could result in a \$3 to \$4.0 million loss to the region, including Mecklenburg County. Mecklenburg County currently is funded at a level of \$700,000. Should they lose the benefits of the 50 points, they may not be re-funded.

A further consideration. Would the City of Charlotte benefit if other communities within the region begin to provide housing and facilitate provision of housing to meet their needs? If the other governing units within the region begin to facilitate housing and are successful, it would mean a decrease to the City of Charlotte. But 99% of the decrease Charlotte would experience would not go to other communities within the region; it would go to Mecklenburg County. If these small communities within the region cannot facilitate the provision of housing, then we have numerous policy statements which they feel are safeguards which will guarantee to the City of Charlotte at least first right of refusal to any unused allocations within Mecklenburg County; and secondly, any unused allocations in the region.

During previous years five to ten percent of the regional allocations have gone unused. So there is a potential, under HOP, for the City of Charlotte to get even a greater share than it would either under the 1978 distribution under HUD, or the 1979 distribution.

Councilmember Gantt stated this is possibly much more important to the other towns in the region in addition to the distribution of lower income housing to other parts of the COG. But the 1979 HUD formula indicates if we do not get 50% of the housing allocation, and then all of a sudden we lose four percent in the entire county under the HOP formula leads him to say, after hearing a discussion earlier, that we do not need to lose anything. What would happen if we decided we wanted to get in for the time being, and get out later on after we have had experience with the program.

Mr. Wilson replied one of the policy statements is that participation can be renegotiated on an annual basis. HUD approves the HOP for a three year period; but it would be one of our policies that participation would be renegotiated on an annual basis; that we need at least 50% of the governing units participating from a region. They have to represent at least 75% of the population. Charlotte is privy to that decision because it has over 25% of the regional population.

Mr. Harvey stated the plans makes the statement Mr. Gantt just asked. The policy that is part and policy of this plan permit to the annual review, and offers that right. The resolution also contains that language.

Councilmember Gantt asked if HUD can guarantee the right of re-evaluating our position in HOP? Ms. Betsy Stafford, District Director of HUD, replied if HUD approves Charlotte's Housing Opportunity Plan with that provision in it

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then they will honor that commitment. The Housing Opportunity Plan is kind of an involving program within HUD. She cannot commit what HUD will do in the future as far as HOP plans are concerned; but if Charlotte's HOP plan approves that language, and then if it is approved, she is sure it will be a part of the plan. If they drop out, the presumption would be that any commitment for three years at that point would no longer be valid; and that any bonus points which would occur to the small cities in the metropolitan area as the result of having an approved plan would no longer be valid either.

Councilmember Gantt stated he can see some benefit in this kind of a program if in fact the small towns use their allocations; and even if they did not use their allocation. If they use the allocation that in effect creates housing in other places which takes a little of the pressure off Charlotte. Ms. Stafford stated she thinks that probably one of the main reasons that HUD has developed this mechanism is to assist in efforts to de-concentrate low income people in central cities and in major cities in metropolitan areas. People like to live where they want to live. When housing for low income people is not available in the smaller communities surrounding the cities, people in order to afford housing are forced to move into the central cities. Charlotte has done a fine job of de-concentrating within the city limits recently with the assisted housing built. She would like to commend them for that; and suggest that this type of mechanism might be a way to assist in accomplishing the goals that both the City and HUD should do. In terms of numbers, it might on the face of it appear Charlotte would be losing a few units of housing; but she thinks that HUD's commitment to the Housing Opportunity Plan is such that where unused funds become available the communities that have indicated a commitment and support for this type of thing will be looked upon favorably in terms of decisions of re-allocation. There is no guarantee. Mr. Gantt stated they do not guarantee that any unused allocations to this COG or to this particular regional plan will come to Charlotte. He asked if this can be written in as a part of the policy? Ms. Stafford replied the plans are approved in Washington; that she cannot make a commitment on the part of that Office. If it is written into the plan, and it is approved, then she can tell him yes. If it is not approved, then we are back at zero.

Mr. Harvey stated that is written into the plan. Councilmember Cox stated if HUD accept this plan, then it accepts our guarantee.

Councilmember Selden stated we are a part of COG whether we like it or not. We are a part of the region, and our health goes along with the rest of the region. He thinks there is unquestionably a long term advantage to the City of Charlotte with respect to reducing migratory change that might stimulate public housing demands in the central city.

Councilmember Selden moved that Charlotte adopt the HOP plan by adopting a resolution adopting and agreeing to participate in the areawide Housing Opportunity Plan of the Centralina Council of Governments. The motion was seconded by Councilmember Chafin.

Councilmember Trosch asked if the other communities do not use their allocation, will there be any penalty to them for not having used it? She did not see it anywhere in all this paper work the fact that would occur. But if the encouragement is for them to use that money, and many of them do not have the staff and so forth to do that at this point, and all due effort will be made to encourage them to use that funding; but if they do not use that funding it will not be a negative on their application? Ms. Stafford replied to the extent the performance as far as providing housing once the need has been established, and it becomes part of the Housing Assistance Plan of each community applying for discretionary funds - to the extent they do not perform that affects their rating of capacity in subsequent years if they apply for a small cities grant. So the intent would be that they provide the housing that is needed, and that shows in the plan as being needed in that area. If they do not, and if they have made every effort to do it and for reasons that are beyond their control, then it would not have a negative effect. However, if efforts are not made; or if they take actions which tend to make it difficult for a developer to respond to a site or something

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of that sort within a small community, that could very well have a negative effect upon their rating for subsequent year applications for blight.

Ms. Trosch stated they are getting 50 extra points for doing this; and in fact if they do not go through with what she sees as the intent, eventually they set up the mechanism to carry this through, they may eventually be penalized for it; or they will set up the mechanism and therefore we will end up without the first refusal. Ms. Stafford replied she does not consider the penalty against them - their discretionary funds are so competitive in nature that unless an area is really performing well, and demonstrating a capacity to use the funds wisely and to accomplish their program, and within a short period of time they will fall out in the next year.

Councilmember Chafin stated in support of the motion, and as a comment, she thinks that all of those who participated in the session on relocation earlier were quite frustrated by some of the HUD requirements they encountered. She stated we do have an acute housing need here in Charlotte; and we recognize that we need all the resources that can be made available to us. We also realize that we need to move to implement some of the thoughts we have developed regarding more involvement of the private sector.

Ms. Chafin stated she agrees with the comments that have been made that we are part of the region, and we do need to cooperate with the County and with the small towns in the area in meeting the total housing needs of the region. She is hopeful at some point we might discuss with the County the possibility of some joint housing efforts. They have a housing committee which has been reviewing the situation. She understands the Housing Authority could actually be given the authority to provide housing on a county-wide basis, which might make sense at some point in the future. Recognizing that we may lose some badly needed allocations, she will support the motion to participate in the HOP with the guarantees that are built in.

Councilmember Leeper stated he has a lot of mixed feelings about this. Just coming out of that relocation meeting with citizens with our staff telling us that houses on that income level is not available in our community. This HOP plan has some long term results if we can form a cooperative effort with other cities and towns in this region. But he has to caution Council in making this decision that we are talking about long term results; that we cannot really expect to see any real gains in terms of meeting the needs in our immediate community for the housing needs we have in our community right now. It disturbs him that we are talking about forming a collective effort with other communities to try to meet the needs of housing when our needs are more critical than any other area probably in this region right now.

Councilmember Chafin stated we have to find some alternative ways to produce housing. Councilmember Leeper stated we have to find some alternative ways of providing more housing without losing the allocations we have. That is his concern. He thinks it is obvious with the allocations. The small towns in this area are not about to try not to meet some of the needs they have, and use the allocations that are made available to them. He thinks they can use the allocations that are going to be made available to them, and some more. Charlotte is not the only community with housing problems in this state. Charlotte's is a little more critical than some of the other areas.

Mayor Harris stated we can serve as a magnet in effect to attract more low income people to our city because of employment opportunities or whatever; and perhaps that is another factor. Rather than serve as a magnet to allow smaller towns to provide the housing for the citizens rather than having them move into Charlotte. Mr. Leeper stated that is the reason there will be long term results because we already have the critical needs in this community. Even if the other small towns started developing housing now, that will not happen in the next three or four years in terms of alleviating our problems.

Councilmember Carroll stated he does not think anyone will want to come to the magnet to get on a three or four year waiting list, which is the kind of situation we are faced with. He really does not see any reality in the HOP kind of proposal in part because the HUD allocation is so puny that we cannot begin to deal with our own problems. Charlotte might become so attractive

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that somebody would come from Landis or somewhere to take advantage of it much less deal with the problem of the region.

Mr. Carroll stated part of the other problem with the thing is that we have discretionary CD funds tied up with a separate housing program which may or may not be something they are interested in. There may be the political interest in building housing; there may not. There may be a lot of interest in using discretionary Community Development money for sidewalks or a multitude of other things. One of his real concerns is that on the second round you go through when there is a re-allocation statewide of anything left over, would Charlotte be penalized by the fact there was poor participation in our region by other people who have a percentage and entitlement under the HOP? Ms. Stafford replied the answer to the question is no; but she thinks the presumption there will be another statewide advertisement is probably not a valid one for fiscal 79. She thinks the funds, if we have unused funds late in the fiscal year and things have not gotten underway, that the allocations will not be based on a statewide basis. But rather based upon where the unused funds were, and more of a fair share type allocation as the original allocation of funds have come to us.

Mr. Carroll stated in other words, it will be done entirely on a regional basis probably? If any region has anything left it will go to somebody else in that region? Ms. Stafford replied she is not prepared to say how it will go until they know more specifically what we are dealing with. One thing she is prepared to say is that we will not go statewide.

Mr. Carroll stated he can appreciate the concerns of the other municipalities and governmental organizations in the region not to lose any ground on their CD application. He asked what 50 points mean? How many points are we talking about? What is the overall competition? Ms. Stafford replied we are talking about a sizeable number of points. But 50 is a large chunk for a single criterion of judgement. She believes you computed out that in this metropolitan area that had this system been used last year that out of about eight or nine small governmental entities in this metropolitan area, two of them would have been funded; and the remainder would not have been funded.

Ms. Stafford stated about Mr. Carroll's presumption about the mobility of people. She remembers her first trip to Charlotte was about five months ago; and it was to dedicate a high rise public housing building for the elderly. During the course of that visit she was taken around and shown most of most has occurred in the Charlotte area in which HUD has had any financial participation. She remembers Mr. Hall telling her at that time how anxious he was to begin to get housing constructed in the small communities around Charlotte because the Housing Authority was being very heavily affected by the movement of public, particularly elderly people from the small communities into the City in order to have decent housing. She does not have any statistics or anything like that; but she recalls that comment being made to her. If that is the case, then she guesses there is considerable mobility into the city. Mr. Carroll replied it may well be true particularly of some of the elderly units that we have. Like a lot of areas our major crunch - we have been able to build some elderly capacity units as well as family units, particularly relocation we have been discussion earlier and the problem with relocating families. Ms. Stafford stated they will be pushing in their allocation family and large family units this year more so than in the past. Mr. Carroll stated he understands if HUD goes along with this HOP they will honor all the provisions which are in there regarding the allocations coming down to Charlotte if the other people do not use them. Ms. Stafford replied if they approve it, then the Area Office has to implement it; they will live by the provisions of it.

Councilmember Trosch stated Mr. Williams, Assistant City Manager, has worked with this as far as staff goes. She asked if most of the unanswered questions have been asked; or if he has questions he feels need to be asked to get an answer to from the representative of HUD? Mr. Williams replied from a staff standpoint, they got involved in the development of the HOP after the formulas had been developed. That the work has been done by the COG staff. He stated

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they wanted to provide an opportunity for Council to be able to see how the HOP Plan would work; how Charlotte's participation would affect the region; how it would affect our own allocation. That was the purpose of the discussion here tonight. He thinks with the stipulations made with the fall-out from the county and the fall-outs from the region, there would be no state-wide fall outs, and with the provision that after a year's experience we find it would be to our best interest to withdraw, he thinks that is about as much as we can ask in terms of our participation in the plan.

Ms. Trosch stated then his questions have been answered. She thinks the basis of it is if that policy is adopted - the COG policy is accepted by HUD - then we have the assurances of the three areas we were concerned about.

Councilmember Frech stated she has the same concerns as Mr. Leeper; and has very mixed feelings about this; but she intends to support it. She is not sure whether it is housing that attracts people to Charlotte or whether it is jobs. So she is not sure that just having the housing will solve the problems; we may still be left with the problem of trying to provide housing. She guesses she just cannot face being told that Charlotte kept other small communities from getting their community development grants. That is more than she can face. So she will just have to have faith this will work out as people say it will.

Councilmember Carroll stated in two years on the allocation to our region after Charlotte goes along with the HOP, and Charlotte has used 90% of that allocation but the other small towns are not building houses, will that affect HUD's overall evaluation of how many units come to this region? The lack of participation on a wide scale? Ms. Stafford replied she does not feel that would affect the number of units that might be made available to the City of Charlotte. The funds come to them broken down in different ways, different years, depending on how the Congress passes the law and what they put into it. Last year, the allocation had so many set-aside things that were responsive to provisions of the law that it was a nightmare to try to allocate once the State of North Carolina's fair share of the total amount of money was set aside. It was very difficult to do. This year the Congress did not put all those stipulations in the bill; but the Office of Management and Budget is raising some issues that are similar to what the Congress had in the bill last year. So the allocation of funds is one she might promise, and then because of some change in the national policy she would not be able to fulfill. She can tell Council that the performance of the City of Charlotte would be the determining factor in what Charlotte would get if there is any flexibility at all. But Metro money and non-Metro money are separate pots. Metro money stays in the Metros and non-Metro money goes to non-Metros because the basic law is quite careful to follow a percentage of the total fund - 75 percent to the metropolitan areas and 25 to non of the total amount of appropriated funds for community development block grants, and the housing allocations are so closely tied to the community's housing assistance plan, or HOP if it is a regional one. They are pretty much tied to providing the metro funds in metro areas. The City of Charlotte's performance has been very, very good. She would not anticipate that it would be hurt in any way by anything that small communities do.

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

The resolution is recorded in full in Resolution Book 14, at Page 44.

PURCHASE OF TEN PARCELS OF PROPERTY IN THE CHERRY NEIGHBORHOOD STRATEGY AREA FROM BREVARD MYERS AND FAMILY, AUTHORIZED.

Motion was made by Councilmember Short, and seconded by Councilmember Selden for the purchase of ten parcels of property containing 64 housing units and 16 vacant housing sites owned by Brevard Myers and Family, located in the Cherry Neighborhood Strategy Area, for a total amount of \$325,000.

Councilmember Carroll stated he was hoping Council would have a copy of the plan before it at this time; that he thinks he knows, but he wants all of Council to know what the proposal is, and to be committed to it. He asked if he is correct that our staff and the Cherry Community Organization is in agreement on a plan; and this is an important part of that plan? Mr. Sawyer

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replied that is correct. Mr. Carroll asked if there are any loose ends that Council should be aware of at this point? Mr. Sawyer replied not regarding this particular item; they are in accord on this. The Organization is in favor of it, and he is recommending it. As far as the plan is concerned he has just talked to the Attorney for the Cherry Community Organization; he has gone over the plan; he has a few questions which they are going to do their best to get together tomorrow on those questions. But as far as the plan is concerned he thinks he can say they are in agreement. In concept and in the important policy matters; and the program matters. They have not completed the maps that are a part of the plan; and the maps generally illustrate what the text of the plan describes. They have not spoken specifically to future land uses in the Cherry Neighborhood; and the zoning required to conform to those uses. But he thinks that follows agreements on housing patterns etc. He sees no problems ahead as far as agreeing on a plan they can recommend to Council for approval

Mr. Carroll asked if it is true, and if it is included in the plan that the rehab houses which are created in Cherry or occur in Cherry through acquisition by the City or by this purchase or by the Cherry Community Organization - will the people in Cherry have the first opportunity to utilize that housing? Mr. Sawyer replied yes; the people living in Cherry will have the first opportunity to become homeowners or tenants.

Councilmember Leeper asked if there are a substantial number of other houses owned by the Myers' family? Is this it? Mr. Sawyer replied as far as Mr. Brevard Myers and his family is concerned this is it. That Mr. John Dwelle owns a substantial amount of housing in the area; but none of that is involved in this as far as he knows. Mr. Leeper asked if this group of houses is in the same geographical area; are they in the same location? Mr. Sawyer replied they are; generally speaking this housing is between Main Street and Baxter Street. Mr. Leeper stated what he is actually asking is to loan \$300,000 to Community Development? Mr. Sawyer replied yes; to buy this housing initially, and that money to be repaid at a later time. Mr. Leeper stated he is very glad to see some progress being made in Cherry.

Councilmember Carroll stated he would like to add his thanks to Mr. Sawyer. He knows a lot of hours have been devoted by him personally to this; he would also like to recognize Mr. Hair, President of the Cherry Community Organization, and some of the members of his Board who have also spent long hours on this. He is glad they are present tonight. It is an important step forward. It is a lot of good progress with citizens and local officials working together.

Mayor Harris stated in speaking of cooperative natures, this is a very good; a lot of water has gone under the bridge in this transaction.

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

CONTRACT AGREEMENT WITH CENTRAL PIEDMONT COMMUNITY COLLEGE FOR A COMMUNITY EDUCATION PROGRAM FOR COMMUNITY DEVELOPMENT TARGET AREA RESIDENTS, APPROVED.

Motion was made by Councilmember Locke, and seconded by Councilmember Selden to approve the subject contract agreement for a total amount of \$110,000 to serve approximately 905 target area residents.

Councilmember Trosch stated there is a cut of \$65,000 in this. She asked if that is because the Small Business Orientation Management and Pre-Vocational is out? Will that be picked up somewhere else? Mr. Sawyer replied this is the manpower portion; and that is being picked up by the City's Employment and Training Department. It will be done by Mr. Person in his Department without a contract with CD. Mrs. Trosch stated the HRD programs are offered from 9:00 until 2:30; and all the other sections of the contract asked they be held at night or held in places convenient to the residents. But this seems to be in the middle of the working day.

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creation of a Park Bonds Advisory Committee the Youth Advisory Board feels it is only fitting that young people be given the opportunity to serve on the Committee. It is no surprise that young people are the most frequent users of public parks. Since they are the most frequent users of public property they are better aware of the problems that exist in our present park system. The Charlotte-Mecklenburg Youth Advisory Board urges Council to consider the appointment of a Charlotte youth to the Park Bond Advisory Committee.

Further, the Youth Advisory Board offers its full support and input in the newly created committee. It is their hope they can play a key role in the development of parks for everyone.

Mr. Charles Lamb, 5306 Galaway Drive, stated he is a member of the Mecklenburg County Drainage Commission, and he is before Council in that capacity. With city growth and urbanization we do create one disadvantage in water run off, storm water management, as is evidenced by Council's enactment of the ordinance that became effective October 1, 1978, regarding storm water retention. He understands that the item before Council is the development of a Committee regarding the expenditure of the park bond money that was recently approved by the voters; and that this committee will be charged with the responsibility in part of determining locations of parks, and the use that will be made of that property once it is acquired. For this reason, he comes to ask that Council additionally charge that Committee with the responsibility of working closely with the Drainage Commission as well as with other commissions and committees throughout the city and county that are concerned with the overall development and coordination of growth in our city and county.

He feels that through this method and through this cooperative effort that we would be able to utilize our tax dollars in a multi-folded benefit to the taxpayers by utilizing park lands that could also rest along creek banks and creek channels; that could serve at times as a retention basin or other methods of drainage control and flood control.

He asked that Council consider this. That a resolution to this effect is on its way from the Drainage Commission.

Councilmember Trosch asked that the following amendments be made in the resolution;

Add another "Whereas" as follows:

"Whereas, it is the expressed desire of the City Council of the City of Charlotte to move towards consolidation of the City and County Parks and Recreation Department which is currently under study."

Under Paragraph (1) insert the word "interim" before City Parks Bond Advisory Committee. That Paragraph (4) be deleted and the following be inserted:

"(4) The term of office for each member of the Committee shall be three (3) years. A member of the Committee is eligible for reappointment, provided however no member shall be eligible to serve more than two (2) full consecutive terms. In the event the City of Charlotte and Mecklenburg County consolidate their separate park and recreation programs into a joint operation, this Resolution shall be null and void and the Committee established herein shall cease to exist."

Under Paragraph (5) change the membership from 22 members to "11" members. One being appointed by each member of Council.

Ms. Trosch stated she requested this item be placed on the agenda; that many of them have been talked to by the Sierra Club members, by members of the Joint Committee to Promote the Bonds; and by concerned individuals in the community. The hesitation on the part of many of the Council Members she believes to begin with was that we have a consolidation study underway. She personally did not want anything to appear to be superseding that, or that we were going to create a Committee that would be an advisory committee forever and ever, unless consolidation does not occur. That is why she suggested putting the interim parks committee on the agenda, naming an interim committee looking forward to the day

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ORDINANCE NO.468-X TRANSFERRING FUNDS TO FINANCE INCREASED COST OF POLICE VEHICLES AND THE PURCHASE OF RADAR UNITS FOR POLICE DEPARTMENT.

Motion was made by Councilmember Selden and seconded by Councilmember Frech to adopt the subject ordinance transferring \$72,700.

Councilmember Carroll asked where this money is coming from? Mr. Finnie, Director of Budget & Evaluation, replied from the fringe benefit where money was funded for all budgeted positions; a number of positions are not filled, and they do not anticipate filling those vacancies because of the productivity recommendations. So they are using the fringe benefit allocations. They know they have this much and perhaps a few thousand more.

Councilmember Carroll stated later on the agenda are bids for cars. Is this money to be used for that purpose; it looks as if the bids were within the funds already budgeted? Mr. Finnie replied the amount budgeted for the marked cars was about \$54,000, and they came in at \$61,000; so they did not have enough for those cars. The funds available in the back of the book are based on the assumption that Council will approve this ordinance.

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

The ordinance is recorded in full in Ordinance Book 26, at Page 420.

Mayor Harris stated it is significant that this is the basis of all the productivity study recommendations last year. A lot of people think about productivity savings and possibly reducing taxes; but the problem is with inflation.

LEAA GRANT AWARD AUTHORIZED.

(a) Motion was made by Councilmember Gantt, seconded by Councilmember Trosch, and carried unanimously, accepting an LEAA grant providing funds for the salary and benefits costs for one Administrative Assistant I for a total of \$12,000.

(b) Motion was made by Councilmember Locke, seconded by Councilmember Short, and carried unanimously adopting Ordinance No.469-X appropriating funds in the amount of \$13,333 to finance the salary and benefits costs for an Administrative Assistant I in the Police Department with the State's share \$666, and the City's share \$667.

The ordinance is recorded in full in Ordinance Book 26, at Page 421.

RECORD RETENTION POLICY FOR THE FINANCE DEPARTMENT, AUTHORIZED AND AUTHORITY TO DESTROY RECORDS IN ACCORDANCE WITH THE ADOPTED POLICY.

Motion was made by Councilmember Trosch, seconded by Councilmember Short to approve record retention policy for the Finance Department, and the authority to destroy those records in accordance with the adopted policy when the retention period has been reached.

Councilman Gantt asked if this was something they do every year? Mr. Burkhalter stated they will if they approve the policy so that they can do this. That it will be a continuing thing. Mr. Gantt stated that he seems to remember in a previous Council doing something similar to this. Mr. Burkhalter stated they did a special thing. He believes the last thing they brought to Council's attention was Building Inspection records. That it has been some time since Mr. Fennell has done this.

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Mr. Fennell, Director of Finance, stated they are recommending this because they have some very critical problems. The recommendations are in strict accord with the State Statutes as far as record retention. It does require Council's approval before they can destroy the records even though the minimum time is strictly described in the Statutes. They do have the problem of either disposing of those records that are no longer useful, or providing additional storage space for their protection.

Councilmember Selden stated earlier this year, with Council's permission, he reviewed the Building Inspection records, and he is totally in favor of this proposal. He would like to add to it a suggestion that in various other departments, where there is not a critical time frame such as a statement, financial statement, or bill, where they have specific life spans or retentions, that the parties involved in the building of the file review the file before it is closed out, and throw out the extraneous material. He found in the Building record files, numbers of duplicates, and file notes which did not mean anything to anyone except the persons involved in that specific thing. They can reduce the volume of paper that is stored before they ever come to this process for those records which they generally have on microfilm. He is suggesting they establish a policy related to disposing of extraneous materials in files as the files are being closed.

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

Councilmember Carroll asked the difference between indefinitely and permanently? Mr. Fennell replied permanent as described by the State Law is what you have to keep; there is no elimination. Indefinitely they do have some discretion after they reach a number of years. For instance, if an employee leaves your employment, you can dispose of his earnings record. Certain records, such as bond ledgers, are permanent and they have no discretion but to retain the record.

GENERAL SERVICES DEPARTMENT CREATED.

(a) Motion was made by Councilmember Short, seconded by Councilmember Trosch, and carried unanimously, adopting a Resolution to Establish a new Department to be known as the "Department of General Services".

The resolution is recorded in full in Resolutions Book 14, at Page 48.

(b) Motion was made by Councilmember Chafin, and seconded by Councilmember Selden, to adopt Ordinance No. 470-X Establishing a General Services Department, and amending the Table of Organization to add the positions of Administrative Secretary I, and General Services Director, for a total amount of \$28,000.

Councilmember Carroll stated he does not understand why they need \$28,000 to fill two positions which will only be for approximately four months. Mr. Stuart, Assistant City Manager, replied the estimated costs are for six months. At the time they pinned this down exactly, they wanted to give Council a realistic assessment of when the position would be filled. This will probably be March 1. Instructions to the Budget Office were to put money in to cover it for any eventuality in the event the positions were filled sooner. The funding is for six months; however, the schedule anticipates a possibility of hiring beginning March 1. That will account for the difference.

(COUNCILMEMBER DANNELLY CAME INTO THE MEETING AT THIS TIME, AND WAS PRESENT FOR THE REMAINDER OF THE MEETING.)

Councilmember Leeper asked how this relates to the efforts they have been having with consolidation of transportation with UCS and the County, and the Neighborhood Center thing? How does this relate with that effort - the discussions they have had?

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Mr. Stuart replied not at all in their view. This really relates to the consolidation of the City's own internal program to maintain its vehicles. Not with regard to any transportation programs affecting the clients. Mr. Leeper stated his question is related to Item (c) which says the development plan for the implementation of basic evidence of the fleet management system as appropriate to include the central ownership of all vehicles - rental of vehicles, the using Department and other features of the fleet management. Would that have something to do with it other than the maintenance of equipment? Mr. Stuart replied in a sense yes. Under a fleet management concept it does call for a central unit, in this case General Services, to literally own all vehicles used by the City, and in turn it would establish a rental charge for each department for the use of the vehicles. For example, Neighborhood Centers would rent vehicles from the General Services Department at a certain rate which would cover operations and maintenance costs as well as replacement cost. It is a financial concept when you think of a fleet management.

Councilmember Leeper asked if General Services would maintain control over those vehicles and determine who will use them and when? Mr. Stuart replied the control it maintains is ownership for care of the fleet. The day to day custody of the vehicles would rest with the departments; there would be a specific vehicular assignment program so that any department that has a list of vehicles assigned to it from General Services is going to have the vehicles assigned on the basis of the program it has to carry out on a day to day basis. He does not see it subject to any great day to day fluctuation, such as loss of vehicles. It does add flexibility to move vehicles around when you have needs in a department that require a greater number of vehicles.

Councilmember Leeper stated that is basically what they were discussing along with UCS and the County - the centralizing of transportation use. Mr. Burkhalter, City Manager, replied no. Tonight would have been a good example. If we had had fleet management financed as this plan has made, one recommendation tonight Council would not have appropriated \$72,000 to buy police cars. The money would have been in General Services; the rental for that automobile would have been sufficient to replace the car that is suppose to be replacing; the funds would be there. Also it says if appropriate. It may not be a recommendation of this Committee at any time in the near future to go into this type of fleet management. But it is something that should be looked at. Council would have to approve a plan to do this because you have to set up funds; set up reserves and you have to have something to start with. All it does is have the vehicles - which departments; that the Manager's office and Council will have a directive as to where these vehicles go and who uses them. All this office will do is furnish it at a given price.

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

The ordinance is recorded in full in Ordinance Book 26, at Page 422.

(c) Motion was made by Councilmember Selden, seconded by Councilmember Trosch, and carried unanimously, adopting a Resolution Amending the Pay Plan to create a classification of General Services Director, Pay Range 30.

The resolution is recorded in full in Resolutions Book 14, at Page 49.

Mayor Harris stated this is directly from the Productivity Study.

COUNCILMEMBER CARROLL EXCLUDED FROM VOTE ON THE FOLLOWING ITEM.

The City Attorney stated Mr. Carroll will be excluded from the following item for reasons stated previously in connection with the Alleged Police Wiretap Investigation.

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ORDINANCE NO. 471-X TRANSFERRING FUNDS TO FINANCE THE PROFESSIONAL SERVICES OF DAVID B. SENTELLE, RENTAL COSTS OF AUTOMOBILE FOR MAYOR'S OFFICE, AND CONTRIBUTION TO MARTIN LUTHER KING CELEBRATION COMMITTEE.

Motion was made by Councilmember Gantt, seconded by Councilmember Leeper, and carried unanimously, adopting the subject ordinance in the total amount of \$10,438.

The ordinance is recorded in full in Ordinance Book 26, at Page 423.

GIFT OF LAND ACCEPTED BY THE CITY.

Motion was made by Councilmember Short, seconded by Councilmember Chafin, to accept the deed of a gift of one acre of land along Briar Creek, behind Green Oaks Apartments, from George R. Trotter and wife, Susan C. Trotter.

Councilmember Trosch requested that in the future, the mandatory referral information be supplied to Council with these agenda items. That she thinks that is important information on which to base Council's decision.

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

NOMINATIONS TO FILL UNEXPIRED TERM ON AUDITORIUM-COLISEUM-CIVIC CENTER AUTHORITY.

The following nominations were made to fill the unexpired term of Ann Thomas on the Auditorium-Coliseum-Civic Center Authority:

- (a) Ms. Alex Sink, nominated by Councilmember Chafin.
- (b) Mr. Harold Rudd, nominated by Councilmember Leeper.

CONTRACTS AWARDED.

(a) Upon motion of Councilmember Locke, seconded by Councilmember Chafin, and carried unanimously, contract was awarded the low bidder, Wilson Fence Company, in the amount of \$5,993, on a unit price basis for Southside Community Development Brookhill Fencing.

The following bids were received:

Wilson Fence Company	\$5,993.00
Cyclone Fence, Division of U.S. Steel Corp.	6,874.56
Hartsell Brothers Fence Company	8,366.40
Allison Fence Company	8,628.45

(b) Motion was made by Councilmember Selden, and seconded by Councilmember Short to award contract to the low bidder, Rea Construction Company, in the amount of \$493,653.70, on a unit price basis, for First Ward Urban Renewal Street Improvements.

Councilmember Carroll stated he understands the need to proceed; but he really thinks in all fairness, Council needs to take a look at First Ward before spending what is essentially the remainder of the budget,

Motion was made by Councilmember Carroll to defer this item. The motion was seconded by Councilmember Trosch.

Councilmember Cox stated he was not thinking about this being deferred today; although he does sympathize. If there is some way to pass this, and save the obvious increase in costs that would accrue to any kind of delay in today's environment, he thinks Council should consider that. They are talking

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about probably a month to six weeks, if they are lucky, to say that this is a good idea or a bad idea; and then we have to go through the rebid process again, and that could add \$30 to \$30 thousand, and that is a lot of money.

Councilmember Short stated even though the bid is accepted, there could be change orders. Councilmember Carroll stated there again Council is pre-judging the whole thing; and quite honestly he is uncertain about it. We may want to do it all. He really does not know. He does not know if we can hold the contractor up like that. Mr. Cox stated he would not want to do that.

Councilmember Gantt stated if the Council does not approve this now, it appears to him the bids would be off. The question he has is if there are additional funds that First Ward is going to get? Did we not lend some money somewhere else? Mr. Burkhalter replied you can put the sale of any property into First Ward. But right now it is short. Mayor Harris stated with the price of energy going up right now, he does not think bids will be lower for streets.

Mr. Sawyer, Director of Community Development, stated the Public Works Director just informed him these bids will expire tonight. These are streets that are directly related to the sale of property, or operations Council has already approved. For example, this is Davidson and Ninth Streets surrounding the 25 units of housing the City is building in First Ward. It is also a portion of Eighth Street in front of the eight units, five of which are underway they are going to rehabilitate. There was not enough money to do all they had planned to do in the project area. So with the money they had, which was approximately a half million dollars, they chose very carefully those streets to be improved to recommend to Council which they felt were very badly needed, and were very critical to what is going on now in First Ward. Mr. Sawyer stated he had a map which is in the Training Center; he was prepared to make the presentation over there, and he came off without them. If Council can defer this item for a few minutes he will be glad to get the maps. Mr. Carroll stated that is fine with him. He would prefer to put it off until he had a chance to look at it a little more leisurely. But he does not want any of Council to feel they are giving up something by not acting immediately. He does not mind looking at it tonight.

Councilmember Gantt stated he hears where Mr. Carroll is coming from; and he knows Council wants to look at that plan again; he knows this is the last half million dollars they have in the project; but the streets they are talking about improving the landuse is not likely to change that much. He is worrying right now as to whether or not they needlessly delay this to the tune of \$40-\$50 thousand. He just cannot support the motion to defer; he feels Council should go ahead with the contract. He thinks it might be a little reckless if they turn that bid down at this moment.

Councilmember Carroll stated if he understands this right; it is like improving Ninth Street. Mr. Sawyer replied a portion of Ninth Street, between Caldwell and Davidson, which bounds the 25 units. Councilmember Carroll stated as he understands it, it is between the 25 units they are constructing with the EDA money and the area which is suppose to be a park area? That perhaps they will want to close that section of the street. He does not know; he is just saying he has some questions about it; they would not want to put a new street down there, and then decide they should move the park area over to where they are building the houses.

Mayor Harris suggested that Mr. Sawyer send over for the map.

Motion was made by Council to defer Item (b) temporarily, and carried unanimously (See Page 477 for approval of contract)

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(c) Motion was made by Councilmember Chafin, seconded by Councilmember Trosch, and carried unanimously, awarding contract to the low bidder, Harrelson Ford, Inc., in the amount of \$455,840, on a unit price basis, for 76 four-door sedans, marked and unmarked.

The following bids were received:

Harrelson Ford, Inc.	\$455,840.00
Town & Country Ford, Inc.	458,433.92
Young Ford, Inc.	459,698.64
LaPointe Chevrolet Co.	464,728.36
Dodge Country, Inc.	481,328.16

(d) Motion was made by Councilmember Selden, seconded by Councilmember Chafin, and unanimously carried, awarding contract to the low bidder, Dodge Country, Inc., in the amount of \$26,703.12, on a unit price basis, for six 6-cylinder four door automobiles.

The following bids were received:

Dodge Country, Inc.	\$26,703.12
Young Ford, Inc.	28,399.50
Town & Country Ford, Inc.	28,491.12
Harrelson Ford, Inc.	28,500.00
LaPointe Chevrolet Co.	29,829.84

RENEWAL OF LEASES FOR THE CAMERON-BROWN CENTER APPROVED.

Upon motion of Councilmember Selden, seconded by Councilmember Chafin, and unanimously carried, renewal was approved for leases with the Fairfax, Corp. for the Cameron-Brown Center for City office space, at a rate of \$6.88 per square foot for an annual cost of \$471,321.28, from September 1, 1979 to August 31, 1982.

NEW CITY HALL COMMENTS.

Mayor Harris asked Mr. Burkhalter if he were ready to speak on the point which he asked him about? Mayor Harris stated he would be glad to do it; that this item trigured the thought again about the need for a new City Hall. That down the road a piece, he thinks the affirmation or whatever, he has mentioned this to Mr. Burkhalter and the staff has been working on it, and thought maybe he could report something to Council on that matter now.

Mr. Burkhalter stated that Council sort of left them on limbo with the idea that they continue to look at it. That they do have an update on the requirement of space, that it has been updated by the architect. That what they really need Council to say is that they would like for them to proceed to come to them with something definite; and then they can have some type of idea to bring back before Council so that they either give them the money to have the drawings made so you may have an estimate of cost or decide what you want to do. That if Council is really concerned about this, they really should get moving and he is willing to go back.

Mayor Harris stated the purpose of the discussion he had with Mr. Burkhalter today was that this has been going back and forth for five, six or seven years; and he thinks it is time that we come to grips with coming up with a definitive plan. When Council wants to implement it is their business. But they should have a definitive plan of some sort of action in the next few years. Are you going to build a building? If you are, what type of building are you speaking about? The size and cost estimates and the possible alternatives funding methods.

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Mr. Burkhalter stated he has only one thing real clear; and that is that Council wanted the Council Chamber in this building, and he assumes that is of primary importance.

Councilmember Carroll stated that they have decided that they were not going to be doing anything about this until about 1982; that he does feel that maybe they should take a look at something more limited like the Council Chamber problem. Such as, the feasibility of doing the Council Chamber on the first floor of the existing City Hall and having a room there which would be multi-purpose for meetings, once sometime in the future a building got built. No matter what happens they are going to be stuck with their cubby hole over there for the next three years and sort of like the renovations which are going on now in the new court house; the downstairs of the city hall, the City Hall Building is always going to be a building which he thinks they are going to preserve and he thinks that they could perhaps get an architect to take a look at something on the first floor which would serve them in the interim, because they do not have that much efficient use of the space down there. That he knows that they probably have a couple safes and whatnot in the way but he feels that it will be worth looking at. That maybe they can talk about that at the time when the other proposals are being made.

Mayor Harris stated that the point of all this is when it came across is that if they start today, it will take three years to do what they are looking for as far as the new building is concerned.

Councilmember Cox stated that Mr. Carroll had some good ideas, some kind of interim; he hopes he had not implied by that the lowest possible. Councilmember Gantt stated that will not take three years. Mayor Harris stated they do not want to disturb the historic value of City Hall.

CONSENT AGENDA APPROVED WITH DELETION OF THREE ITEMS.

Motion was made by Councilmember Selden, seconded by Councilmember Trosch, and unanimously carried, to approve the Consent Agenda with the exception of Items 21(a), 24 and 27.

The following items were approved:

- (1) Public hearing on the Preliminary Community Development and Housing Plan for the Fifth, Sixth and Seventh Years set for Monday, January 22, at 3:00 P.M. in the Council Chamber.
- (2) Settlement of the following cases:
 - (a) Settlement in the case of City v. Fred Hummert, et al, Discovery Place, for Parcel 11, 78-CVS-22 in the amount of \$90,000.
 - (b) Settlement of two cases captioned City v. W. Erwin Jones for a sanitary sewer, and for Delta Road Extension, and also acquisition of a portion of the property for a park in the total amount of \$117,000.
- (3) Contracts for water and sanitary sewer extensions:
 - (a) Contract with Carmel Land Company for the construction of 310 linear feet of 2-inch, 830 linear feet of 6-inch and 2,480 linear feet of 8-inch water main to serve Hampton Leas Subdivision, Phase I, outside the city, at an estimated cost of \$35,300, all at no cost to the City.
 - (b) Contract with Apartment Associates One, a North Carolina Limited Partnership for the construction of 852 linear feet of 8-inch and 204 linear feet of 12-inch sewer line to serve Reddman Road Apartments, inside the city, at an estimated cost of \$27,420, all at no cost to the City.

- (4) Approved the following loan agreements:
 - (a) Agreement with MOTION, Inc., in the amount of \$27,000 for 1109 Greenleaf Avenue, Third Ward Target Area.
 - (b) Agreement with Nathaniel Black, Trading as Black's Remodeling and Painting Service, in the amount of \$20,000.

- (5) Approval for the following streets to be taken over for continuous maintenance:
 - (a) Lansdale Drive, from Central Avenue to 754 feet south of Central Avenue.
 - (b) Colony Road, from Sharon View Road to 663 feet north of Sharon View Road.
 - (c) Fairmarket Place, from 790 feet NW of The Plaza to Bridgeport Road.
 - (d) Chaucer Drive, from 120 feet east of Sretaw Drive to Mountain Brook Road.
 - (e) Colorado Avenue, from Grimes Street to 320 feet east of Grimes Street.

- (6) Approval of the following right of entry agreements:
 - (a) Agreement between the City and North Carolina Department of Transportation for the construction of the Airport Connector.
 - (b) Agreement between the City and North Carolina Department of Transportation for the construction of the Airport Parkway.

- (7) Adoption of a resolution authorizing the Mayor and City Clerk to execute an encroachment agreement with Southern Railway System for Annexation Area 10 Trunk to Myrtle Avenue.

The resolution is recorded in full in Resolutions Book 14, at Page 50.

- (8) Approval of the following property transactions:
 - (a) Acquisition of 15' x 103.17' of easement, plus temporary construction easement, at 519 Stillwell Oaks Circle, from Michael Scott and Jenny L. Terrell, at \$900, for Annexation Area 2 Sanitary Sewer.
 - (b) Acquisition of 15' x 720.07' of easement, plus temporary construction easement, at 4125 Rea Road, from Muriel Bondurant Rea, at \$1,000, for Annexation Area 5 Sanitary Sewer.
 - (c) Acquisition of 15' x 357.82' of easement, plus temporary construction easement, at 4035 Rea Road, from J. L. Rea, Sr., at \$660, for Annexation Area 5 Sanitary Sewer.
 - (d) Acquisition of 15' x 349.61' of easement, plus temporary construction easement, at 4015 Rea Road, from Paul Y. Rea and wife, Ruth H., at \$650, for Annexation Area 5 Sanitary Sewer.
 - (e) Acquisition of 15' x 289.20' of easement, off Lawyers Road, from John Crosland Company, at \$1.00, for Sanitary Sewer to serve Chestnut Lake IV.

- (9) Approved the renewal of a special officer permit, for a period of one year, to Ray Wilson Alexander, 2661 Barringer Drive, for use on the premises of Parks and Recreation.

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RESOLUTION PROVIDING FOR PUBLIC HEARING ON MONDAY, JANUARY 15, ON PETITION NO. 79-1 FOR CHANGE IN ZONING.

Councilmember Trosch stated the timing of this hearing at 6:00 p.m. would make the Citizen's Hearing at 5:30 p.m., in the evening, and she feels that is too early.

It was explained to Ms. Trosch that this meeting will be for the purpose of zoning hearings only; no other items will be brought up at that meeting.

Motion was made by Councilmember Selden, and seconded by Councilmember Dannelly, to adopt the resolution providing for the public hearing on Monday, January 15, at 6:00 p.m.

Councilmember Carroll asked if Council would be willing to go with a later time because tonight is an illustration for him to get here at that time. If it is not a problem for anyone else, that is okay; but an hour or half hour later would help him.

Councilmember Gantt stated he thought they set these zoning hearings to start at 6:00 with the regular Council Meeting starting at 8:00 p.m.? Mayor Harris replied that Mr. Burkhalter had indicated at their meeting he could get by on the agenda items with four meetings a month, with one of the four meetings devoted totally to zoning.

Mr. Burkhalter stated the reason they start at 6:00 p.m. is in order to allow the people with afternoon or evening works to come.

Mayor Harris stated there is a special observance at 6:30 p.m. the evening of January 15 which is the Martin Luther King Celebration; so he needs to be there at 6:30.

Councilmember Selden amended his motion to change the time to 7:30 P.M. on this one particular night.

After further comments among themselves, Councilmember Selden amended his motion to set the hearing for this one time at 5:30 P.M.

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

The resolution is recorded in full in Resolutions Book 14, at Page 51.

ORDINANCES AFFECTING HOUSING DECLARED UNFIT FOR HUMAN HABITATION ADOPTED.

Councilmember Short stated the Operations Committee has some things very seriously under discussion, particularly coming from a meeting of this past week that would seem to him to have considerable affect upon these houses, and a considerable change would be made in the procedure recommended here. What they are talking about is apparently something that Mr. Jamison is very much in sympathy with. For that reason he wonders if Mr. Jamison wants Council to proceed with this item.

Mr. Jamison, Director of Inspections, stated the items which they discussed at the meeting the other day would have no affect on these particular houses; they would be treated this way under either plan.

Motion was made by Councilmember Short, and seconded by Councilmember Cox to adopt the ordinances affecting housing declared unfit for human habitation.

Councilmember Carroll stated he is really concerned about this. These houses are occupied; that he thinks they have been allowed to deteriorate with all due respect because we have not been enforcing the code out there. That they are all in such bad shape that the only thing to do right now is to knock them down. The people who live in them do not want to move; that we have no way to offer any relocation benefits that he knows of because it is not in a Community Development Target Area, although relocation help in turns of finding

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a new house might be offered. He would hope that Council would not enforce the ordinances until the people are given a chance to be relocated elsewhere; and would recommend that Council give them some priority in terms of getting Section 8 Certificates to assist them in this process.

He stated he thinks most of them would qualify. It is an area which he thinks the City has just plain neglected; it is too small to be a target area; but it has all the problems, and is more severe than most of the target areas. It has people who have lived there for 25 and 30 years. He does not know the procedure. He asked the City Attorney if there is any way they can give these people some priority in terms of Section 8 opportunity? Mr. Underhill replied he does not think so because they would be code enforcement displacees.

Councilmember Cox stated what he hears Mr. Carroll saying is that we should put the relocation resources for these units - about 11-12 of them - ahead of the priority for those relocations. Does it work that way in that case? Councilmember Carroll replied not for other CD relocations; but the general world out there who have applied for Section 8 Certificates.

Mr. Underhill stated if that is Mr. Carroll's question, the answer is yes; Governmental displacees do get priority in some instances; that he is not real clear if they do with Section 8; but they do on Housing Authority waiting lists.

Councilmember Cox stated the question he has if Council by this request is bumping eleven people that are already on this relocatee list higher priority down eleven notches? Mr. Carroll replied he was not referring to any priority of existing relocatees because they already have their benefits - money to move and things like that that they are eligible for. These people are not eligible for any of that if they do not live in a target area. What he was trying to do is to see if we could give them some priority. Councilmember Cox stated it seems to him if you want to do that, then you do not pass these ordinances, and you continue to allow these people to exist in obviously horrendous kind of conditions.

Mayor Harris asked if this will occur; or is it another threat? Mr. Jamison replied this will occur.

Councilmember Cox stated Council has seen today that the City is the landlord for some uninhabitable houses. He does not know the mechanics. He does not know if these people go to the same relocation resources that our other people do. He thinks they do. Some of the real tragedy they learned about today - so graphically today when they talked to some of the relocatees is that some of these people live in terrible conditions; and they are way down on the waiting list only because there are others who live in a much worse condition. That is a real tragedy and if Council is going to consider what Mr. Carroll suggests, he want them to feel they are doing it equitably and fairly, and without any kind of discrimination against those people who are already on the list. He just want to make sure Council is doing this in a very responsible way.

Councilmember Carroll stated that is a very good clarification, and he is glad Mr. Cox raised it. But what he is trying to avoid is creating more of the problem we have there, and not to displace any of our people who are in city-owned property who are on the relocation list. But simply as opposed to the general population that applies to Section 8 Certificates if we could give them priority.

Councilmember Carroll made a substitute motion that Council adopt these ordinances, and that their enforcement be subject to our providing relocation assistance and giving as great a priority as we can to these individuals in getting Section 8 Certificates for their re-housing. The motion was seconded by Councilmember Leeper.

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Mr. Carroll stated that may be meaningful, and it may not. But he thinks we need to try it.

Councilmember Selden asked if the last part is feasible? Councilmember Chafin stated she thinks Mr. Carroll is asking us to explore it. Mr. Burkhalter, City Manager, stated it takes considerable funds to apply the relocation principle to moving people; and he does not think they have that money anywhere. Mayor Harris stated not unless they are going to take it out of the housing money.

Mr. Underhill stated these people are not eligible for monetary benefits. Ms. Chafin stated she thinks Mr. Carroll understands that. Mr. Underhill stated he wanted all members of Council to understand these people will not get monetary benefits. Mr. Burkhalter stated they could if we said that. Ms. Chafin stated if Council appropriated the funds. Mr. Burkhalter stated if you apply the relocation principle to these people; it is up to Council. Mayor Harris stated that is right; but you would be using your housing funds for relocation allowances. Mr. Burkhalter stated you have to do it if they are federally relocated; you do not have to do it in this case.

Councilmember Cox asked if we did what Mr. Carroll is saying, would we be using up some of our scarce Section 8 allocations to help these people at the expense of those people who are already on the relocation waiting list? Mr. Carroll replied he does not believe so; that unfortunately we are faced with the threat of losing the Section 8 anyway because we have not used it. That is part of the whole problem.

Councilmember Cox stated Mr. Carroll has assured him that his suggestion would not affect those people who are already on the relocation list.

Councilmember Leeper stated there is something he wants to bring to their attention as they talk about what the Operations Committee is talking about through code enforcement, and in remedy; and as we look at people that have Section 8 Certificates that are on the relocation list that we are having difficulty in relocating because of their income level, because of available housing on the market that is affordable for them. This is the same problem if you look at the condition of those houses those people are living in, they are in the same condition as Mr. Carroll indicated that many of our people are living in the target areas. If they could afford anything better than those houses, they would be living in them. Their income level will not allow them, even with Section 8 it will create some difficulty in getting them into some of the public housing with the standards we have now.

There are going to be more of those problems as we choose to enforce our code. That is the problem we are going to have to wrestle with. If we are going to enforce the code, then we will have the problems of other people having to find affordable houses that are standard. He thinks that comes back to the question Mr. Gantt expressed to him, and that is - even with Council's coalition with other towns and cities in the district; with the HOP plan and others, that we are going to have to do something else about providing houses for low income citizens in our community.

The vote was taken on the motion, and carried unanimously, adopting the following ordinances:

- (a) Ordinance No. 472-X ordering the occupied dwelling at 127 E. Liddell Street to be vacated, demolished and removed.
- (b) Ordinance No. 473-X ordering the occupied dwelling at 129 E. Liddell Street to be vacated, demolished and removed.
- (c) Ordinance No. 474-X ordering the occupied dwelling at 131 E. Liddell Street to be vacated, demolished and removed.
- (d) Ordinance No. 475-X ordering the occupied dwelling at 1111-13 North College Street to be vacated, demolished and removed.
- (e) Ordinance No. 476-X ordering the occupied dwelling at 1115-17 North College Street to be vacated, demolished and removed.
- (f) Ordinance No. 477-X ordering the occupied dwelling at 1100 Elm Street to be vacated, demolished and removed.
- (g) Ordinance No. 478-X ordering the occupied dwelling at 1104 Elm Street to be vacated, demolished and removed.

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- (h) Ordinance No. 479-X ordering the occupied dwelling at 1106 Elm Street to be vacated, demolished and removed.
- (i) Ordinance No. 480-X ordering the occupied dwelling at 1108 Elm Street to be vacated, demolished and removed.
- (j) Ordinance No. 481-X ordering the occupied dwelling at 112-14 Elm Street to be vacated, demolished and removed.
- (k) Ordinance No. 482-X ordering the unoccupied dwelling at 4309 The Plaza, in a CDRS Area, to be demolished and removed.

The ordinances are recorded in full in Ordinance Book 26, beginning at Page 424.

ADOPTION OF A RESOLUTION TO ADVERTISE THE INTENTION TO EXTEND A LEASE WITH THE JUNIOR LEAGUE OF CHARLOTTE, NC.

Motion was made by Councilmember Chafin, seconded by Councilmember Locke, to adopt the resolution to advertise the intention to extend a lease with the Junior League of Charlotte, North Carolina for a period of ten years for their continued use of a portion of Freedom Park on Maryland Avenue.

Councilmember Selden asked to be excluded from the vote on this item because his wife is a member of the Junior League. Councilmember Frech stated she also was going to ask to be excused from this item. That she feels she has good reasons why it would be wise for her not to participate.

Motion to excuse Councilmembers Selden and Frech was made by Councilmember Chafin and seconded by Councilmember Locke.

Councilmember Cox stated if they were going to do this then they would have a quorum problem. That he does not think that it is that big a deal, that he is going to vote to not exclude Councilmembers Selden or Frech. That this is no financial kind of gain.

Councilmember Frech stated there was some objection some time ago when the building was going to be built and she thought it would be better for her not to be in a position of voting on this which some people might construe as special consideration for one organization. That maybe her interpretation is all wrong. That she favors it being done.

Mayor Harris asked how many members were in the league, 1100? 1200? Do they not have a Board which runs the operations?

A vote was taken on the motion to exclude Councilmembers Frech and Selden and it failed to carry.

Councilmember Short stated that in putting something here in Freedom Park he thinks they should ask the Parks and Recreation Department and City Manager to think about the possibility of leasing out a space in Freedom Park to some private enterprise or organization or company that would put a restaurant in Freedom Park. Mayor Harris stated he does not believe that is pertinent to the motion. Councilmember Short stated it is similar to what they are talking about so he just grab the opportunity to say it. That he does not know if this will be a sit down type of restaurant, but there is just a tremendous gang of people there and there is no where to get refreshments. Mayor Harris stated he has a very good point, but he believes he is out of order.

Councilmember Dannelly stated before they vote on this that he is sure the Junior League is a very fine organization; that he hates to say that he is not too familiar with the Junior League or membership. He stated he does not know what it is all about since this is seemingly something that is under. He stated he would just like to know a little something about the League. Mayor Harris called upon the president of the League to speak.

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Ms. Emily Smith, President of the Junior League stated they have 1100 members; 476 are active members. They are a leadership trained organization and try to train leaders for community leadership tomorrow while making a difference in the community today. Two of their focus areas are Uptown Development and Child Advocacy.

She stated they are involved in Youth Homes, Drug Education Center, Charlotte Speech and Hearing Center; veterans; they have just committed \$47,000 towards a Collections Gallery at Discovery Place- the new Uptown Nature Museum.

Members are selected from people in the community who are known to have an interest in service and who are known to the members of the organization and are proposed by them, and are invited to membership by a membership development committee.

Councilmember Dannelly stated a lot of people have heard of the Junior League but not the kind of work that is done; or how members are selected.

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

The resolution is recorded in full in Resolutions Book 14, at Page 52.

RULES SUSPENDED TO PLACE AN ITEM ON THE AGENDA.

Councilmember Trosch asked that the rules be suspended in order to place an item on the agenda concerning a Committee for Safety.

Motion was made by Councilmember Chafin, seconded by Councilmember Trosch, and carried unanimously to suspend the rules and place an item on the agenda.

RESOLUTION OF CITY COUNCIL AUTHORIZING THE MAYOR TO APPOINT A COMMITTEE TO DEVELOP AND PROMOTE A PROGRAM TO EDUCATE THE CITIZENS OF CHARLOTTE AS TO SAFE DRIVING HABITS.

Councilmember Trosch stated the item is concerning a Safety Committee. That Mr. Joe Malloy is in the audience and he is with the Citizens Safety Association, and has been very involved with safety in the community for a number of years.

The resolution was read by Ms. Trosch. She stated in the last Liaison Committee there was a sub-committee formed to look into the issue of school zone safety specifically. The meeting was held last week; there were representatives of the Court System, the DA's Office, and all the others named in the resolution and Mr. Malloy was present also. They went over what they considered the three areas of safety. One is the engineering aspects and the consensus was it is there. The things that need to be there are good. Second is enforcement. That although some of the reports in the paper indicated the courts were throwing some cases out, they had statistics to show that enforcement was occurring. The thing missing was the education part. Raising the consciousness of the citizens of Charlotte so that safety is on their mind in an ongoing basis. Mr. Malloy had earlier presented to the City Manager and Mr. Bobo a proposal for a blue ribbon committee. Mr. Malloy said at this meeting they were willing to organize and be an impetus to give the involvement and the funding and the various people involved; but felt it was important that it have the backing of the governmental bodies. She told the group she would bring this back to the City Council and a resolution was made at the sub-committee if action was taken by Council, the other governmental bodies would take it to the Liaison Committee to have it then taken to their individual bodies for support. Mr. Malloy indicated he felt this was what was needed at this point to give the Committee the clout it needed to muster around and enthruse the community to help promote safety in the Community. Mayor Harris asked if she thinks this should be a joint committee? Ms. Trosch replied at the Liaison Committee the County representative felt it would be more for the City and schools. However, the County is involved and would be supportive; but they did not feel they needed to be involved in the sub-committee.

Mayor Harris stated if the resolution is passed, he would also like it submitted to the County and make it a joint one.

Councilmember Trosch stated the resolution Mr. Parks Helms made at the sub-committee was in fact if the Council took action on this, then the County and the School would take back to their bodies a resolution of support.

Councilmember Selden moved adoption of the resolution with the provision that the County, at least be informed or invited to join. The motion was seconded by Councilmember Cox.

Mr. Joe Malloy of the Citizens Safety Committee stated for the program to have impact it has to have the sincere support of this Council. They will try to mobilize all the advertising and everything needed to help change attitudes.

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

The resolution is recorded in full in Resolutions Book 14, at Page 53.

CONTRACT AWARDED REA CONSTRUCTION COMPANY FOR FIRST WARD URBAN RENEWAL STREET IMPROVEMENTS.

Motion was made by Councilmember Locke, and seconded by Councilmember Selden, to award contract to the low bidder, Rea Construction Company, in the amount of \$493,653.70, on a unit price basis for First Ward Urban Renewal Street Improvements.

Councilmember Carroll stated he has had a talk with Mr. Sawyer and Mr. Hopson and satisfied himself that this is fundamental enough, regardless of whatever planning we may do, that we should go ahead and do it.

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

The following bids were received:

Rea Construction Co.	\$493,653.70
Blythe Industries, Inc.	501,764.90
Crowder Construction Co.	505,648.00
T. A. Sherrill Construction Co.	510,374.00

RULES SUSPENDED IN ORDER TO PLACE ON THE AGENDA THE RECOMMENDATION FROM THE AD HOC PLANNING DIRECTOR COMMITTEE.

Councilmember Chafin moved that the rules be suspended in order to place on the agenda the recommendation from the Ad Hoc Planning Director Committee. The motion was seconded by Councilmember Short and carried unanimously.

RECOMMENDATION OF AD HOC PLANNING DIRECTOR COMMITTEE, APPROVED

Councilmember Chafin moved approval of the Ad Hoc Planning Director Committee's recommendation to Council. The motion was seconded by Councilmember Short.

Ms. Chafin stated she will not read the recommendation as all members of Council have had an opportunity to review it over the weekend.

Councilmember Trosch stated the recommendation says "Pursuant to a vote of Mayor and Council the person shall be selected." She asked Ms. Chafin to explain that.

Ms. Chafin stated the intent is the Mayor and Council in a vote would authorize the Mayor to appoint a person to serve as the Council's representative to this three member PDRC - the Planning Director Recruitment Committee; and a similar process would occur with the County Commission and the Planning Commission in that each body will authorize its Chair to appoint a member to the three member committee.

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Councilmember Frech stated to her it is not as clear as it might be. It seems to her it might say the Mayor and Council would vote as to who the representative would be.

Mayor Harris asked what Council would like to do? Councilmember Locke stated she would like the Mayor to appoint someone. Councilmember Cox asked Ms. Chafin her intent? Ms. Chafin replied she thinks she stated their intent; this was the sense of the Committee; that Mr. Short actually drafted the language. This was a group drafting effort.

Councilmember Short stated it was the intention of the other two bodies as well as this body there would be a vote approving the action that a Mayor or a Chairman of a Commission would name one person to be a member of this Body.

Mayor Harris stated the only distinction that comes out of this is that each body has a Chairman who is a member of that body, except for City Council. Mr. Short stated in other words Council would simply authorize the Mayor to appoint someone. Mr. Cox stated then Council will pass on that person? Mr. Short replied no; we just authorize him to appoint someone.

Mayor Harris stated he wants to know Council's intention as to whether or not the members want to name the person, and have him appoint that person; or whether they want him to appoint someone, subject to their approval; or if they want him to appoint someone.

Councilmember Selden stated he thinks everyone knows what the language is; and he would suggest that we vote the motion as made. If the motion is voted down; then we will make another decision.

Councilmember Carroll stated he appreciates the Mayor's straight forwardness in putting the three options to Council. He does disagree with Mr. Selden a little; he thinks it is ambiguous the way it is stated; and he thinks in light of the good communication that is developing in this, that it is important that Council show its support for the representative who is on there; and that Council give that person its backing by virtue of a vote. He would be inclined for Council to vote someone for the Mayor, and let the Mayor appoint him.

Councilmember Locke stated she would like to make a substitute motion that the Mayor appoint a member of this Body to sit on the PDSC. Ms. Chafin replied that is essentially the motion on the floor. Ms. Locke stated she would support that motion - the main motion.

Mayor Harris stated Ms. Locke has just said he would appoint a member of this Body.

Councilmember Chafin stated she thinks she can say with a high degree of confidence that the Committee that proposes this would have no concern about how the Mayor and Council chose to select its representative. So she thinks anything this Body wants to do along that line is perfectly agreeable. Councilmember Short stated he thinks so. The basic idea was that each group would make some arrangement to get that one person. However he does not agree this language is ambiguous; if they literally followed the wording here they would proceed according to the motion.

Councilmember Frech made a substitute motion to approve the recommendation with one amendment, and that is - that Council will vote to recommend to the Mayor a nominee to be put on the Committee. The motion was seconded by Councilmember Carroll.

Councilmember Short stated under the wording of this, the Mayor and Council were to vote; and he assumes that still applies. The Committee discussed the fact that all other local government officials - city and county, plus the members of the Planning Commission would all have a vote in this basic question of whether

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to do this, except Mayor Harris. Therefore, this was worded in a way to include Ken Harris, the Mayor, and he assumes he would vote on this motion.

Councilmember Carroll stated he thinks you have to have it one way or the other. Either the Mayor appoints someone, or appoints someone on the recommendation of Council, or he votes as the whole body for the person. And the Mayor has been very forthright in this in saying he is willing to go along with the way Council wants it. Mr. Short stated he does not want to argue with him if he does not care; but it seems to him and to those who were in the Ad Hoc Committee that with every other local government official in the community voting; but to cut him out of the vote as to whether we would proceed with this project. It has nothing to do with appointing the person; it just has to do with whether we would proceed with this project at all.

Councilmember Cox stated he hopes the television is not on because of something that has been in the back of his mind for a long time. Either we have faith in each other and in our government here, and have faith in our committee that we appointed, and have faith in each others ability to receive input, or we do not.

He feels a lot of frustration that we have spent a lot of time on this one matter; and it does not make that much difference. We are quibbling over something that is just not of substance. He wants to say that; it may be an emotional kind of thing; but he believes it is reflective of a lot of ways that we could improve the way that we govern the City of Charlotte.

Councilmember Leeper stated he has been pleased with the open relationship we have had on this Council. And as Mr. Cox does, he senses a little something he does not want to be expanded. He would hope, and he would be willing to support the motion to allow the Mayor to vote. If all twelve vote on this issue, up or down, and then we can move ahead with progress. He does not want us to get into a debate of whether Mayor Harris should be involved in the voting. All of us are interested in the best person to represent our Body; and he thinks it is important we support whoever is appointed. He would hope we would allow the Mayor to vote on this issue so we can get passed.

Councilmember Frech stated she is willing to have the Mayor vote and will accept that as an amendment to her substitute motion. This means that 12 people will vote.

Mayor Harris stated the motion is that all members of City Council and the Mayor - 12 members - will vote on someone as a nominee to be appointed to the Committee.

Councilmember Cox stated that is different from the original motion.

The vote was taken on the substitute motion as amended, and carried by the following vote:

YEAS: Councilmembers Trosch, Cox, Frech, Leeper, Chafin, Dannelly, and Carroll.

NAYS: Councilmembers Selden, Locke, Gantt and Short.

Mr. Burkhalter stated he has two concerns about the proposal. One is it instructs the Committee to go out and hire a search firm, which he does not think they can do. Council will have to sign the contract or the County Commissioners. If you look at this loosely, and they do, then they will not go out and try to hire someone, but will come back to Council or the Commission. Ms. Chafin replied she thinks that is understood.

Mr. Burkhalter stated another one that concerns him considerably is they will make recommendations including salary. He knows Council is familiar with the ways salaries are set in this City; and if they do not know, they are set the same way in the County; and they do have a pay plan; it is worked out; and everything is in relationship.

Mayor Harris stated he has no concern about that because he knows all the dollars have to come from the city or county.

Councilmember Chafin stated they discussed that at length in the Committee. It was felt by those who have been involved in the search process to date, that our salary level is too low; we really were not in a position to judge; but felt if the PDRC encountered that problem that they should be able to come back to the Council and the County Commission, and recommend a salary change. At that point, the Council and County Commission can make a determination.

Mr. Burkhalter stated the salary is not set on local salaries; but is based all ready on national averages.


Mayor Harris stated he thinks the point has been well made.

Councilmember Carroll asked if they are accepting nominees for this now? He would like to make a nomination if that is possible. Councilmember Chafin stated the understanding was the County Commission would probably make their appointment at their meeting on January 2; that Council would probably make its appointment on January 8.

MEETING ADJOURNED.

Motion was made by Councilmember Locke, seconded by Councilmember Trosch, and carried unanimously to adjourn the meeting.

Mayor Harris thanked WTVI for the coverage of Council Meetings this year. On behalf of the citizens he wished everyone a very nice holiday, and a very prosperous 1979.


Ruth Armstrong, City Clerk