

January 30, 1978
Minute Book 67 - Page 82

The City Council of the City of Charlotte, North Carolina, met in regular session on Monday, January 30, 1978, at 3:00 o'clock p. m., in the Council Chamber, City Hall, with Mayor Kenneth R. Harris presiding, and Councilmembers Don Carroll, Betty Chafin, Tom Cox, Jr., Charlie Dannelly, Laura Frech, Harvey B. Gantt, Ron Leeper, Pat Locke, George K. Selden, Jr., H. Milton Short, Jr. and Minette Conrad Trosch, present.

ABSENT: None.

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INVOCATION.

The invocation was given by Reverend William Johnson, Minister of Education, St. John's Baptist Church.

MINUTES APPROVED.

Upon motion of Councilmember Trosch, seconded by Councilmember Selden, and unanimously carried, the minutes of the last meeting, on January 23, 1978, were approved as submitted.

RESOLUTION FROM THE NORTH CAROLINA LEAGUE OF MUNICIPALITIES HONORING FORMER CITY PERSONNEL DIRECTOR, ROBERT A. EARLE.

Councilmember Chafin read the following resolution from the North Carolina League of Municipalities:

"WHEREAS, Robert A. Earle retired during the past year after serving as Personnel Director of the City of Charlotte for eighteen years; and

WHEREAS, Robert A. Earle contributed materially over these years in the advancement of good municipal government in North Carolina and was a loyal supporter of the North Carolina League of Municipalities;

NOW, THEREFORE, BE IT RESOLVED by the North Carolina League of Municipalities, in annual convention assembled this 17th day of October, 1977, that the delegates do hereby honor Robert A. Earle for faithful service and lasting contributions to municipal government and wish him Godspeed in his retirement.

BE IT FURTHER RESOLVED that a copy of this resolution be made a part of the permanent records of the North Carolina League of Municipalities and that a copy be forwarded to Robert A. Earle and the Mayor and City Council of Charlotte."

Mr. Earle expressed appreciation of this recognition on behalf of the North Carolina League of Municipalities and for the opportunity to have served the City of Charlotte.

HEARING ON APPLICATION OF CITIZENS SAFETY ASSOCIATION OF CHARLOTTE AND MECKLENBURG COUNTY TO CONSIDER THE INSTALLATION OF A MONUMENT IN FREEDOM PARK TO HONOR BISHOP W. Herbert Spaugh.

The scheduled public hearing was held on subject petition of Citizens Safety Association of Charlotte and Mecklenburg County to consider the installation of a monument in Freedom Park to honor Bishop W. Herbert Spaugh.

The following members of the Public Monument Committee were present: Ms. Helen Alford, Ms. Jeannine Clark, Reverend James Barnett, Mr. Jim Stenhouse and Mr. Tom McDermott.

Mr. Stanhope Lineberger stated members of Council have copies of the application which indicates placing a plaque and planting a white oak tree in Freedom Park to honor Bishop Herbert W. Spaugh. That one of the reasons they selected Freedom Park was because Bishop Spaugh was the first to start the Sunrise Services there on Easter Morning and has held 47 of these annual services altogether. He stated the services started in 1927 in Independence Park and then moved to Freedom Park.

He stated the proposed site was selected and approved by the Park and Recreation Commission and is located just above the new band shell, near the shelter building. That the monument consists of a granite base with a 16 x 24 bronze plaque and is to be dedicated on Easter Morning beside the white oak tree.

Councilmember Leeper asked the height of the tree and Mr. Lineberger replied approximately 20 feet tall. That it is being brought by truck from Orangeburg, South Carolina.

Mr. Lineberger stated a duplicate of the plaque will be installed at the Little Church on the Lane Moravian Church Easter Morning at their 11:00 o'clock a.m. service.

There was no opposition expressed to the petition.

Council decision was deferred pending a recommendation from the Public Monument Committee.

ORDINANCE NO. 887 AMENDING CHAPTER 23 OF THE CITY CODE OF THE CITY OF CHARLOTTE AMENDING THE TEXT OF THE ZONING ORDINANCE AS IT RELATES TO DIMENSION REQUIREMENTS AND SIGNING WITHIN THE URBAN RESIDENTIAL (UR) ZONING DISTRICTS, AS PETITIONED BY THE CHARLOTTE-MECKLENBURG PLANNING COMMISSION.

Motion was made by Councilmember Gantt, seconded by Councilmember Locke, and unanimously carried, adopting subject ordinance amending the text of the Zoning Ordinance as it relates to dimension requirements and signing within the Urban Residential (UR) zoning districts, as recommended by the Charlotte-Mecklenburg Planning Commission.

The ordinance is recorded in full in Ordinance Book 25, at Page 176.

DECISION ON PETITION NO. 77-59 BY PINEVILLE LAND COMPANY TO CHANGE ZONING FROM R-9MF TO I-1 OF PROPERTY FRONTING ABOUT 385 FEET ON THE SOUTH SIDE OF SHARON ROAD WEST, LOCATED ABOUT 570 FEET EAST OF THE INTERSECTION OF SHARON ROAD WEST AND PINEVILLE ROAD, DEFERRED.

Councilmember Locke moved the subject petition be denied. The motion was seconded by Councilmember Dannelly.

Councilmember Gantt asked about the protest petition and Mr. Underhill, City Attorney, replied the protest petition was insufficient because it was not signed by an officer of the corporation. That it is a complex corporate structure in that it was a general limited partnership arrangement that owned the property and the general partner was a corporation. The corporation, being a general partner, had the right to bind the corporation and the corporate officer did not sign the petition. That actually he did sign but at the time there was no implication that he was, in fact, an officer of the corporation that had the power to bind the corporation.

Mr. Underhill stated protest petitions have to be submitted at least two full working days prior to the date set for the hearing. The protest petition was filed at 4:45 on Wednesday and by the time the deficiency was discovered, it was too late to allow them to correct it.

Councilmember Selden stated the zoning petition is for a change to I-1. That as he reads the ordinance, I-1 properties normally have screens to residential areas of a greater degree than could be afforded to this particular location. He would hope if there were to be a change at this location, it would be toward a B-D Classification which might fit into the plans of the owner of the property and still not be as adverse to the residential area.

He stated in the correspondence there was a reference to the fact that some of the property was transferred by deed in the last recent period rather than in its original ownership. That when the hearing was held, the indication was that the property had been owned for a long period of time but in a letter to Council, it indicated at least part of the property had been transferred only recently. Mr. Bryant replied according to the information filed with the application, including a reference to the Book and Page Number in which it was recorded, it was transferred November 5, 1976.

Councilmember Short asked if Ms. Locke's motion is passed, would that be the end of this petition and officially end any action for two years on this property and Mr. Underhill, City Attorney, replied yes, it could not then be re-considered for B-D because that is one of the options before Council now.

Councilmember Selden made a substitute motion to change the zoning from R-9MF to B-D. The motion was seconded by Councilmember Cox.

Councilmember Gantt asked about the nature of the zoning west of this property, along Sharon Road West to South Boulevard and Mr. Bryant replied it is zoned I-2.

Councilmember Short stated this is certainly one of the finest industries in the City. That at tremendous expense they put this facility there a number of years ago, moving on out from closer in on South Boulevard and they are now trying to rectify a situation which occurred at the time of their move. He stated he would simply have to sympathize with the attitude of let's try to do something with this to at least make it possible for them to use it. That it is just a peninsula that runs into their very fine industrial installation there. He stated B-D zoning requires a Use Permit and he would suggest that this might be a practical approach.

Councilman Gantt stated the thing that bothers him about the B-D classification is that he is not sure about the use to which they intend to put the property. That he would hate to make a zoning change in the absence of knowing what their actual use is going to be. He stated as he recalls, they did not actually have a specific use for that property. That it occurs to him that with the zoning of I-2 on a substantial portion on Sharon Road West, I-1 zoning would seem to be fairly reasonable with what they have developed in that location up to this point in time.

He stated what concerned him was whether or not they were using that property as an entrance to that facility. It seems to him they are extending their holdings for the purpose of construction or building other facilities on their site and any restrictions on access or entrance on that side would seem a very reasonable kind of thing and screening of that relatively small portion of property would be quite possible and he would be willing to make a compromise here to allow the I-1 zoning with some restrictions on access if possible. That obviously, Council does not want to do anything to damage the quality or the character of the neighborhood across the street. There are a number of homeowners there and the property has been single family and there should be some sort of agreement about the screening to protect the quality and character of the neighborhood as it now exists with all the approaches handled on the South Boulevard side. He stated if this is not possible, then he would be forced to vote against it.

Councilmember Short asked if the property owner would not have to agree to change it to I-1 (CD) and Mr. Underhill replied yes, it would be a voluntary process that is generally initiated by the petitioner who has a site plan that is reviewed and approved in connection with this.

Councilmember Carroll stated he would certainly be agreeable to working with the property owner to a greater usage of this property that is presently zoned but, unfortunately, Council does not know what the anticipated use is going to be or if, in fact, one is going to occur. That we do not know if the B-D might be the proper use which is a warehouse sort of use and there, again, we might get into the potential of the traffic problem. That it would be his inclination to go ahead and turn it down at this time and let the record show that Council's discussion was not something to cut off all future actions.

Councilmember Leeper made a substitute motion to defer action on this petition until it is determined what the use will be of this property. The motion was seconded by Councilmember Short.

Councilmember Selden stated he asked at the Public Hearing if there was any planned, or intended use, and the answer was no, a very clear no. That he knows from prior knowledge that wholesaling types of businesses could be adapted to the type of industry the petitioner runs. Third he is concerned that if Council denies this petition, they will have to wait two years whereas if it were to be rezoned to B-D, and he had a subsequent change of zoning proposal, he could come back to Council in six months.

Mr. Bryant, Acting Planning Director, stated if there is concern primarily about the access viewpoint of it, there is another possibility that could be checked with the petitioner and that is leaving a strip of say 10 feet or whatever might be appropriate width along the frontage of Sharon Road West zoned R-9MF and that would allow the rest of the property to be utilized for industrial purpose and would prevent any access out through Sharon Road West. That whether or not they could come up with some definite ideas to satisfy a conditional approach would be another possibility.

A vote was taken on the motion to defer action, and carried unanimously.

Mayor Harris asked Mr. Bryant about how long it would take to get this information and Mr. Bryant replied a couple of weeks.

Councilmember Short asked Mr. Bryant to send Councilmembers a sketch reflecting his suggestion about the strip along Sharon Road West.

January 30, 1978
Minute Book 67 - Page 86

ORDINANCE NO. 888 AMENDING CHAPTER 23, ZONING ORDINANCE, BY AMENDING THE TEXT OF THE ORDINANCE AS IT RELATES TO DRIVE IN SERVICE WINDOWS AS ACCESSORY PARTS OF PRINCIPAL STRUCTURES.

Motion was made by Councilmember Chafin, seconded by Councilmember Selden, and carried unanimously adopting the subject ordinance as recommended by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 25, at Page 180 and 181.

ORDINANCE NO. 889-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE BY AMENDING THE ZONING MAP TO CHANGE ZONING OF PROPERTY ON THE NORTHEAST CORNER OF THE INTERSECTION OF SOUTH CHURCH STREET AND WEST MOREHEAD STREET.

Councilmember Gantt moved adoption of the subject ordinance changing the zoning from I-3 to B-3 as recommended by the Planning Commission. The motion was seconded by Councilmember Short, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 25, at Pages 182 and 183.

ORDINANCE NO. 890-Z AMENDING CHAPTER 23 OF THE CITY CODE TO CHANGE ZONING WITH A SPECIAL USE PERMIT TO ALLOW EXPANSION OF A FACILITY ON PROPERTY ON THE NORTH SIDE OF NEVINS ROAD, EAST OF THE INTERSECTION OF NEVINS ROAD AND STATESVILLE ROAD.

Councilmember Gantt moved adoption of the subject ordinance changing the zoning from R-9 to Institutional (CD) with a special use permit to allow expansion of the Nevins Facility for training developmentally disabled citizens on property fronting on the north side of Nevins Road, east of the intersection of Nevins Road and Statesville Road, as recommended by the Planning Commission. The motion was seconded by Councilmember Selden, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 25, at Page 184.

MODIFICATION OF A PLAN FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT IN AN R-12 DISTRICT BETWEEN SUGAR CREEK AND PARK ROAD AND FRONTING ON THE NORTH SIDE OF SHARON ROAD WEST, APPROVED.

Councilmember Dannelly moved that Petition No. 77-64 by The Howey Company, Inc. to modify a plan for an existing R-PUD in an R-12 zoning district, be denied. The motion did not receive a second.

Councilmember Cox moved approval of the petition to change the R-PUD plan, and that Council grant a variance in the Subdivision Ordinance to prohibit the connection of the stub street at the end of the cul-de-sac. The motion was seconded by Councilmember Leeper.

Councilmember Gantt stated he understands the developer of this property did not want to connect those two streets, but it is required by the subdivision ordinance. While he is going to vote for the motion, he would like to make several points.

In looking at the layout, he is in sympathy with what the subdivision ordinance requires concerning the need for access. In talking to some of the residents of Huntingtowne Farms, they are very happy with what they have in terms of a subdivision layout. But in his own mind, he sees some very serious problems about access in and out of this neighborhood. He is not even sure the stub street suggestion will solve this. The fact of the one way entrance in, the very circuitous routing that has occurred, suggest to him that even in the Huntingtowne Farms area, the lower portion of that, along Park Road, allows for some very circuitous routing to get

January 30, 1978
Minute Book 67 - Page 87

to the lower section of the platted lots. He does not think that is very good over the long haul for safety standards. He can understand the residents need and desire for the kinds of privacy and protection of children in the neighborhoods, but he hopes the Planning Commission will take a little closer look at some of the subdivision plans that are submitted. He thinks we could have improved ultimately on the lay out of Huntingtowne Farms without the necessary connection and the encouraging of cut through traffic that might occur.

Councilmember Gantt stated he will go along with the fact you should not connect the neighborhoods, but suggests there may be some further review we may want to make. In fact, cul-de-sac subdivisions are what we have here; and what we should have are subdivisions small enough to provide the kind of tranquility and environment conducive to children playing in streets without encouraging cut through traffic.

His comment to staff is that in the future we should look at that more from at least providing two ways out of a neighborhood, rather than one way in, and one way out - but two ways out that, at the same time, would not encourage cut through traffic.

Councilmember Short stated the comments from the Planning Commission mention the difficulties for delivery vehicles and garbage collection vehicles. He asked if this matter was checked with the Fire Department? Mr. Bryant, Acting Planning Director, replied not directly; but all the subdivision plans as they are approved are submitted to the Fire Department for checking. There has not been a check of the elimination of the cross movement given there.

Councilmember Short stated he would hate for some fire truck to pull up to this point, and not be able to get across there.

Councilmember Short made a substitute motion to delay this one week, and ask the City Manager to get a comment from the Fire Chief on this. The motion was seconded by Councilmember Dannelly.

Councilmember Dannelly stated where the fire station is located, it would have access into Huntingtowne Farms as well as Quail Hollow Estates. It would not be necessary to come straight down Park Road.

Councilmember Short stated there have been situations before where this has created difficulties for fire trucks. He would feel better about this if Chief Lee would check it over.

Councilmember Selden stated the conditions of the streets in Huntingtowne Farms have been in existence for a substantial period of time; and even if we did not vote for the variance it would be some length of time before the road extension is there. If we are talking about a fire problem we are talking about a condition that has existed all along.

Councilmember Cox stated the residents of this neighborhood will be the ones put out by this. He did some arithmetic over the weekend, and taking a look at the circuitous route Mr. Gantt mentioned, he would not want to go through that neighborhood just to miss one stop light. However, the people in Huntingtowne Farms area have signed a petition, and he has given it to the City Clerk, with over 200 names from the community who say they want this to happen. Since they will be the ones who will be put out, and since they want it to happen, he wants to add his third point, which is -What if the Fire Chief comes back next week and says it does create a problem. What are we going to do? He does not think it would change his vote; and it may not change many other people's votes.

Councilmember Chafin stated she appreciates Mr. Short's concern; but if you look at the map Council has, the concern for emergency vehicles is different than the concerns of the Planning Commission, recognized in terms of delivery and service vehicles that need to go from neighborhood to neighborhood. She is not sure their concern really applies to emergency vehicles which would clearly have access into this area.

January 30, 1978
Minute Book 67 - Page 88

Councilmember Short stated a fire truck coming down Park Road or Sharon Road would have a more indirect route into the area down near Sharon Road West, and he feels this is an evaluation that should be made by the professionals, such as Jack Lee.

The vote was taken on the substitute motion to defer, and lost by the following vote:

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

Councilmember Frech stated the problem is not with Quail Hollow; it is with Huntingtowne Farms, and it does look as if there should be a road cut through to Park Road; this road being discussed will not solve that problem. That she is willing to take the word of the residents that there will be cut through traffic; they are the ones who will be driving in the area; and she is inclined to respect their opinion. She has always said that cut through traffic is one of the biggest problems we have, and she would like to do whatever we can to prevent it. It is a lot easier to not open the street, than to later listen to the complaints of the people who are affected, and then try to close it.

Councilmember Trosch stated there is a proposed shopping center on Sharon Road West; that is their fear as she understands it? Mr. Bryant replied the overall R-PUD Plan, of which the Howey portion is a part, does call for a shopping center to be built at the corner of Park Road and Sharon Road West.

Mr. Bryant suggested that the motion should be divided into two separate motions because the Council is considering two separate portions of the City Code. Mr. Underhill, City Attorney, stated they are talking about the zoning ordinance, and the subdivision ordinance, and technically it would be better to have two separate motions. One approving the modification of the PUD plan, and the second motion granting the variance.

Councilmember Cox moved that Council approve a variance which would prohibit the connection of the stub street at the end of the cul-de-sac. The motion was seconded by Councilmember Leeper, and carried unanimously.

Councilmember Cox moved approval of the petition by the Howey Company, Inc. to modify a plan for an existing Residential Planned Unit Development in and R-12 zoning district, which motion was seconded by Councilmember Leeper, and carried unanimously.

ORDINANCE NO. 891-~~Z~~ AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE BY AMENDING THE ZONING MAP TO CHANGE THE ZONING OF PROPERTY ON THE SOUTH SIDE OF SUNNYSIDE AVENUE, ABOUT 185 FEET EAST OF THE INTERSECTION OF SUNNYSIDE AVENUE AND HAWTHORNE LANE.

Upon motion of Councilmember Locke, seconded by Councilmember Selden, and unanimously carried the subject ordinance was adopted changing the zoning from R-6MF to B-1 as recommended by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 25, at Page 185.

MOTION TO EXCUSE COUNCILMEMBER GANTT FROM PARTICIPATION IN NEXT ITEM.

Councilmember Gantt asked to be excused from participation in the vote on the Petition No. 77-67. Motion was made by Councilmember Chafin, seconded by Councilmember Trosch and carried unanimously to excuse Mr. Gantt.

January 30, 1978
Minute Book 67 - Page 89

ORDINANCE NO. 892-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE BY AMENDING THE ZONING MAP OF THE CITY OF CHARLOTTE TO CHANGE ZONING OF PROPERTY ON THE NORTH SIDE OF GOLDYN STREET, AT THE INTERSECTION OF GOLDWYN STREET AND STANCIL PLACE.

Upon motion of Councilmember Trosch, seconded by Councilmember Chafin, and unanimously carried, the subject ordinance was adopted changing the zoning from R-6MF to B-1 as recommended by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 25, at Page 186.

APPROVAL OF PRELIMINARY PLAN FOR THE EXPENDITURE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS, DEFERRED.

Councilmember Chafin moved that consideration of the Preliminary Plan for the expenditure of Community Development Block Grant Funds be deferred. The motion was seconded by Councilmember Leeper, and carried unanimously.

CONTRACT WITH INTERNATIONAL SYSTEMS, INC FOR LEASE WITH OPTION TO PURCHASE A PROJECT PLANNING AND MONITORING SOFTWARE PACKAGE, PAC II.

Motion was made by Councilmember Selden, and seconded by Councilmember Dannelly to approve a contract with International Systems, Inc., for a 12-month lease with option to purchase a project planning and monitoring software package, PAC II, at a cost of \$8400.

Councilmember Leeper stated this seems to be a pretty good idea; he just has a problem with approving a contract where there is only one bidder, and Council does not have any real background material on it, and how to evaluate the cost.

Mr. Burkhalter, City Manager stated this is a professional type service as opposed to a product.

Mr. Dick Passine of the MIS Department stated they checked on two packages. One is the Pac II, produced by ISI, and the other is PROMIS, which is a Burroughs package. There are probably at least eight other packages available throughout the country. To expedite the research and evaluation process they called around the country to the people who had used Pac II and PROMIS, and a few other packages, and found, by and large, the consensus was that Pac II was very cost effective, very efficient and users were happy with ISI both as a vendor, and the capabilities of its package. They did a very detail evaluation of Pac II from the standpoint of what it would take to put that package up in our system. The turn around time; the impact on schedules; storage requirements, and it all boiled down to Pac II as the most cost effective package they could have available to them.

Councilmember Cox stated he would like to backup what Mr. Passine says. The data processing business is very difficult to go out for bids. All the products are different; so the game gets to be specifications. He has checked into Pac II and it is a good package. Lot of times you cannot go out and get other people, and other packages do not go on Burrough's equipment.

He stated he thinks it is a good idea, but he does not like to spend CD money on it. It seems to him that because it is 100% federally funded, that money is somehow easier than other money. If it is worth \$20,000 for us to have it on federal money, it should be worth \$20,000 to have it with local money. Because it will be used in other departments, he thinks some other departments should pay for it.

Mr. Burkhalter stated it is primarily to take care of the work we are doing in CD to keep up with the contracts; to replace manpower. Mr. Passine stated 28 man months.

January 30, 1978
Minute Book 67 - Page 90

Mr. Burkhalter stated if they want the general fund to pay for it; the general fund can pay for something else equally as well; it would be taking it out of one pocket to do something else; he does not see that as the major point at this time. It makes it easier at this time to put it into effect because it is cost related directly to the CD program. The City will benefit; every CD program we are doing is done for somebody so they can take hold eventually and do it on their own.

Councilmember Carroll stated he would like to know the saving area. Is there 28 persons months per year? Is that like two people per year? Mr. Passine replied that is the figure developed by the Community Development Department. Councilmember Carroll stated that is about \$20,000 if we accept the whole thing. Does that mean we are replacing two people with this program? Mr. Sawyer replied we may be relieving two people who spend a great deal of time every month getting the data together for our manual system to do some other things. He stated they have a manual management technique now; and they went to MIS to ask if they could design a computer system, and this is their response.

Councilmember Selden asked if it is not true that this will improve the capabilities of responding to questions and finding where they are going by this system, over what is done now on a manual basis? Mr. Sawyer replied he thinks it will do that. Councilmember Selden stated it is not merely displacement of manpower operation with a computer type operation, and it would be an improvement of service as well. Mr. Sawyer replied he thinks it would; the computer would do more things quicker than they can do manually now.

Councilmember Cox stated in the computer business you have to allocate these things; this is a general purpose product. Mayor Harris suggested he asked the City Manager if this is used by other departments for other types of uses, they can always work out a cost allocation system at that time. Mr. Burkhalter replied they do allocate the cost, but not the initial capital, and that is what we are talking about here. Mr. Sawyer stated this is a system designed primarily for the CD Department; its major use and its purpose is to aid in the management of such a diverse program as the CD program is. It has potential for other departments, but there has been no investigation to determine its applicability to other departments.

Councilmember Cox made a substitute motion to approve the contract with International Systems, Inc., for a 12-month lease with option to purchase a project planning and monitoring software package, with the proviso that should some other city department use this product that some attention be given to sharing the cost of the product on a transfer basis. The motion was seconded by Councilmember Selden and carried unanimously.

CONTRACTS FOR THE CONSTRUCTION OF 25 HOUSING UNITS IN THE FIRST WARD URBAN RENEWAL AREA, AUTHORIZED.

Councilmember Selden moved award of contract to Rodgers Builders, for general construction of 25 housing units in the First Ward Urban Renewal Area, in the amount of \$787,429.65. The motion was seconded by Councilmember Chafin for discussion.

Councilmember Locke stated the cost per unit is \$38,607.16. She asked that Mr. Sawyer, Community Development Director, tell Council the square footage of the units; also she has asked the Director of the Housing Authority to stay over and speak to this.

Mr. Sawyer stated there are 27,512 square feet in the project; the per square foot cost per unit is \$35.00. If you remove the site work, it is reduced to \$30.28.

Councilmember Carroll asked about the availability of funds? Mr. Burkhalter, City Manager, replied he is going to defer that because he has not talked to the people directly about this.

Mr. Sawyer stated they have deducted \$22,700 from the overall price because it is work that will be done anyway. It will be done as a part of the First Ward Urban Renewal Project. It was put into the general contract; but the source of the funds is separate.

January 30, 1978
Minute Book 67 - Page 91

Councilmember Locke asked the Director of the Housing Authority the per square foot cost on the last housing they built? Mr. Wheeling replied he can only give Council their experience in the last eight months. On their scattered sites, which was let last spring, it was in the neighborhood of \$25 per square foot; this was for two, three, four bedroom units; they averaged \$26,000 plus a unit. They have just completed a cost analysis on 120 units - and it is a little hard to compare this because these were elderly units; they have different requirements. As a unit gets smaller the square foot increases per square foot. Week before last he did an analysis on one, and the contractor who is going to build it came up with something like 60 cents a foot different - and that ran \$25 a foot for elderly. You can take the \$25 a foot and compare it. Reasonably speaking it should come down because these are not elderly units.

Councilmember Carroll requested the Architect for the project to address the cost question; and Mr. Sawyer to speak about the availability of EDA funds, and possible rebidding; and how it would work.

Mr. Sawyer stated the City is receiving \$750,000 in an EDA grant, earmarked as a part of a total grant for these units. He does not know if the money would be pulled away from Charlotte if it is not used at this time; or whether we would be given the chance to rebid, or do something else. There are time restraints within which we have to spend this money or get it underway.

Mr. Sawyer stated one requirement we are faced with at this time is the settlement of the First Ward Lawsuit; we are required to build 25 units of housing for low income families in this project or outside within one year. He does not know what the possibilities are if we lose this \$750,000. The requirement to build 25 units of housing is on us and will not go away. He does not know how we would do it otherwise.

Councilmember Gantt stated when you view the unit cost of this housing at \$35 per square foot compared with Mr. Wheeling's \$25, and Motions did the Greenhaven Project of \$19,000 a unit, we may be asking ourselves whether the process by which we handle this is the right one. That is - maybe the City should be looking for another vehicle by which it determines prices. He suggest here that none of these three bidders are people that he recognizes as the normal residential apartment builders. There may be some problems here with the EDA requirements; maybe there has been some problems with the ascertaining of minority contractors, which is a part of the whole EDA program. Then he wonders if someone is trying to take us to the cleaners; he says that hesitatingly because he does know all the contractors are commercial builders, and Rodgers has done work for his firm, and is a very reputable firm.

He stated he needs to know whether or not we might be better off trying to do this housing at least negotiating with the low bidder, or negotiating with someone else.

Mr. Tebee Hawkins, Architect, and Mr. Chuck Kibler of the firm were present. Mr. Hawkins stated they contacted a wide number of construction firms, and tried to attract as many bidders as they could, and without much success, being the type project it is, one that involved EDA funds, and with considerably more governmental control than the normal commercial project would have. Making this project a rather special kind of thing for the average residential builder to just not be interested in, and not wanting to bid the project.

Mayor Harris asked that he comment further on that. He asked if it is the red tape? Mr. Hawkins replied yes; you have a project involving federal funds which is the kind of job many contractors just do not bid. There is much more red tape and complication than you would have on a normal commercial project. Such as the EEO requirements - that if you accept this job then you must follow that requirement on all the work this contract is bid on. This ties the contractors hands somewhat, and is a fact that contractors resist. In this particular project, beyond the normal federal funded restrictions, it was the requirement of EDA that a quota of \$110,000 in the general contract must be awarded to a firm of minority ownership as sub-contractors or material suppliers. This poses another complication to the bidding procedure. He stated they are certain this had a great deal to do with their inability to get a larger range of bidders on the project, which limited competition, and

January 30, 1978
Minute Book 67 - Page 92

had some effect on the cost of the work.

Mayor Harris asked if any of the bidders on the electrical, plumbing and heating are minority contractors? Mr. Hawkins replied the heating contractor is a minority contractor; however, the City requested that the minority participation all be in the general contract. The fact that the plumbing and heating contractors are a minority firm does not count towards the participation the specs call for. He stated the limited competition in the general contract in particular is where the majority of the increase in costs occurs; the plumbing, heating and electrical bids are good prices. It is inherent to this particular kind of project that these bids ran as high as they did. This has also been the experience they have found by checking with other cities and other architects in taking bids on project such as this. They have had a very similar experience.

Councilmember Gantt asked if there would be any value in sitting down with the low bidder and seeing whether or not we could reduce the figures? Mr. Hawkins replied they have done this. They have talked to the low bidders to determine if there is any substantial difference that could be found in the cost of the project. They came up with a list of items that could be considered, all of which reduce the quality of the project. In areas they could recommend, providing the Housing Authority who will manage the project would concur, somewhere in the neighborhood of \$20,000, which is not a substantial amount of money.

Councilmember Gantt stated he is having some difficulty on parts of this because he is familiar with the EEO requirements for hiring a certain percentage of minorities, giving the way the Home Town Plan is, and the certifications that are required for that. Mr. Hawkins stated the EDA is a different kind of thing all together. Councilmember Gantt asked if the only note worthy thing there is the 10% requirement for minority contractors? Is that not the only substantial difference in the red tape we talk about? Mr. Kibler stated on this particular contract it was not 10%; it was a line item number of dollars. Mr. Hawkins stated it was about 30% of the grant. It is 10% of the total grant; and in this particular job they were asked to assign a quota of \$110,000 in the general contract. The city asked this. This project is just a parcel of a total grant. Mr. Kibler stated it was felt there was more chance of getting minority contractors in the general contract than the electrical or plumbing. They ended up getting a minority heating contractor and it came in right where they felt it should come. Mr. Burkhalter stated this crossed us up because we were not anticipating that. But this was an area where we felt we could do more in this area than in the other projects.

Mr. Burkhalter stated there is a \$60,000 item in here for plastered walls; they are highly desirable, particularly in one of this kind. The cost of these apartments can be reduced by putting in dry walls; there are a lot more problems in maintaining this type of wall. Whether it is \$60,000 is something Council will have to decide; that is a little over \$2,000 a unit. Mr. Hawkins stated it is a hard coat finish which the Housing Authority felt would be more suitable for maintenance. Mr. Burkhalter stated this is an alternate of \$60,000. The cost can be reduced by this amount.

Mr. Burkhalter stated the Association of General Contractors all over the country are suing EDA about these projects; they are all very unhappy about it.

He stated Mr. Carroll asked what would happen if you rebid these. He stated no one can tell you exactly; but Mr. Hopson, Mr. Sawyer and he all think the City would maintain the grant. He stated the City is obligated to build 25 units - or is obligated to build more than that - but 25 this year. It was proposed to build them before we knew about the \$750,000. We did not have this money when we made the agreement to build these units. That staff proposed to get the money to build this, and now have it. If they use this \$750,000, and only add what is necessary to do it from other money, they will have that much more money for other housing. They do not have to build it with this money; but it would help what they are able to do because they have a lot more of that money they have already set aside for housing.

Councilmember Locke stated she thinks Council should think about that; and

January 30, 1978
Minute Book 67 - Page 93

use those other monies and rebid this contract. Councilmember Gantt stated he wants to agree with her; but what he is hearing to rebid these contracts will produce the same results.

Mr. Hawkins stated they have never had the experience of getting better bids the second time around unless the project is changed. It might be higher. If you materially change the scope of the project then it is justification to rebid. But if you are going to put it out again exactly like it is and under the same requirements he does not see any hopes for improving it. Mr. Kibler stated they contacted over 40 general contractors all over North Carolina to interest them in this project. They received bids from three general contractors, and that was the second time around. The first time they received two. There is a lack of competition in the general contract; he thinks the general contractors saw a lack of competition in the sub-contracts because there is a matter of a certain quota that has to be minority, and a lot of bidders who would normally bid would not bid.

Councilmember Carroll asked if they think it would be possible to get lower bids if they went back with a different minority quota for the general contract? There is a minority contractor coming in for the heating contract; not bid those three but bid the general contract at a different minority level? Mr. Hawkins replied he does not see that it would be a substantial change; he does not think it would pick up any other bidders. Mr. Kibler stated we have the minority bidder on the heating contract, but if it is not awarded within a specified time, we do not have that any more.

Mayor Harris asked if he and Council can get a letter from the Associated General Contractors giving their objections to bidding on EDA.

Councilmember Gantt stated something is bothering him, and he guesses it is that magnitude; he is also aware that EDA projects were bid all over the State of North Carolina. Mr. Hawkins stated it has been running this way all over the State. Councilmember Gantt stated in one area he understood one of the reasons one of his projects was not bid was because everyone was going after the EDA projects; they were bigger in size. What Mr. Hawkins is saying that all over the State contractors were turning thumbs down on it. Mr. Hawkins replied what he means is the result has been similar in that the bids have gone way beyond the estimates.

Mayor Harris asked that the AGC be requested to send a list, or a fact sheet, on what they find offensive about this program, or the problems with it. Mr. Hawkins stated it has been evidence by the injunction the AGC across the country has started. Mayor Harris stated he would like to have a copy of that. Mr. Hawkins stated their objection is the quota system this includes stating you must assign a certain percentage of the cost of the work to minority firms.

Mr. Hawkins stated if you deduct the cost of the site work which is considerable, including playground equipment, landscaping, closing of Tenth Street, and so forth, the net building cost is \$30.28 a square foot. That is still high, but not as unreasonable as \$35 or \$37. Site work can vary; you can spend a little bit of money on a site, or a lot of money. In this particular project there is \$132,000 worth of site work.

Councilmember Leeper asked what kind of timeframe we are working in? Mr. Sawyer replied for the sub-contractors he believes it is February 6; in the general there is more time. Mr. Kibler stated you have to award the general contract at the same time you award the others; you cannot award them separately.

Mr. Burkhalter stated this is a hard decision for anyone to make; you have to weigh all the factors. Staff could go back and make a recommendation to Council on all those things it could recommend deducting, and give a final figure. Mayor Harris stated he does not want to try to influence what Council thinks about these matters; but he does not think we should be in the business of paying an architect, or set building standards. If we start doing that, we will have a building that none of us are proud of.

Councilmember Carroll asked if there is any other way to use these EDA funds, and not lose them? Mr. Burkhalter replied he does not know that? That he can go back and ask, but he thinks you would have to go through the application

January 30, 1978
Minute Book 67 - Page 94

process. Mr. Hopson, Public Works Director, stated it would be very, very difficult; they spent many months getting to this point. The EDA did not influence them in getting parity costs on sidewalks; they were all right when they had the \$500,000 for sidewalks. This is the first, and he hopes the last, real problem we will have on the EDA funds.

Councilmember Gantt stated this example cries out for the need for a non-profit housing company that will allow us to do some negotiations on housing; to get involved with apartment builders, and other kinds of builders; that he does not think we can build housing of this type using the process we have here; notwithstanding the problems and peculiarities of the EDA program. We have a million and half dollars in funds for housing, and probably need five times that to do the kind of housing we need to do. It is quite apparent we cannot let this particular approval set the precedent for what the city is actually going to be spending per square foot. He stated the costs of these units approach that of what they do for their customers. He stated this suggests to him that unless we have the ability to find the mechanism by which we have someone else to do our building for us, and we fund it, so they have flexibility, just like we were saying for Motion. We are looking at similar type units that Motion has built for considerably less, or other non-profit developers have built at considerably less. He is not suggesting the architects have done anything wrong, and he has seen the design layout.

Mayor Harris asked if he is saying if we had a non-profit organization they would be the general contractor? Councilmember Gantt replied he is suggesting if we had a vehicle by which we could use our funds, and allow them the flexibility of negotiation and wheeling-dealing with the developers. He is given to understand now we cannot negotiate this just like we would normally have done.

The City Attorney replied that is right. You can negotiate with the low bidder to bring the cost down to within whatever budget you had established. Mr. Hawkins stated there is a state law which require competitive bids for public funded projects. Mr. Underhill stated that is correct; you would have to go back out and rebid this.

could

Mayor Harris asked if our own non-profit organization/be the general contractor, and handle that process? Mr. Underhill replied he thinks there is a way of doing it; it is a big question. He does not want Council to sit and take his answer flatly that all you have to do is to sit up a housing corporation, and put the money in their laps and then we can avoid the bidding statutes, because it is not that easy. There are probably ways of getting from here to there.

Mr. Hawkins stated if there were not restraints from the federal government in this particular situation, and it could have been bid in a normal and traditional way, he thinks the results would have been quite different.

Councilmember Selden stated from what he has heard he does not think there is any alternative other than to go ahead with this. But, he would request either the Community Development Department or the City Manager, or whoever to look at the next project down the road, and see if there is any possibility of developing alternatives that would be less costly on the next project down the road.

The question was called on the motion to award contract to Rodgers builders.

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

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

NAYS: Councilmember Locke.

The following bids were received:

Rodgers Builders	\$787,429.65
Holland-Linder	809,481.00
McInnis Constr. Co.	839,577.80

Motion was made by Councilmember Selden, seconded by Councilmember Locke, and carried unanimously to award contract to the low bidder, Reid Electric Company, in the amount of \$43,820, on a lump sum basis subject to EDA approval.

The following bids were received:

Reid Electric Company	\$ 43,820.00
Frye Electric Company	44,170.00
Howard Electric Company	47,747.00
Driggers Electric Company	55,044.00
Mosely Electric Company	69,800.00

Motion was made by Councilmember Chafin, seconded by Councilmember Trosch, and carried unanimously, to award contract to the low bidder, C&M Heating & AC for heating contract, in the amount of \$44,230, on a lump sum basis subject to EDA approval.

The following bids were received:

C&M Heating & AC	\$ 44,230.00
Mechanical Contractors	48,733.00
J. V. Andrews	49,750.00
Air Masters	58,650.00

Upon motion of Councilmember Dannelly, seconded by Councilmember Short, and unanimously carried, contract was awarded to the low bidder, Gastonia Plumbing & Heating, in the amount of \$89,700, on a lump sum basis subject to EDA approval for plumbing contract.

The following bids were received:

Gastonia Plumbing & Heating	\$ 89,700.00
Rea Brothers, Inc.	99,963.00
Thompkins-Johnston	121,248.00
J. V. Andrews	127,350.00

ORDINANCE NO.893-X AMENDING ORDINANCE NO. 576-X, THE 1977-78 BUDGET ORDINANCE, TRANSFERRING FUNDS FROM THE GENERAL REVENUE SHARING FUND TO THE GENERAL FUND FOR THE PAYMENT OF LEGAL FEES INCURRED DURING COMPLETION OF THE FIRST WARD URBAN RENEWAL PROJECT.

Councilmember Gantt moved adoption of the subject ordinance transferring \$45,977.21 for payment of legal fees to Casey, Daly & Bennett, P.A., Attorneys for the Plaintiffs in lawsuits involving First Ward Urban Renewal litigation. The motion was seconded by Councilmember Chafin, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 25, at Page 187.

AMENDED CONTRACT WITH REA CONSTRUCTION COMPANY FOR NEW RUNWAY AT DOUGLAS MUNICIPAL AIRPORT, DEFERRED.

Upon motion of Councilmember Locke, seconded by Councilmember Chafin, and unanimously carried, the amended contract with Rea Construction Company for the construction of the new runway at Douglas Municipal Airport was deferred as requested by the Airport Manager.

ACTION TAKEN TO ESTABLISH UPTOWN TRANSIT INFORMATION CENTER - LEASE AGREEMENT FOR SITE; ORDINANCE NO. 894-X, AMENDING THE 1977-78 BUDGET ORDINANCE, TO AMEND THE TABLE OF ORGANIZATION AND PROVIDE A SUPPLEMENTAL APPROPRIATION OF FUNDS FOR RENOVATION AND FURNISHING OF SITE.

Councilmember Gantt asked about the advisability of this item going to the Transportation Committee first for a recommendation to Council.

Councilmember Carroll stated it is good to bring that up, but it has been a matter to which the whole Council's attention has been brought for several weeks, and it would be appropriate to go ahead and act on it now.

The Mayor asked if anyone on the Transportation Committee has reservations about handling it this way, and none were expressed.

Councilmember Trosch stated that in the figures provided Council a total yearly operational cost was not given. She asked as a matter of information, what can they anticipate as the yearly operational cost?

Mr. Kidd replied it would be about \$25,000 - that is for two people, salaries and overhead, plus telephone, utilities, rental and things like that. Councilmember Trosch stated she figured \$32,000 without the two additional personnel, from the information given them.

Mr. Kidd stated they would have to add the two telephone operators who are already in the budget. Mr. Burkhalter stated these employees are already in the budget. Councilmember Trosch replied she understands that, but she thinks that is good information to have as to what it will cost to run this operation.

Mr. Burkhalter stated it is hardly fair to say it is necessary to run this operation, because what they are doing is improving the operation by just relocating their office.

Councilmember Dannelly asked if there is a reason for the stucco on the front rather than leaving it with glass?

Mr. Kidd stated that was the recommendation made by the architect; that there were a couple of thoughts on that. One, the architect said a new store front was necessary; the old store front is in pretty bad shape. They did it this way because money will be handled behind the counter and they were trying to visually block that; that they just went ahead and did the whole front in stucco. That can be changed if need be.

Mayor Harris asked if the motion today would commit them to the exact drawings that have been submitted? Mr. Burkhalter replied no, they are just trying to get up the money to do the work.

The following action was taken to establish the Uptown Transit Office site:

- (a) Motion by Councilmember Selden, seconded by Councilmember Gantt, and carried unanimously, approving a lease agreement with NCNB Trust Department for the Transit Office site at 111 West Trade Street.
- (b) Motion by Councilmember Cox, seconded by Councilmember Locke, and carried unanimously, to adopt a budget ordinance amending the Table of Organization to add two clerical positions in the Transit Planning Office; and appropriating \$61,720 from the 1975 Public Transportation bonds to fund the renovation and furnishing of the uptown site.

The ordinance is recorded in full in Ordinance Book 25, at Page 188.

January 30, 1978
Minute Book 67 - Page 97

ORDINANCE NO. 895-X TRANSFERRING FUNDS FROM THE UNAPPROPRIATED BALANCE OF THE 1975 PUBLIC TRANSIT BOND FUND TO PROVIDE A SUPPLEMENTAL APPROPRIATION FOR THE PURCHASE OF 34 ADVANCE DESIGN BUSES AND SPARE COMPONENTS AND TO PROVIDE FOR AN ADVANCE OF FUNDS PENDING THE RECEIPT OF FEDERAL AND STATE GRANT FUNDS.

Motion was made by Councilmember Gantt, seconded by Councilmember Chafin, to adopt the subject ordinance to transfer funds from the unappropriated balance of the 1975 Public Transit Bond Fund to provide a supplemental appropriation for the purchase of 34 Advance Design buses and spare components and to provide for an advance of funds pending the receipt of Federal and State Grant Funds.

Mr. Phillip Garrick, 1601 Anderson Street, spoke in opposition to the contract being awarded at all. He stated there was no advertising of the bidding that he knows of and he reads the paper very thoroughly.

Mr. Burkhalter stated that all federal requirements have been met.

Mr. Garrick stated there was only one bidder and that does not sound or look good. This is a tremendous contract and the price is way out of line for the price of a bus - between \$90,000 and \$100,000 a bus. He thinks another bid should be secured so that some sort of comparison can be made. They are handing out a bid with no limitations, no control, no nothing.

Councilmember Frech asked if there is any way they can insert into the contract a contingency that these buses will only be bought if the State law is changed. Mr. Burkhalter replied they can insert it, but the supplier will not accept it.

She stated she has talked with members of the General Assembly and they are not reassuring about this. She asked if we are buying them with the understanding that if the law is not changed, we can sell them, or they will help us sell them.

Mr. Burkhalter stated if there is any question about the law being changed, it is only because of the type of session that the Legislature is meeting in. He does not think there is any question about a regular session. He does not know of anyone who is opposed to the change in the law. The only question they have is whether it will be done at this session.

Councilmember Leeper stated if GMC indicated that they would help us to sell the buses, has there been any effort to get them to put that in writing? Mr. Burkhalter stated he does not think it would mean much, that is, to have them put into writing what they have already told them. He stated the thing they ought to remember about this is that it takes a little over a year to get this bus and when we have 34 of them already built, and with the way they are giving out money now. One reason we are in this position is because they have not given anybody any money to buy new buses in a long time, so there is a big backlog.

Councilmember Leeper stated there seems to be some question about whether we will still get all of the appropriation back from the federal government, if we go ahead and borrow the money.

Mr. Burkhalter replied that is because the act appropriating the money has not passed. If the act is passed, they have assured us that if we spend the money they can pay it. Nobody questions that.

Mr. Kidd, Transit Planner, stated some people from UMPTA in Atlanta called him today telling him a Congressman had called them complaining about making the amendment move along a little more quickly, and they are going to try to get it out very shortly. He stated it is a technicality that planning certification in the Atlanta regional office of UMPTA has not been given yet so that the amendment can be approved to get the additional funds. It is just a technical red tape problem. He cannot give them personal assurance that the money will be here next week.

January 30, 1978
Minute Book 67 - Page 98

Mr. Burkhalter stated this all came about because of the special requirement they put into these buses and everybody is in favor of these requirements, everybody wants them, but the law was not written for them.

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

The ordinance is recorded in Ordinance Book 25, at Page 189.

COUNCILMEMBER SHORT EXCUSED FROM MEETING.

On motion of Councilmember Leeper, seconded by Councilmember Trosch, and unanimously carried, Councilmember Short was excused from the meeting at this point at his request.

DISCUSSION OF OPEN HOUSING POLICY.

Councilmember Frech stated in view of a memorandum from the City Manager and the fact that Northeast Community Association, and possibly some others, is working on some things to present on this item, she would suggest that discussion of the Open Housing policy be re-scheduled.

After further discussion it was agreed that this item be placed on the agenda at a later date when input could be secured from community organizations who are involved.

ENDORSEMENT OF LIAISON COMMITTEE AS VEHICLE FOR GREATER EFFICIENCY IN LOCAL GOVERNMENT.

Councilmember Trosch explained that the reason this is coming to Council is that it is a request of the Committee for each of them to go back to their respective bodies and seek direction as to how the individual bodies want them to work in relationship to them and to the Liaison Committee. She stated the committee is made up of two people from the School Board, two from the County Commissioners and two from City Council and two State Representatives.

She stated the committee has spent a great deal of time discussing itself. What they are looking for is a charge from Council.

Councilmember Leeper stated that, as Mr. Burkhalter had stated earlier, they do not necessarily have to look for problems, but he would hope that whatever issues come up in relation to the schools, the county or the city, they could work collectively to try to resolve the problems.

Mayor Harris asked if the pupil assignment plan was not eventually amended to take into consideration the placing of those people from scattered site housing in schools in their proximity? That if that is not being done then there is a conflict with our goals in trying to have scattered site housing.

Councilmember Dannelly stated that although it has been discussed by the Liaison Committee, he feels Council should support its representatives by going on record requesting the Committee to take initial steps to seek a meeting place to resolve the problem of the cramped quarters here and in other quarters. Mayor Harris asked if they think that Committee has anything to do with our physical location?

Councilmember Trosch stated discussion has occurred in the Committee regarding this sharing of facilities. Mr. Burkhalter stated they might tell them we would be glad to build one in our new City Hall that they could use.

Councilmember Leeper stated some of the Councilmembers have mentioned the possibility of a new building, but the Committee was talking in terms of some available space now that might be used - one of the old courtrooms perhaps. He understands there is one which is very large, very spacious, that is not being used for anything.

Mr. Burkhalter stated that rather than trying to find a meeting place for City Council, it certainly seems that in that area you have a lot of territory to cover about use of joint facilities of all these units - not just meeting places. It took three years to get a contract to utilize the playgrounds of the schools, and there are other areas of the county and the city that all of us use that might be something that we could share. We have a lot of facilities in our community and neighborhood centers that we share jointly with these people, and there may be other areas that we ought to look into.

Mayor Harris asked if there is an inventory of that available - city, county and school facilities? Mr. Burkhalter replied he does not think so, that one is being prepared on city space.

Councilmember Carroll stated maybe the development of a mechanism to help assist people in sharing the space might be the first thing. He knows that the CD programs use various schools and it might be that they could promote even more of these programs if you ^{were} readily able to work through that process.

Councilmember Leeper stated one of the things he would probably like the Council to consider is that one of the schools is now using Third Ward Center during the lunch hour. He understands they are paying \$25 a day; why could not they use that school? He would like to look into that to see if that is true. This is certainly an area where they should be trying to work together with the schools if we have facilities that can be made available but certainly not at a cost like that.

Mr. Wylie Williams, Assistant City Manager, stated there have been some discussions involving the School Board, members of the Park and Recreation Commission and the Street Academy about using, for about two hours a day, Third Ward gymnasium and that the charge was \$25 for each day. He stated they have not received an actual report on what the plans were, or what they are trying to do. That he will bring that report to Council once they get it. Part of their agreement was that anytime that they involved City staff or City resources, the City would be informed before they got involved in it.

Councilmember Carroll stated that is another good thing though - how a space is used and how the cost is allocated, so as to minimize the cost for public functions and everybody will be happy.

Councilmember Trosch stated she feels their discussion today need not necessarily be particular solutions, but basically for the Council to be aware that the committee exists and to make a commitment to use this committee as a vehicle for cooperation and understanding; and a commitment also when issues like this come up, to direct Council's representatives to take these issues to the that body when appropriate.

Councilmember Chafin stated she thinks that is a good point; that she would like to comment on her understanding, or vision, of the Liaison Committee. That it is primarily a clearing house; a structured, informal gathering of representatives of the City, the County, Board of Education, and our Legislative delegation. From time to time they see each other at various places; they are often invited to the same receptions and other kinds of functions; and they share some fun, but they have never had a vehicle at which to bring all of their concerns together. She would hope that the committee would not feel the need to generate a lot of issues, but to share concerns and information from all of the bodies. There is certainly a need for this. She does not think they need to be concerned at this point about what kind of agenda they are going to have, what are the issues that they need to discuss. She thinks they will evolve very naturally. Often it will be just a matter of either coming back and getting information from the staff to share with the representatives of the other bodies, or in fact taking concerns expressed by one of the bodies.

Councilmember Trosch stated this is what she thinks they would like - for Councilmembers to know that this is, when something comes up, the vehicle by which they can have open discussion and cooperation among the bodies and come up perhaps with some suggestions to take back to their bodies.

January 30, 1978
Minute Book 67 - Page 100

Mayor Harris stated they should also have them start preparing their Legislative package; that perhaps there are a couple of items that might be considered this spring that we might have some interest in.

Councilmember Selden stated their Liaison Committee members need to have the formalized support of this Council in the items that they bring before the Committee and that there should be monitoring of areas where there is a crossover - shared information and the like - and formally bring it before Council when such items come up, so that they will carry from this body the opinion of the total Council, rather than representing their own opinions.

Mayor Harris stated he agrees with Councilmember Chafin that the important thing is they have two representatives sitting down with others from each one of these bodies, even if they only get together just to say hello. If they just meet on a monthly basis to keep the dialogue open, so that when issues occur that need to be communicated, they have the avenues to do so.

Councilmember Carroll stated the Liaison Committee could be the place where new ideas come up for dealing with problems that Council has not discussed, but which overlapping governmental interests serve. That the committee should not feel constrained because Council has not said, here, take this problem to the Liaison Committee to work up something new and bring it back to us. That he thinks it would be appropriate for them to pass a motion endorsing the work of the Liaison Committee for the greater efficiency of local government - he will so move. The motion was seconded by Councilmember Locke, and carried unanimously.

PUBLIC HEARING ON PROPOSED CATV ORDINANCE SET FOR WEDNESDAY, FEBRUARY 8, 1978, AT 7:00 O'CLOCK P. M. IN COUNCIL CHAMBER, CITY HALL.

Following discussion of appropriate time - one that would be convenient for Councilmembers as well as the general public, motion was made by Councilmember Locke, seconded by Councilmember Trosch, and unanimously carried, to call a public hearing on the proposed CATV ordinance for Wednesday, February 8, 1978, at 7:00 o'clock p. m. in the Council Chamber.

ROBERT P. CUNNINGHAM AND BARBARA WATSON APPOINTED TO FILL UNEXPIRED TERMS ON MUNICIPAL INFORMATION ADVISORY BOARD.

On motion of Councilmember Selden, seconded by Councilmember Locke, and carried unanimously, Mr. Robert P. Cunningham was appointed to fill the unexpired term of Mr. Homer Lovvorn on the Municipal Information Advisory Board.

On motion of Councilmember Leeper, seconded by Councilmember Dannelly, and unanimously carried, Ms. Barbara Watson was appointed to fill the unexpired term of Ms. Fran Wells on the Municipal Information Advisory Board.

AWARD OF CONTRACTS.

1. Councilmember Locke moved award of contract to the only bidder, GMC Truck and Coach Division, in the amount of \$3,287,848.62, on a unit price basis for 34 transit coaches. The motion was seconded by Councilmember Gantt, and carried unanimously.
2. Motion was made by Councilmember Gantt, seconded by Councilmember Trosch, and unanimously carried, contract was awarded the only bidder, Ross & White Company, in the amount of \$91,167, on a unit price basis for bus interior cleaner and bus washer.
3. On motion of Councilmember Locke, seconded by Councilmember Gantt, and carried unanimously, contract was awarded to the low bidder, Frank H. Conner Company, in the amount of \$33,481 for the erection of an equipment storage building.

The following bids were received:

Frank H. Conner Company	\$ 33,481.00
Myers & Chapman, Inc.	34,880.00
Juno Construction Corporation	36,075.00
Metrolina Builders, Inc.	43,344.00

- 4. Councilmember Dannelly moved award of contract to the low bidder, T. L. Harrell Construction Company, in the amount of \$95,233.50, on a unit price basis, for FY-78 CIP Sidewalk Construction, Phase I. The motion was seconded by Councilmember Short, and unanimously carried.

The following bids were received:

T. L. Harrell Construction Co.	\$ 95,233.50
T. A. Sherrill Construction Co.	97,778.00
Crowder Construction Co.	112,607.20
Blythe Industries, Inc.	115,055.00
Cardinal Construction Co.	119,953.00

ALL BIDS FOR E.D.A. TRUNK RELOCATIONS - PHASE II, REJECTED.

On motion of Councilmember Locke, seconded by Councilmember Trosch, and carried unanimously, all bids received for E.D.A. trunk relocations, Phase II, were rejected, due to bid irregularities by bidding contractors.

DISCUSSION OF PRESENT STATUS OF 1975 PUBLIC TRANSPORTATION FUND.

Councilmember Gantt asked how much is left in the 1975 Public Transportation Fund after today's expenditures for buses, bus washer and storage building. Also what is left to be done in the list of capital improvements that were to be made to the bus system.

Mr. Kidd, Transit Planner, stated that yet to be done are two specially equipped vehicles for the handicapped, 14 bus shelters, bus stop signs and information boards, 12 benches. Councilmember Gantt stated this represents the sum total of all the new buses that the City said they were going to buy?

Mayor Harris stated there were 19 more to be ordered. Mr. Kidd stated that is an upcoming grant; that what they are talking about is the grant that has already been approved, plus the amendment which has been submitted for approval. There are 34 buses in that and the refurbishment of 34 of the existing buses.

Councilmember Gantt stated his point is that we are using local funds to match with 80 or 90 percent federal money; that they initially intended to use \$2.5 million, or whatever we had, to buy "x" number of buses, on down the line. What he wants is sort of an update of what we have spent from our local funds and matching funds against the actual improvements that we have gotten.

Mr. Kidd stated that in that project that was approved, the \$2.5 million represented 20 percent of some larger number. That the actual budget finally approved by the federal government was whittled down to about \$6.0 million. They also got 10 percent state funding, which was not even around when the application went in. So, in effect, we needed \$600,000 to match this project, as opposed to \$2.5 million. It has been amended, and since then applications have been amended. He would have to check, but he thinks there is somewhere around \$1.0 million in funds that can be used as a multiple match to generate additional capital.

Councilmember Gantt stated then we will have a considerable surplus? Mr. Kidd stated he would not say "considerable" - there are funds there but in the CIP, in bus replacements, additional facilities, they are being programmed right along.

Mayor Harris stated the Federal Highway people were in town on Friday; that there were some innovative ideas discussed at the breakfast meeting about how you can use other means of increasing the efficiency of highways, improvement of bus systems - the whole traffic flow. That it would be good for Council have this.

January 30, 1978
Minute Book 67 - Page 102

Mr. Burkhalter stated they would get some of this at the Council Retreat. The Mayor stated if we can improve the efficiency of the existing road system that they should be aware of the alternatives.

RESOLUTIONS OF CONDEMNATION.

(a) Councilmember Locke moved adoption of a resolution authorizing condemnation proceedings for the acquisition of property of Ada S. Bennett, 607 East 12th Street, 609 and 613 East 12th Street; property of Mr. and Mrs. W. E. Cornelius, 205-07 North Myers Street; property of E. L. Keesler Heirs, 817 East 9th Street; property of Ada S. Bennett, 817 East 9th Street; and tenant interest of Cornelius Washerette, 408 North Myers Street, for First Ward Urban Renewal Project No. N. C. R-79. The motion was seconded by Councilmember Selden.

Councilmember Carroll stated he needs to be brought up-to-date on this; that he knows there was a lawsuit involved in this area. What part of First Ward is still slated for rehabilitation, and where are these properties in relation to that?

Mr. Vernon Sawyer, Community Development Director, stated these properties are scattered around. They are not concentrated. They are just continuing picking up after two years of almost total inactivity, to complete the acquisition that was started. There are only two left; that most of them were included in the settlement order signed by Judge McMillan. They settled all cost items except the value of the real estate; and the plaintiffs agreed that they would accept as the value of the real estate what the court awarded. Councilmember Carroll stated that answered his question.

The vote was taken on the motion and carried unanimously.

(b) On motion of Councilmember Locke, seconded by Councilmember Trosch, and carried unanimously, a resolution was adopted authorizing condemnation proceedings for the acquisition of property of Sarah B. Mulligan, 318 Quincey Street, for the West Morehead Community Development Target Area.

The resolutions are recorded in full in Resolutions Book 13, at Pages 169 and 170.

CONDEMNATION PROCEEDINGS FOR ACQUISITION OF GEORGE D. ALLEN PROPERTY IN FIVE POINTS COMMUNITY DEVELOPMENT TARGET AREA, DEFERRED.

A motion was made by Councilmember Locke, seconded by Councilmember Selden, to adopt a resolution authorizing condemnation proceedings for the acquisition of property of George D. Allen, 246 Mattoon Street, for the Five Points Community Development Target Area.

Councilmember Dannelly stated that Mr. Allen has spoken to Council saying he had a personal concern; that he would like to know whether or not persons who are available are notified that Council will be asked to take condemnation action.

Mr. Sawyer stated this is Mr. Allen's home; that they are taking part of his side yard to extend a street in the Five Points Area. That first, before they go to condemnation, they attempt to negotiate; that goes for some period of time; they make offers and they refuse, and they finally reach the point where they send each property owner a final notice informing them that they have tried to reach a settlement by negotiation and they have reached the point where they must go ahead with the project, therefore if the last and best offer is not accepted in two weeks, 10 days, some period of time, then the City will have no alternative but to condemn--let the courts settle it. He stated Mr. Allen has received that notice; that in fact when he was here earlier to speak, he saw him in the hall and told him it was on the agenda. That is not normally done, but it just happened that he was here.

January 30, 1978
Minute Book 67 - Page 103

Mr. Dannelly asked at what point Council would hear his side; that they know the City's side. Mr. Sawyer stated that normally Council does not hear the other side; it goes to court and he has his day in court. That it does not cost him anything to go to court; the North Carolina State Enabling Act requires the City to pay all plaintiffs' expenses to go into court. That he has his appraisers paid for, his expert witnesses, attorney, etc. He stated it does not come back to Council.

Mr. Dannelly stated but it can get to a point where if he goes to court and wins then we will lose more than trying to come to an agreement with him?

Councilmember Gantt stated it is the same old problem - you have an appraiser give you an appraisal on the property. If he doesn't like it he knows he has a chance of getting more later on. We are in a box if we try to settle it.

Mr. Sawyer stated this is an unusual case. That he will admit they made a mistake here; they went ahead on the assumption they would acquire all of Mr. Allen's property; that all of his property would be needed to extend this street. That it appeared that the damage was so severe that the total taking was in order. In other words, they were proceeding with their real estate ahead of the engineers who were designing the street improvement. When they got the engineers' designs, they saw that the impact on his property was not to the extent they originally thought, and so they changed from a total take to a settlement. He stated that Mr. Allen appeared to be willing to negotiate a total take, but was very unhappy about a partial take.

Mayor Harris asked how much square footage was involved in the total take? Mr. Sawyer replied it was the entire parcel, house and all - he does not remember the square footage. That the 1,992 sq. ft. is the amount they would need for the street, he would have substantially all of his property left. He has forgotten how large the lot is.

Mayor Harris asked how close would they be to his house with the curb and gutter? Mr. Sawyer replied he does not remember all of the details.

Mayor Harris stated Mr. Allen has asked to see him tomorrow and he would like to see this deferred. Mr. Burkhalter asked Mr. Sawyer to provide the Mayor with a site plan; and the Mayor asked Mr. Sawyer to meet with them.

A substitute motion to defer this item was made by Councilmember Cox, seconded by Councilmember Frech, and carried unanimously.

COUNCILMEMBER SHORT RETURNS TO MEETING.

Councilmember Short returned to the meeting at this point, and was present for the remainder of the session.

CONSENT AGENDA APPROVED.

Motion was made by Councilmember Locke, seconded by Councilmember Selden, to approve the consent agenda.

Councilmember Carroll stated he has a general question about the construction of water mains and sanitary sewer mains. Do we have any particular policy about this, regarding where we expand these city services to in terms of balancing the growth of the City.

Mr. Lee Dukes, Utility Director, replied we do have a policy for water and sewer services, but as for balancing growth . . .

Mayor Harris stated we do not have a policy relating to his question as to the comprehensive plan concept versus the operation of the utilities.

Councilmember Carroll stated, as it works now, you come in and say you want to do it and plunk down your share of the money and it is done?

Mr. Dukes replied it is not quite like that. That the Comprehensive Plan, when it was developed, was based very, very much on a plan for the extension of water and sewer services and it was done in order to comply with the 201 Facilities Plan in the case of sewers. It was a plan that had been on the board for years, so to speak. The Comprehensive Plan was developed relative to it.

He stated there are certain things that they have beyond growth; like the reinforcement of existing water mains. Fire protection, for instance. They can build houses and build houses on a water main, and when the pressure goes down they have to reenforce this. So, there are other things besides growth that tell them what to do. When they run out of water, for instance. There are many factors that enter into it. To quickly answer Councilmember Carroll's question, the Comprehensive Plan was very much related to the plan for water and sewer development.

Councilmember Short stated that one good opportunity that you would have, and he thinks Mr. Dukes will agree, to bear upon the question of growth through water and sewer facilities would be at the time that we are considering a bond issue. That is usually when the big transmission main and that sort of thing is involved. These would be smaller things that they are talking about here.

The Mayor stated that Mr. Dukes is planning an orientation session for Councilmembers on March 22 and he hopes they can all be there as it should be very interesting for them.

Councilmember Frech asked if the zoning petitions being considered for public hearings include the lots on Hall Avenue. The Clerk replied that it does.

The vote was taken on the motion and the following consent agenda items were approved unanimously:

1. A resolution providing for public hearings on Monday, February 27, at 2:30 p. m., on Petition Nos. 78-5 through 78-11 for zoning changes.

The resolution is recorded in full in Resolutions Book 13, at Page 171.

2. An ordinance^{876-X} ordering the demolition and removal of the building at 1312 North Davidson Street found to be structurally unsafe, open and unoccupied.

The ordinance is recorded in full in Ordinance Book 25, at Page 191.

3. An encroachment agreement with North Carolina Department of Transportation for a 16-inch cast iron water main along Wilkinson Boulevard.

4. Contracts for construction of water mains and sanitary sewer mains:

- (a) Contract with The Mathisen Company for the construction of 2,106 feet of 6-inch and 2-inch water mains to serve Oak Creek Subdivision, outside the city, at an estimated cost of \$15,200.
- (b) Contract with Carmel Road Investments for the construction of 3,040 feet of 6-inch and 2-inch water mains to serve Carmel Valley Subdivision, Phase I, outside the city, at an estimated cost of \$23,800.
- (c) Contract with John Crosland Company for the construction of 3,260 feet of 8-inch, 6-inch and 2-inch water mains to serve Sardis Woods III, outside the city, at an estimated cost of \$25,800.
- (d) Contract with Exxon Corporation for the construction of 210 feet of 8-inch sanitary sewer main to serve 5541 Independence Boulevard, inside the city, at an estimated cost of \$5,710.

January 30, 1978
Minute Book 67 - Page 105

- (e) Contract with The Mathisen Company for the construction of 2,796 feet of 8-inch sanitary sewer main to serve Rolling Oak Subdivision, outside the city, at an estimated cost of \$41,940.
- (f) Contract with Bevins Development Company for the construction of 195 feet of 8-inch sanitary sewer main to serve Slatewood Section IV (Trunk), inside the city, at an estimated cost of \$6,200.
- (g) Contract with Allan and Warmbold Construction Company, Inc, for the construction of 575 feet of 8-inch sanitary sewer main to serve Blue Heron Woods, outside the city, at an estimated cost of \$8,625.

5. Property transactions:

- (a) Acquisition of 15' x 87.37' of easement from Bevins Development Company, at 6601 Slatewood Drive and 6600 Idlewild Road, at \$1.00, for sanitary sewer to serve Slatewood Subdivision.
- (b) Acquisition of 15' x 1822.18' of easement from Gettys Construction Company, at 5401 Biederbeck Drive, at \$1.00, for sanitary sewer to serve Coatbridge Subdivision.
- (c) Acquisition of 30' x 664.36' of easement from Estate of Glenn H. Alexander and Mattie Belle Alexander, at 13500 Statesville Road, at \$1300, for Torrence Creek Outfall - Phase III.
- (d) Acquisition of 20' x 341.10' of easement, plus temporary construction easement, from University City Properties, Inc., on vacant land south of 8800 block N.C. Highway 49 N, across from Harris Boulevard, at \$341 for Toby Creek Outfall.
- (e) Acquisition of 20' x 805.79' of easement, plus temporary construction easement, from Edyth F. Winningham, at 8240 off Knollwood Circle, at \$800, for Toby Creek Outfall.
- (f) Acquisition of four parcels of property in West Morehead Target Area:
 - 1.) 3,297 sq. ft. from Evelyn H. McCatherine, 1201 S. Church Street, at \$15,500.
 - 2.) 5,796 sq. ft., from Mr & Mrs John Wilson, 1229 S. Church Street, at \$5,500.
 - 3.) 7,450 sq. ft., from Jefferson Morrow, 310 Quincey Street, at \$11,000.
 - 4.) 15,000 sq. ft., from Kenneth W. Lail, 1308-1312 Jefferson Street and 310 Lincoln Street, at \$40,000.
- (g) Acquisition of 11,282 sq. ft., from Elizabeth G. Alexander Heirs, 300 Cemetery Street, at \$12,000 for Five Points Target Area.

January 30, 1978
Minute Book 67 - Page 106

COUNCIL RULES SUSPENDED IN ORDER TO CONSIDER NON-AGENDA ITEM.

Councilmember Gantt moved that the rules be suspended in order to consider an item not included on today's agenda. The motion was seconded by Councilmember Chafin, and carried unanimously.

PLANS FOR ARTS AND SCIENCE COUNCIL'S "FESTIVAL '78" SCHEDULED FOR FEBRUARY 13 THROUGH 22, APPROVED.

Councilmember Gantt moved that the request of the Arts and Science Council, as outlined at today's informal session, be approved pending the working out of details with the City staff. The motion was seconded by Councilmember Locke.

Councilmember Selden stated he recognizes that City staff will have input into this, based on the motion. However, he personally is very concerned about the location of a 35-foot wide base triangle being placed in the middle of North or South Tryon Street, leaving only two lanes, one way each way, during the busy hour periods. That this is what is contemplated.

There was general discussion on whether the streets would be left open.

Mr. Frank Blanton, representing the Arts and Science Council, referred to a map which indicated the proposed locations for the pyramid on different days. There would be only one location on each day, and all pyramids would be within a single city block, and their proposal is for the period of that day the closing of that block. That traffic would be re-routed around the block for that day.

The Mayor asked Mr. Burkhalter if that was his understanding, and the City Manager replied that it was not, but it is now (he was not in on a meeting this morning when this was discussed).

Councilmember Trosch stated she assumes they have to take into consideration the inconvenience and perhaps the feeling that this is a positive program - a promotional program. And, when people, trafficwise are stopped, the backlash effect over that. She thinks there will be a number of people who find it is just inconvenient.

Mr. Blanton stated their problem is they have a double-edged sword about every issue that comes up on this. They need something really big to convey "Okay, we are having the Arts and Science Council festival; we are trying to raise \$400,000 to continue its services for you." At the same time, they need to keep it in the scale of "this is a one-week festival." They cannot build real pyramids out there. They have to do as much as they can with a relatively little bit of money.

Mayor Harris asked if mobility is that important? Mr. Blanton replied he thinks it is because they would like to see the whole downtown in on this. They would not like to see it on the plaza because that is too strong a link with the major institutions around the plaza; that probably everybody has their special route home and if they move it each day, they have only interrupted their routes one day out of the ten-day period.

Councilmember Cox pointed out one location he sees a problem with. He can see them moving it on down Tryon Street; people can see it and know where it is going. Basically, what he is saying is he thinks it is a great idea if they would just eliminate that one location. It was pointed out that location would be on Sunday and Councilmember Cox stated that would be no problem then.

Mr. Burkhalter stated he has just gotten the memos on this from both Traffic Engineering and Public Works; that Traffic Engineering has no problem with it - they say it can be done; and Public Works has no objection.

Some concern was expressed about snow during that period. Mr. Blanton's response was that this is a project that can be taken down; it is something that can be abandoned easily. He stated if there is so much resentment or ill will bred by the presence of these on a city street one day, there is a possibility of changing the schedule for the following days. Their approach to this problem all along, and it will continue to be, is they have to take it step by step.

Councilmember Chafin stated they dealt with the "hand" last year, so they can certainly deal with the pyramids.

Councilmember Selden stated he will vote against this because he anticipates some serious difficulty in traffic.

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

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

NAY: Councilmember Selden.

COMMENTS BY COUNCILMEMBER LOCKE ON NATIONAL LEAGUE OF CITIES CONVENTION;
AND ON CHARGE GIVEN TO COMMUNITY FACILITIES COMMITTEE.

Councilmember Locke stated some of the Councilmembers will be nominated to serve on the National League of Cities' committees - that she and Councilmember Chafin have already been asked and she knows the Mayor will be going to the convention beginning Saturday, March 4, and running through Tuesday; that probably they may have to abandon the March 6th meeting, depending on who plans to go. Mayor Harris replied he does not think he will be going; that there is a meeting that evening and there is a tight schedule; that Councilmembers Locke and Chafin will do a good job representing Charlotte.

Councilmember Locke stated the CFC has stated she did not charge them when the water and sewer rates were passed; that she did not make a charge to them - but, she did. The charge was the extension policy and another charge - a procedural matter - between C-MUD builders, that their review methods should involve representation from both groups. That she thinks she gave them a more specific charge than this and they were in the minutes of November 21. She wants Council to address that specific charge to CFC; that those who were on Council then, and those who were visiting, remember her specific charge to CFC that day. That they did approve the water/sewer rate study because of the charge to the CFC and she will be more specific about it next week.

CITY MANAGER AND PUBLIC WORKS DEPARTMENT TO MEET WITH RESIDENTS OF SHAMROCK DRIVE TO DISCUSS RIGHTS-OF-WAY FOR PROPOSED SIDEWALKS.

Councilmember Frech informed Council that the City Manager and Public Works Department are setting up a meeting for the residents of Shamrock Drive - the area that will be affected by the proposed sidewalks. They plan to meet with them to discuss the problem of rights-of-way. She hopes it will be soon.

RESOLUTIONS BY SCHOOL BOARD REGARDING HOUSING DEVELOPMENTS AS SUBMITTED TO LIAISON COMMITTEE.

Councilmember Trosch stated that the School Board had submitted two resolutions regarding housing developments to the Liaison Committee and requested that they be recorded in the minutes:

Involvement of the Board of Education
in Decision Making Regarding Housing Developments
(Adopted by the Charlotte-Mecklenburg Board of Education
at a meeting on January 10, 1978.)

The Board of Education will seek ways to become involved in the process whenever any public housing project is being considered, including construction of new projects as well as changes in

January 30, 1978
Minute Book 67 - Page 108

present housing developments. The Board encourages the administrative staff to work closely with the staff of appropriate agencies involved with housing developments. This participation is essential in order for the Board to determine the effect that these decisions would have on educational planning.

Furthermore, the location of future housing developments, both public and private, is a determining factor in the assignment of pupils to schools. Corporate planning involving the Planning Commission, Housing Authority, Community Development Department, Board of Realtors, and the Board of Education can help to stabilize attendance areas and will alleviate the need for major changes in the pupil assignment plan.

ROBERT SATTERFIELD NOMINATED FOR RE-APPOINTMENT TO INSURANCE ADVISORY COMMITTEE.

Councilmember Selden stated Mr. Satterfield's term on the Insurance Advisory Committee will expire on March 1; that we need the experience that he has brought to the Committee and he will therefore place his name in nomination for re-appointment.

JUDY LEONARD NOMINATED FOR APPOINTMENT TO HOUSING APPEALS BOARD.

Councilmember Short stated there is one remaining vacancy on the Housing Appeals Board; and there is one person in the Talent Bank who is very well equipped for this. He placed the name of Judy Leonard in nomination.

REMINDER BY COUNCILMEMBER CARROLL OF SCHEDULE FOR MONDAY, FEBRUARY 6.

Councilmember Carroll reminded Councilmembers of the bus tour of District 1 scheduled for 2 o'clock next Monday. They will leave from Belmont Center at that time and dinner will be included. They will have a good time and see a lot of things.

Mayor Harris suggested he provide an itinerary so that those who cannot get there by 2 o'clock can pick up on it later. Councilmember Carroll replied he would do that. Some concern was expressed about the length of time involved for the tour and the Mayor suggested the tour be abbreviated - that he thought there would be plenty of time between 4 and 6 o'clock.

Councilmember Carroll replied there were a lot of difficult problems and they are too far down the road with the plans to change it.

ANNOUNCEMENTS AND COMMENTS BY THE CITY MANAGER.

Mr. Burkhalter stated there is material as they leave the meeting for the Stormwater Committee and CD material for each of the Councilmembers.

He announced the meeting on housing scheduled for 4 o'clock, Tuesday, January 31, at the Training Center; Transportation Committee, Wednesday, February 1.

He stated they are waiting patiently for new members to talk with Mrs. Purgason about the Institute of Government training course. They should contact her when they have made a decision on time because reservations need to be made.

Mr. Burkhalter stated he does not want to go into this now but would like Councilmembers to think about it - the Public Works demonstration. That we have 1,100 Public Works employees who are very disappointed they did not get to see Council.

Mayor Harris stated he would like to talk about that himself. That they have to work out something where this does not happen again - it is embarrassing and they should have some procedure that at least by Friday everybody be confirmed - the decision made to go or not to go.

Mr. Burkhalter stated we do not have a lot more of these; but they will try to work out something better.

The Mayor stated they have a lot of meetings and there is a lot of work to put something like this together, and they certainly want to have a majority of Council there.

ADJOURNMENT.

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

Ruth Armstrong

Ruth Armstrong, City Clerk