

June 12, 1978  
Minute Book 68 - Page 155

The City Council of the City of Charlotte, North Carolina, met in regular session on Monday, June 12, 1978, at 3:00 o'clock p. m., in the Council Chamber, City Hall, with Mayor Kenneth R. Harris presiding, and Councilmembers Don Carroll, Betty Chafin, Tom Cox, Jr., Charlie Dannelly, Laura Frech, Harvey B. Gantt, Ron Leeper, Pat Locke, George K. Selden, H. Milton Short and Minette Trosch present.

ABSENT: None.

\* \* \* \* \*

#### INVOCATION.

The invocation was given by the Reverend George Battle, Minister of Gethsemane AME Zion Church.

#### APPROVAL OF MINUTES.

On motion of Councilmember Chafin, seconded by Councilmember Locke, and carried unanimously, minutes of the Council Meeting of May 29, 1978 were approved with one amendment:

Page 111 - Change the vote for Councilmember Cox from "Nay" to "Yea".

#### PUBLIC HEARING ON THE PROPOSED FY79 BUDGET AND PLANNED USE OF GENERAL REVENUE SHARING FUNDS.

The scheduled public hearing on the proposed FY79 Budget and use of the General Revenue Sharing funds was held.

Nature Museum - Mr. Russ Peithman, Director, stated that originally they had a total request for start-up money for Discovery Place that was something like \$139,000. That after preliminary meetings with their board and with the Councilmembers they trimmed that back to \$52,000. He stated this appearance today relates to that request. That the printed information which he has supplied shows the \$110,000 that is currently proposed in the City budget by the staff - \$88,000 for the Nature Museum, \$22,000 for Discovery Place. They have tried to outline the reasons they feel this will put them in trouble with the opening up of Discovery Place in 1981 unless they can have adequate funds to hire two staff people to begin July 1 with the Discovery Place start-up. Although they are 36 months away from when Discovery Place will open, there is much to do to start to pull things together. There are no staff members right now - for Discovery Place.

He stated what they are asking for is \$97,000 total allotment for the Nature Museum for its operation for the year; and \$52,000 for the Discovery Place start-up.

At the request of Councilmember Locke, Mr. Tom Finnie, Budget Director, explained the figures recommended by staff. He stated the explanation is primarily this: The records show that when the original concept for Discovery Place was placed before them, the funding from staff would not come until FY81. This request caught them just a little bit offguard. They recommended what is at least a "foot in the door" type of thing. They funded the Nature Museum request of \$88,000 plus some inflationary costs which sent it up to some \$90,000; plus two people for the last quarter of the upcoming fiscal year.

Responding to a question from Councilmember Gantt, Mr. Finnie stated he is not saying that what Mr. Peithman is saying is not accurate; he may very well need those people right now, but with the funding they have available and what they had originally anticipated, with that priority against other

June 12, 1978  
Minute Book 68 - Page 156

priorities, the last quarter of the fiscal year was a fairly high priority.

Councilmember Trosch asked Mr. Peithman to explain how the original figure of \$139,000 has been trimmed to \$52,000; or how this has been trimmed since this Council heard it presented.

Mr. Peithman replied that a number of the positions that were in the \$139,000 relate to building exhibits for Discovery Place. They have something like \$1,260,000 in the Capital Budget for buying exhibits and equipment. They are proposing that they negotiate with the Public Works Department to see if they cannot build a part of those exhibits on the site of the Nature Museum - in the Century III Building - and use some of the bond money to contract the Public Works Department to build those exhibits themselves. They feel they can build them themselves cheaper, even hiring their own people, than going out and putting it out for bids.

Councilmember Chafin stated as far as his priorities, she would assume that the additional funds for Discovery Place would take precedence over the increase for the Nature Museum? Mr. Peithman replied it would, but it would hurt things at the Nature Museum. Ms. Chafin asked him to comment on what the additional amount for the Nature Museum would be used for. Mr. Peithman replied it is just for inflation; it is not for the addition of any new programs or expanding the services whatsoever. It is a combination of inflation and taking care of maintenance of the grounds and buildings.

Councilmember Carroll stated when Mr. Peithman talked with Councilmembers before about his budget needs, there was some very good discussion about looking at some other sources of funding and asked if he has had any success in that area.

Mr. Peithman replied they have not been successful in identifying operating sources of revenue; they did have considerable luck last week. They received word from State Representative Louise Brennan that \$50,000 has been voted by the State Legislature to Discovery Place for exhibits. They are very excited about that. Unfortunately, that cannot be used for operating money. They are still pursuing other sources; are going back to the Reynolds Foundation, but he suspects since their next period is October for receiving proposals it will be next year before they hear anything. Right now they have this interim period when they really need help to get things going with the new staff. But, they will be pushing right ahead to find these new sources. They have recently received commitments of \$10,000 from the National of the Arts for sending a number of their staff members to other museums throughout the Country to study programs and to hire an exhibits consultant. They also have a \$9,000 matching grant application into the New Museum Services Act for one of the staff members. They do not know whether they will get it or not but they have made the deadline and will see what HEW comes up with.

Councilmember Short stated that in response to Ms. Chafin's question, he indicated that \$52,000 for Discovery Place ranks higher in his evaluation than the \$9,000 additional inflation figure for the Nature Museum. He asked him to add into this the \$40,000 for the bridge from Freedom Park to the Nature Museum, and evaluate all three of those items.

Mr. Peithman stated he thinks the bridge is great, it will be a nice addition; but it is not a Nature Museum project. Mr. Short asked him if the present bridge is satisfactory, and Mr. Peithman replied, quite frankly no. He commented that Mr. Short is putting him on the spot.

Mr. Gus Campbell, Treasurer of the Nature Museum, stated that on the matter of priorities, they have fifteen more days to go before June 30 and they are "sweating" these out. He keeps being told they will be all right, but he is sweating out until the June 30th close-out because they are going to be that close to the wire on this year's budget. That Council ought to know they do not throw money around loose; there is no provision other than the 4 or 5 percent for next year's salary increase and with utilities and other things going up, as tight as they ran this year, he believes he would go the opposite way and say he would feel more comfortable with the \$9,000 for the Nature Museum as the first priority, and the Discovery Place planning as a second priority.

June 12, 1978

Minute Book 68 - Page 157

Mr. Campbell stated he thinks they do Mr. Finnie a disservice in not planning properly themselves to get help into Mr. Peithman starting right now. That they did not realize until Mr. Peithman got involved exactly what a time killer this thing is. They have spent so much time with meeting folks and planning the place and the exhibits that he is afraid that they are going to start falling down on the place that everyone likes so well over there by Freedom Park. That would be a very large mistake.

There is no doubt in his mind whatsoever but what they are going to have a highly successful base downtown and it will really help to revive downtown, and it is something Council is as interested in as they are. But, if they do not do it right, they are not going to have the place that they should have. Now, that they have gotten involved in it a little bit, he does not believe that he can stress too strongly the fact that to do it right they really have to put someone on the job and get moving now.

Councilmember Selden asked if they have any additional personnel contemplated with the \$9,000 additional for the Nature Museum? The reply was no. Mr. Selden stated as he reads the material, it was our Budget Director who set the \$88,000 and the \$22,000. That what, in effect, the Nature Museum staff is saying is that their rock bottom needs are \$39,000 more than what was shown? The reply was yes.

Fraternal Order of Police - Frank Christmas, Charlie I Team, stated that as a representative of the FOP he is asking Council to consider the one-for-one car plan that Chief Goodman has recommended. That the FOP backs this plan; that what he understands of the plan it is a good operating plan. He stated he has a map with him showing where the police officers live in the City and they have picked out two days during the week to show their off-duty employment. They can show where the cars would be at specific times. Sgt. Kelly and County Police Officer Bill Paschal, who are the newly elected FOP president and vice-president, assisted in displaying the map.

Officer Christmas explained the map. It indicated where the police officers lived in the City and the County - there are roughly 50 or 60 officers living in the County. It also indicated the off-duty employment on Wednesday, April 12, 1978 which was scattered throughout the City; and Saturday, which was also scattered throughout the City.

It was noted that District Four is well represented with policemen; and Councilmember Gantt stated that this is one of the problems with this proposal. Ms. Frech stated that District Four is not ordinarily a high-crime district. Officer Christmas pointed out on the map the City's high-crime area.

Councilmember Selden asked about the figure of 50 or 60 police officers who live in the County, outside the City - what is the actual percentage? Officer Christmas replied he does not know. Mr. Selden asked, if a car plan was instituted, what he would propose for the officers who live in the County? The officer replied that they have cars also, because they have to drive from their house through the City to get to the police station.

Mr. Selden asked if all the County policemen live in the County or do some of them live in the City? The reply was that the vast majority of the County officers live outside the City limits, but they do have those who live in the City and they also have cars. Mayor Harris asked if they have to come in for shift changes and the answer was yes. That there have been circumstances where the officer reported directly to duty from his home, but it has been a bigger success than they ever realized.

Councilmember Leeper asked Officer Paschal to qualify his statement - it is working for the County in terms of what? He replied in terms of the number of miles driven by the County police officers and the number of off-duty arrests, the number of traffic citations written; that they have no barometer on the amount of crime that has actually been prevented, but in the first month, there were 35 arrests made by off-duty officers in the marked units.

June 12, 1978

Minute Book 68 - Page 158

Officer Paschal stated he is only talking about marked units and dangerous traffic citations, such as driving under the influence, drunk or wreckless driving and the number of citations given by off-duty officers in marked vehicles through the neighborhoods to and from work.

Councilmember Selden asked if they could arrange for a report from the County Police of the results of this and Officer Paschal replied he thought this could be arranged.

Councilmember Leeper stated he thought they also asked for additional information from other areas that had tried the program. That he is under the impression that a number of cities have tried it and disbanded that particular program. He stated he would be interested in getting this information. He asked the City Manager if Council had not already requested this information and Mr. Burkhalter replied yes.

Councilmember Gantt stated one of the officers had brought a whole file by his home and he has read it and finished the report and he would like for him to pick this information up.

Councilmember Chafin stated she would like to have further access to the map.

Mayor Harris asked if they could have the map at a later time and Officer Paschal replied yes. Mayor Harris about him about having it on Wednesday afternoon at 4:00 P.M. and Officer Paschal replied yes.

Councilmember Cox asked Officer Christmas if it would be possible, if Council wanted to do it and if it worked out for other reasons, from his point of view, would it be feasible for Council to implement a pilot-kind of program that would enable Council to get into this thing in a gradual type way and Officer Christmas replied Chief Goodman has a plan worked out over a three year period, where he could set out a certain number of officers the first year with a car, the next year, another set of officers would get them, the third year, another set and when it came to the fourth year, the first officers would be trading their cars in and they do not have that now.

Councilmember Cox stated he liked that plan and asked what if into the first year, as a pilot year, they either saw the benefits or did not see the benefits, would that present a problem from his standpoint and Officer Christmas replied it would because they could see the benefits after a couple of months time.

Councilmember Frech asked if the officer who has the car is responsible for the maintenance? Officer Christmas replied they have not worked out anything as far as what type of maintenance - no, they would not change oil or sparkplugs; that would be done through the garage on their off-duty days. Ms. Frech stated this is supposed to be one of the economies - that the cars are supposed to get better maintenance and are supposed to last longer. She asked if it works this way in the County. The reply was yes, it has worked in Jacksonville, Florida. They have boosted their resale value 250 to 300 percent. Ms. Frech asked about gas, who buys all of the gas?

Officer Paschal stated in the County plan now, the officer gets the car serviced and the maintenance is done on the day when the officer is off-duty, at the County garage. When he needs gas, when he gets through with his tour of duty for a particular day, he goes and fills up with gas if he needs it and then goes on home. He stated the study which Mr. Gantt has come from the County, and they will be glad to supply the other Councilmembers with this information. He stated that when he said they would come and meet with Council on the one-by-one plan he may have been a little hasty. He has not talked with Chief Porter about it, but both Chiefs of Police try to work together and he is sure if they suggest it that the Chief will probably take his time. If Council would like to talk with Chief Porter or his representative about the County's plan, he will be glad to arrange it.

Councilmember Dannelly suggested if they did this they should have Police Chief Goodman at their budget session too. Mayor Harris asked Mr. Burkhalter if he could arrange that, and Mr. Burkhalter replied he could but he does not

recommend it. That Chief Porter could answer questions about his operation, but he does not like to have a department head disputing the city manager in his recommendation. He would hate to put Chief Goodman in an embarrassing position.

Councilmember Dannelly stated he thinks they should let the City Manager decide as to whether both chiefs should be invited. That he would not want to put Chief Goodman in an embarrassing situation either, but he would like to ask Chief Porter to come since he has had some experience with it.

Mr. Burkhalter stated he would like to point something out to Council. The County plan has only been in operation a short period of time; that no one would take the County's position as an authoritative study of the matter. That there are some studies on this matter that can be secured.

Mayor Harris stated the impression is that they would like to discuss it some more, evidently Wednesday. He asked the police officers if they could have their charts at the session on Wednesday and go into the discussion further at that time. The Mayor asked Mr. Burkhalter if he could get his information there by Wednesday and he replied yes.

Housing Task Force - Mr. Dennis Rash, Chairman, stated that Council has given this committee a rather difficult charge and that is to, in broad scope, solve the problem of low and moderately low income housing in the City. That is a problem that has plagued the City since 1938.

Mr. Rash stated that the Task Force had its first meeting on April 11 and have therefore had two months to tackle a problem that has been with us a good number of decades. He will <sup>not</sup> stand here and tell Council, therefore, that they have found the solutions.

There was a bit more precise directive - that was to find ways to significantly involve the private sector in the production of low and moderately low income housing. They think they have come up with some techniques. That they further asked for their advice to guide Council in the Revenue Sharing hearings. He cannot give them very precise dollar figures. In the space of two months they have just barely identified the issues, let alone solved the problem and tell Council where to get the money.

There are a number of things that he would like to point out, however, that seem to him worth Council's and the Task Force's serious additional study. They would reiterate, as a matter of philosophy, not only the charge - that is that they should significantly increase the private sector involvement in what has traditionally been called "public housing." He stated the longer they have been in this the more they realize that there is something very beneficial about the concept of employing the private sector and the use of legitimate and reasonable profit incentives to supply a matter of housing that is as acute a problem as it is. He repeated that the profit incentive, when it is legitimate and reasonable, is a very attractive stimulus in the supplying of additional low and moderately low income housing. They have come to that conclusion, not only as a matter of charge from the Council, but as a matter of philosophy within the Housing Task Force. He stated that the Housing Task Force has not had a unified report that has been voted on. They have had a couple of sub-committees working in various areas and they have not even had unified reports because of the press of time. He will tell them some principles that they must understand come without benefit of unanimity or even formal vote, but come more in the general direction that they believe Council ought to pursue; that there ought to be money set aside in order to accomplish some of these kind of techniques that their preliminary investigation suggests is possible. Or, they will tell them a couple of things that they have learned about the need.

One of the first things is that they cannot tell Council precisely what the need is. That is a concern to them. They have not been able to find in the City or the County, anyone who can precisely tell them the need. Therefore, they think there is a problem with their plan. They have learned that the need is at least sufficient so that they ought to be doing everything they can do to pull out the stops for the next three years. But, the fact

June 12, 1978  
Minute Book 68 - Page 160

that no one can precisely pinpoint the need points to a problem that he believes staff needs to seriously address.

He stated they do know that there are some broad parameters they should keep in mind. For example, since 1938 there have been 6,831 assisted housing units developed. That averages to about 170 units a year. However, for FY77 through FY79 the City has scheduled approximately 650 units per year which is a significant increase and is appropriate.

They learned that as of the first of January 1977 there were 7,538 substandard units; that 6,935 of these units, according to the history of the Building Inspection Department could be rehabilitated.

(At this point, the Mayor called for a motion to suspend the Council rules to allow more than five minutes for a presentation. Such motion was made by Councilmember Chafin, seconded by Councilmember Frech, and carried unanimously.)

Mr. Rash stated that 5,305 of these units are substandard and are occupied. That suggests a significant measure of need. That 4,245 units, they know from Housing Assistance Plans, are the number of large family households and these are primarily in substandard units. That is where they see the greatest need right now.

He stated they have come together on some goals that have guided them. Those goals, among other things, were to restore and preserve as many low income neighborhoods as would be possible and to develop techniques for in-filling, which means to find the homes that code enforcement requires being torn down to replace with new structures, without significantly displacing low income residents. They believe that it is appropriate to maximize the use of existing structures wherever possible through an effective method of rehabilitation; and they want to maximize the use of local, state and federal funds that might be presently available for housing. He stated those goals are so broad that nobody could argue with them.

They do think, before they get into some of the specific techniques, that there are some things that Council ought to know that they would propose even at this tentative juncture point. For example, they believe that a significant additional amount of dialogue is required between the governmental offices that are responsible for housing, the private sector owners or managers and developers. Their findings would suggest that there has been a very limited amount of this. It is too early for them to suggest how they would recommend that this coordination occur, but suffice it to say that it is the consensus of the Housing Task Force that greater coordination needs to occur.

With these broad needs, broad goals and these certain observations in mind they have divided their study into two components - to study both existing housing and new construction. He will deal with existing first because there is a larger supply of existing.

In their analysis they have found probably the most effective low income housing plan to date to have been the Section 8 program. It essentially uses existing structures, it qualifies through certificate given by the Housing Authority to allow individuals who do qualify to find housing in various parts of the City. They are more often than not, not in the so-called "projects." They believe this has had a very beneficial sociological impact on those people - they do not see themselves as institutionalized. This has certainly been helpful in terms of the degree of management and care which they have found in the housing units that do qualify.

They think that they need to do a significant amount in Charlotte-Mecklenburg to increase the number of Section 8 allocations. They have recently received a 200-plus additional allocation. They believe that the Housing Authority ought to make every effort it can, as quickly as it can, to fill up those slots as well as apply for additional ones.

In addition, they are considering now a local rent subsidy program which would have as its basic method, the City directly supplying payments to owners of qualifying units that fills the gap between a fair rental price

June 12, 1978

Minute Book 68 - Page 161

and a fixed rental amount that is affordable by low income people. The initial emphasis would probably be on the reduction of vacancies and the repair and restoration of rehabilitatable units in the target areas; and some provision for housing of families of the very low income - those people who receive an amount just at or above the AFDC level.

In order to participate in such a program, they would suggest that the landlord have the responsibility of bringing <sup>them</sup> into code compliance. This minimizes the City's direct responsibility, other than inspection, for rehabilitation in this particular program. Then the landlord should have the responsibility of sustaining that annual inspection. The amount of the tenant contribution to the rent would be a fixed rate, somewhat higher than public housing rent; the subsidy would be substantially lower than a federal Section 8 contribution, and their discussions with property managers and owners would suggest that about a \$50 a month per unit subsidy is commercially reasonable for most of these units.

If that approach were taken, they would suggest a reasonably modest start of approximately 200 units. There is a wide variance in the Task Force as to whether such an amount would come in the form of an annual interest subsidy which would be approximately \$120,000 a year, or whether it would come in the form of a lump sum investment which would spend off enough income to support that. They have not taken a final vote on that, and until that vote is taken he cannot tell Council anything other than in a personal way what he believes the Task Force would recommend.

But, the point they would like to have made is that the annual cost of such an approach would approximate \$120,000. In order to supply 200 new construction units, the cheapest way you could do this would be something in the range of about \$3.68 million. It might range as high as \$4.5 million. If they use the model that was used for 25 units in First Ward, which was in excess of \$1.0 million, then they would be talking considerably in excess of \$4.0 million. They do not recommend the use of a plan such as the 25-unit plan in First Ward because they believe that unnecessarily expensive.

He stated there is a point he would like to make here - in order to make this a reasonable investment for the private sector and in order to get the private sector to make the rehabilitation as required, they believe that a five-year commitment would be required in this program. He knows the length of the Revenue Sharing term is less than five years and that presents a tough choice to Council.

Councilmember Short asked what is the cost figure for the new construction per year? Mr. Rash stated that probably the cheapest you could go - and some of the developers tell him that this is probably unrealistically low - would be in the range of about \$3.6 or \$3.7 million to upwards in the range of \$4.5 million. If you compare 200 units at the First Ward cost, that would be \$9.0 million. So they think there might be some economies there.

In addition to economies, one of the things that he would like to underscore is that it puts a lot of rehabilitation burden on the private sector. They ought to be compensated, and they would be compensated in the form of a subsidy. It takes the City out of that program. There would need to be some administrative costs, but they probably would not exceed \$10,000 a year. Those figures were supplied to them by the Housing Authority. Whether such a local rent subsidy program would be administered by the Housing Authority or by another appropriate municipal office, they cannot speak to.

He stated that another significant area of interest to the Housing Task Force, in terms of existing structures, would be neighborhood rehabilitation programs. There has been a good deal of fairly broad range discussion with the Housing Task Force on this, but they have taken no vote. They believe that City funds ought to be employed for supervisory, training, counselling and technical assistance for neighborhood organization rehabilitation in target areas, either directly through neighborhood organizations, or indirectly through independent, non-profit organizations with some expertise in securities. A program would need to be designed that would galvanize the efforts of neighborhoods and planning for neighborhood preservation that would obtain options for property where it was appropriate; that would utilize

June 12, 1978  
Minute Book 68 - Page 162

and create loan and grant opportunities; that would encourage home ownership where counselling suggests that it is economically feasible and would create supervision of a qualified work force of CETA and other employees to perform some of the rehabilitation work.

In studying the block grant program, he believes there is a good deal more flexibility with the \$37.5 million that has been committed to that than has generally been expressed. Put another way, it seems to them in their review that except where the money has been expressly spent or contracted for, there is an opportunity to shift some monies. They believe that those sources ought to be explored first.

Councilmember Cox asked if he is saying that the \$37.5 million for the block grant program could be used for new construction? Mr. Rash replied no, it could be shifted within priorities. For example, in the Cherry neighborhood \$1.0 million plus has been put into street improvements and permanent improvements. That some of the dialogue they have had with people in the Cherry neighborhood, and some of their research, suggest that it might be more appropriate to use a greater amount of that money for rehabilitation of structures that are there than for some of those services. The point is that until that money is spent, there is some flexibility within the existing program that they have not fully explored, nor do they believe the City has explored. Those explorations ought to occur.

He stated there will be need for new construction in some of these neighborhoods, but to the extent that they believe a loan and grant program is applicable both to rehabilitation as well as new construction, they see the need to establish a revolving fund of a fairly significant magnitude to provide the low-interest loans in these neighborhoods. They do not have a figure to recommend but if he had to name a figure now he would say it needed to be in the magnitude of about \$5.0 million. When they have their final report, they will try to be more precise.

Mr. Rash stated that one of the things that their investigation suggested very strongly is the need to significantly increase police satellite operations in some of these neighborhoods. They know that is not necessarily a popular subject before this Council, but their investigation has said to them that much of the vandalism that has occurred could be addressed with more localized police surveillance.

Councilmember Cox asked if he really thinks there are real benefits to be gained from putting more police in there, or doing a grass roots kind of neighborhood program that lets people take care of their own? Mr. Rash replied he answer in two ways. He thinks there is a perception, and there is a reality. So long as security is a perception as a problem, he does not think neighborhoods will get too violent. When that perception is eliminated, he would think that security and neighborhood surveillance was not as important.

Mr. Cox stated so the function of the police would be to increase the perception of security? Mr. Rash replied initially - until the community efforts themselves can take over. He stated they had some rather dramatic observations on the tours they took - for example, in Grier Heights - where there are some areas that were further away from the surveillance on the street, and where units had been severely vandalized. He is not going to suggest that on the basis of one or two windshield tours that they have become experts in the area of police techniques and surveillance, but he does suggest to Council that they have heard from neighborhood leaders, as well as property managers, a significant concern for the need to upgrade the surveillance within some of these neighborhoods.

He stated with respect to the loan and grant program, there is one other thing that they would want to consider - they do not have the answer to this right now. There are a number of internal limitations in the City's low-interest loan and grant program that has recently come to Council's attention for an increase in the amount. For example, there is a 40 percent limit on rehabilitation costs that are eligible for owner-occupants, and 20 percent for absentee-owners. They need to study these provisions carefully. They have found a good deal of discussion from the private



June 12, 1978  
Minute Book 68 - Page 163

developers and from owners that that amount was insufficient. They will be addressing this problem - the problem of a lower percentage.

He stated they have not made a recommendation - are not in a position yet to make one - on a major risk insurance program which might assist target areas by spreading the risk of vandalism and major loss due to causes that are not generally insurable. They are looking into this plan rather actively and hope they can put a figure with this in order to measure some cost benefits.

Much could be done with respect to existing housing out of an information exchange program. They believe the City ought to insist upon prompt and clear communication of governmental intentions in target area neighborhoods to promote decision making by both residents as well as owners. The City ought to promote an exchange of information in the context of neighborhood hearings and meetings between residents and non-resident owners in order to expose the legitimate expectations of both groups.

Under the heading of what they would call promoting parallel federal efforts, they believe that the City ought to encourage and facilitate the use of supplemental strategy available under existing and proposed federal programs. For example, a Section 8 rehabilitation program, as well as set asides that are available in the neighborhood strategies area. The City has not yet applied for neighborhood strategies area funding, and they believe that application ought to be forthcoming rather quickly. This is a special allocation for particular neighborhood efforts that has the effect of being a Section 8 new program, but would be allocatable to specific programs.

There are new rehabilitation loan programs that have been announced for implementation through the Federal Home Loan Bank that ought to be explored. And, there are acquisition possibilities in some of the federal programs that ought to be explored. The City ought to also consider support from the State through enabling legislation that would add low income housing programs to the list permissible purposes for use in property tax revenues under GS160A-209.

He stated that is a very "once over lightly" on an area that they think has all kinds of problems - the existing housing. Suffice it to say, in summary, there is a significant quantity of rehabilitatable structures by the best efforts of the City, that could with sufficient incentives be rehabilitated primarily by the private sector and put back into the production of low income housing for people who they know have a significant need. They, therefore, think it ought to be pursued rather tenaciously.

He stated that they similarly find that the new construction programs have some problems in them, but there are some techniques that might be adaptable. Accordingly, they have set some goals for new construction with the help of Jerry Moore in Community Development Department who has provided very able assistance to the Task Force all the way through. These are goals of increasing by approximately 200, the number of new construction units for the first year of three years, with an annual production of about 550, building all the way into the third year to a production of about 500 new construction units in addition to the Housing Assistance Program.

To do that, there are a number of incentives and techniques that need to be employed. Starting with the Section 8 new construction, one of the obvious tension points in all of this is the City's scattered site housing plan. They would not suggest that there be any modification of the scattered site housing plan. But, there are some problems in the way the scattered site plan has been utilized. For example, there has been a rather arbitrary unit limitation placed on it. That, in plain fact, just does not give the developer enough economies of scale to make a very attractive development package. So, consistent with the philosophy of the scattered site housing program they would suggest increasing to 100 the number of new construction units in Section 8 - that would be for family units and large family units. They would not upset the concept of basically low density units. They would think that a maximum density in the order of 8 units per acre would be appropriate.

June 12, 1978  
Minute Book 68 - Page 164

Mr. Rash stated there are some other things that could be done to entice developers to get into new construction. In addition to the "Ginny Mae" and the FHA Tandem financing, and in order to lessen the dependency on these federal programs which have an ebb and flow not unlike the ocean, they want to suggest that the Housing Authority does have authority to issue a tax exempt bond, under Section 11-b, and they have not issued those on a very regular basis. They have some concerns about the way that has been handled in other places and here in the past. They suggest that it merits serious review because the tax exempt funding mechanism to provide both construction loans as well as permanent financing is a very attractive tool to developers; and they have had enough discussion with developers to believe that would be a reasonable incentive.

They believe that the City ought to consider some up front roles in making sites attractive to developers in order to increase production. For example, the City could not only select multi-family sites, but might acquire multi-family sites, and eliminate that front end lag that is unattractive to a developer and creates administrative costs.

Obviously, utilization of City-owned land is a possibility along this line. There are some legal problems with respect to the City being involved in rezoning of its own land, but that ought to be explored - anything that can eliminate some of these front end costs would be important, including consideration of partial write downs of land costs.

They also believe that some consideration needs to be given to the modification of the leased housing program, so that a developer, and perhaps a property manager, would in tandem develop property which might have an income guaranteed by the City. They cannot put a dollar figure on that yet.

That with respect to elderly and handicapped units, they believe that the City ought to reconsider the posture of locational policies; that these units can be placed in impacted areas with a good deal of efficiency in terms of land costs and doing this without upsetting busing plans that the School Board obviously has to consider. They would, therefore, consider the adoption of Housing Authority owned Section 8 conventional housing units in areas where the City already owns the land - target areas, for example.

They would suggest two things with respect to infill housing. - One would be an aggressive use of Section 265 for more moderate income family support - that is a loan and grant program - particularly in the Community Development areas. They would also suggest a local loan and grant program which as yet they have not put a dollar figure on. This would be a means of allowing ownership where code requires houses to be torn down, but allowing for new construction and having the residents of the neighborhood, with proper counselling, come in and apply for a local loan and grant program which could put them in ownership.

Mr. Rash stated this is a serious problem that is going to take a good deal more dialogue with the private sector. That two months is not long enough to solve a problem that has been with us for such a long time. He stated they have had a very dedicated group of people who have met every week and all day Saturday. They have a broad range of interest and there has been a very open dialogue.

Mayor Harris expressed appreciation to Mr. Rash for his fine work and for the willingness to take this on; that it is certainly not an easy task.

Association for Sickle Cell Disease - Ms. Peggy Beckwith stated they do not have a budget to be approved and that is why she is here to address Council. They did submit a proposal to Community Development and requested if they had any questions they at least call them and discuss this. If they had any problems with it they would have been happy to talk about it. She stated the proposal was submitted on May 23 and they received correspondence from the Department on Friday of last week which gave them no time to deal with the agency.

June 12, 1978  
Minute Book 68 - Page 165

She stated there are irregularities in dealing with the Association for Sickle Cell Disease as compared with other agencies that are seeking funds from that agency. For this reason, if there any any programs that are coming under the auspices of CD today, she is asking that the Council defer its vote until Sickle Cell has been given some consideration. If anyone has questions about this she will be more than happy to answer them.

Councilmember Gantt asked if Mr. Sawyer, Director of Community Development, would tell the Council, at some point in time, how many medically related social programs we have now serving the CD areas. Mr. Sawyer replied they have perhaps a half dozen and one of them does deal almost immediately with Sickle Cell Disease. They have a great deal of sympathy for the program; the fact is they have no money. That is mostly what it boils down to; they also have some doubt this program which should operate city wide would be eligible under their guidelines. That Mayor Harris received a letter from the Area Director of HUD saying that some special regulations governing social programs were now on record, and that we must comply. It did change their approach, and it would certainly affect this particular one. Mr. Sawyer stated if Ms. Beckwith has a copy of the letter he wrote her, he would like to have her read it so that Council will know exactly what they said.

Again they said they had great sympathy, but they cannot do anything.

Councilmember Gantt stated he received a copy of the letter and that what he essentially said was that we have continuing commitments to certain organizations and a limited amount of funds for human service programs and those funds have been reducing every year, becoming even more difficult to carry out programs that we started some time back.

Mr. Gantt stated that Ms. Beckwith is saying, however, that if in fact we start to fund some new programs - apparently she is under the impression that there is some new social program that is being funded and wonders why her program is not included.

Mr. Sawyer replied there are no new programs except the summer programs and the last one of those is on the agenda today.

Ms. Beckwith stated she is addressing herself to a target population of 15,522 people. That as Mr. Sawyer mentioned in his letter, there are coordinating services with the North Carolina Sickle Cell Syndrome program. She serves on the Governor's Council which is the policy making body for that program; there are many problems with that program, the first one being the young lady who works for Mecklenburg County in the capacity of a counsellor works with ten other counties. If you are testing black people every day and the Health Department and the satellite sites, there is no way that person can offer education to these people before they are tested and offer counselling after they have been tested. It is physically impossible. They are only asking for a meager budget of \$52,000 to supplement the ongoing Sickle Cell effort in Mecklenburg County. As far as the program itself is concerned, it is funded by HEW, but they need additional staff to do these other things. These people are not being followed up properly, they are not receiving the much needed medical care and they are not referred to the other health agencies where they need to be referred.

Councilmember Leeper stated Mr. Sawyer spoke of the possibility of getting some additional funds from HUD, but Mayor Harris stated it is restrictions, it is the other way around. Mr. Leeper stated basically what Ms. Beckwith is saying is she wants to be funded to she can specifically deal with the problem in the target areas. He asked who is the contractor now, who Mr. Sawyer referred to in his letter, who is doing the screening and education in Sickle Cell in the target areas? Mr. Sawyer replied that he is just not that familiar with it but he can get them the answers.

Mr. Leeper stated he understands the problems and the limited funds and the decrease in funds - all of that, but since it was indicated there is a contractor to provide these services, he just wanted to know who it was.

Mr. Burkhalter, City Manager, stated that one thing Ms. Beckwith may not fully understand is that this is not a hearing on Community Development;

June 12, 1978  
Minute Book 68 - Page 166

that those hearings were conducted back in October and November for during the first part of the year. That Council has allocated one hundred percent of all the CD money and what they do now is just conform to that. That the General Fund budget on which this hearing is being held - and the Revenue Sharing budget - has nothing to do with CD; every dollar of their budget has already been allocated.

Ms. Beckwith stated she thoroughly understands this; and this is not her first appearance. She came when CD funds were being allocated for various programs; that today is just a mere follow-up because there are inconsistencies in dealing with their program and she just wanted it to be known by City Council.

Councilmember Dannelly stated that even though Council has allocated funds, he thought he understood when they were doing it that if necessary they could be reallocated. Mr. Burkhalter replied oh yes, they can amend them anytime.

Councilmember Selden asked if the Sickle Cell Program is receiving funds from Revenue Sharing anywhere else in the State. Ms. Beckwith replied she knows of other states - the State of Ohio and the State of Pennsylvania. They do deal with environmental factors; they are very actively involved in relocating people because people who have Sickle Cell Anemia are very prone to respiratory infections and those who live in low income houses oftentimes are advised to move out of a particular location into another location that is better for their health. They can document patients who have had to go to a hospital as many times as three times within a three-month period for pneumonia, from private housing. So, there is a definite tie in between environmental factors dealing with housing and health as it relates to Sickle Cell Syndrome.

Summer Pops - Mr. Jerry Berne, 110 East Seventh Street, stated he speaks for an allocation for Summer Pops for this coming season. They had at first asked for a total of \$15,000 to assist in the program this year; that after going to the Arts and Science Council, they reviewed that and requested it be changed to \$10,000. However, because of that they also had to cut what they were doing within their program, especially a very badly needed area of rehearsal time. They currently do all of their concerts in the Park and they get over 5,000 people for those concerts. They perhaps reach more people than any other arts organization in Charlotte and more of a variety of people than any other. In order to cut back to the \$10,000 mark they also cut rehearsals to one rehearsal per concert - which makes two rehearsals instead of the three they had planned. Consequently, the quality has suffered.

He stated they feel because of their hard work by a number of people in their Council and on their staff they are able to present these concerts and reach these people for a far less dollar figure than any other arts organization in Charlotte, probably less than a dollar per person. That when they cut this extra rehearsal, they also cut quality because this is just not enough time. They have tried to expand the concerts to include better music and more different forms of music. That what he would like to ask City Council to do on this particular point is to give them back, at least for the last four concerts, as extra rehearsal which will cost between \$900 and \$1,000 for each rehearsal, or a total of \$4,000, making the total amount \$14,000.

Another thing is something they briefly discussed under Revenue Sharing and that is the purchase of a permanent sound system for the shell at Freedom Park. He believes it was decided that this year, with those funds, they would rent the sound system. He stated he is withdrawing the request for a permanent sound system in Freedom Park simply because of the inadequacies of the facilities out there, it would not help that much. Probably what should be done is they should look into the idea of a new amphitheater - a real one - perhaps with the new park funds we are looking to have within the next five years. That way they would be able to accomplish far more and various types of things which they can not accomplish with the facilities they are currently using.

June 12, 1978  
Minute Book 68 - Page 167

Councilmember Chafin asked for a clarification of the amount he is asking for above what has been recommended. Mr. Berne stated it is \$900 to \$1,000 per rehearsal.

Councilmember Carroll asked why the rehearsals cost that much? Mr. Berne replied they have fifty musicians and it averages about \$20.00 per musician for a rehearsal.

Mayor Harris announced that the Public Hearing on the budget would be continued tomorrow evening - Tuesday, June 13.

MEETING RECESSED AND RECONVENED.

Mayor Harris called a recess at 4:20 p.m., and reconvened the meeting at 4:30 p.m.

RESOLUTION ESTABLISHING A MUNICIPAL SERVICE DISTRICT FOR CHARLOTTE'S CENTRAL AREA.

Councilmember Chafin moved adoption of a resolution defining a Municipal Service District for Charlotte's Central Area and limiting the tax rate to 5¢ per \$100 valuation. The motion was seconded by Councilmember Gantt.

Councilmember Selden stated he has probably been more controversial on this issue than most other issues because although he firmly believes that we should have a Municipal Service District, he feels the area as defined includes an inordinate amount of non-taxable, non-negotiable, non-developable type property. For instance, there is a cemetery that covers a number of square blocks and they can draw no tax revenue from that; neither can they make any major alterations to it. The Governmental Plaza is included in the outlying area and they can make no alterations there. Central Piedmont Community College is in the area. These non-taxable type properties the developmental plan will not reach, neither will the persons in the areas be taxed. But, more particularly he finds there are certain areas - for instance, the Milling Company that mills the flour which is a large part of the base for the bread in this area, is located outside the Central Business District but inside the Municipal Service District as proposed.

Mr. Selden stated that the flour milling industry is very sensitive to alterations in the price of the product, and he would not want to see the cost of bread on the table in this area be influenced by an increase in taxation on an industry that will not in any way, shape or form benefit from the Municipal design.

He stated there is an area which is called the Central Business District which is predominantly and overwhelmingly retail, office and service; it has existed for some time - it contains 89 percent of the property value of the entire proposed Municipal District area although it only contains between 35 and 40 percent of the land area of the original design.

Councilmember Selden made a substitute motion that the Central Business District be defined as the Municipal Service District initially for this program. He stated this does not exclude Council from expanding the area at a future time including corridors that need development, and there are many of these in the near downtown area. But, the Central Business District will include, overwhelmingly, all of the area that is central to the downtown area in terms of business, and it will help to concentrate the organization that is going to promote the downtown area. Mr. Selden's motion died for lack of a second.

Councilmember Leeper stated he has some concerns about the Municipal Service District. He thinks it is very much needed and is supportive of it, and is also supportive of the lines that have been drawn. That it is important that we have residential area included in this district because of the possibility of things that can come about because of that. His concern is that on the perimeters of the area we have a large number of low income citizens who might be asked to accept an additional burden because of increased taxes in order to revitalize the downtown area. That he thinks that

June 12, 1978  
Minute Book 68 - Page 168

all of Charlotte can benefit from the revitalization of downtown and that the private sector, the community at large and the governmental bodies should perhaps be included in that development. He certainly hopes that whatever they decide to do that they will try to make sure that the residential section is included. He is just concerned about the burden that is going to be placed on them with an additional tax. He is concerned about the rate; although some have indicated they might be talking about \$8 or \$10 a year. He would like to see them decrease the percentage and maybe ask the City to help subsidize part of that so that the City would be participating in the development also, with matching funds. That the whole city can gain from the development downtown and that all of us should participate in some form or fashion.

Councilmember Locke stated she would also like to hear some comments on the matching funds concept.

Councilmember Chafin stated that is not pertinent to the motion because the resolution does not set the tax rate.

Councilmember Cox stated the real question here is how are they going to fund it; that he is trying to go over in his own mind whether this is the time to discuss how they are going to fund it. If Council says 5¢, then they can set it at 1¢ or 2.5¢ or zero anytime from now on.

Mr. Cox stated there is no question about the need for this district; the real question is how you finance it. That there can be legitimate disagreement over that question. The real problem is that the right answer does not reach out and bite you as it does on so many issues. They are proposing that this corporation be funded with a levy only on the property owners in the district; there are other ways to finance it. For reasons that should be clear, he suggested that they change the wording of the resolution from 5¢ per \$100 to 1¢ per \$100 valuation, making that a substitute motion. The motion was seconded by Councilmember Carroll.

Mr. Cox stated that the symbolism here is that the general public and the property owners in the district both benefit from the work of the corporation, and it also suggests that there are private interests who benefit more and that they should be given the opportunity and the challenge to assist in the funding.

He stated the motion that he made really talks to decreasing from 5¢ to 1¢ with the idea that later on (if they vote for this motion they are voting for this too) a matching amount be found from the General Fund that would match the revenue generated by the 1¢ additional tax levy, and that the rest of the budget - some \$13,000 to \$15,000 - as we now have it be gotten from private sources. They would really be talking about \$39,000 from the property owners inside the district and \$39,000 from the property owners outside the district, and the rest from private funds.

He stated the problem with this proposal is that property owners in the entire city already contribute significantly to the efforts downtown. To this extent he would remind the Council that the investment to get uptown back on its feet is large and that the district's property owners themselves just by the fact that they are down there every day, have already contributed significantly. He would suggest that the issue here is the participation in this particular project and not participation in other projects that are ongoing and other projects which they will be talking about in the future. That symbolism in this highly visible initiative is important and his motion speaks to that symbolism of the joint participation of property owners, the general public and the private interests who stand to gain perhaps more than others.

Councilmember Trosch stated she is interested in both the boundary question and the method of financing. That she strongly believes that the City has shown a commitment, and continues to show a commitment, to the downtown through its commitments in Fourth Ward, its commitments to Spirit Square and Discovery Place, the study of downtown that is proposed already for \$100,000 out of the current budget sessions if that is finally adopted. That there is no lack of commitment or continued commitment from the City. However, she

June 12, 1978  
Minute Book 68 - Page 169

cannot support money coming from the General Fund to fund the district. She thinks they confuse the issue and even make it an administrative problem if you have a little bit from here and a little bit from there. That after a great deal of thought, she will not support Mr. Cox's motion but will vote for Ms. Chafin's motion.

Councilmember Frech stated she would agree with what Ms. Trosch has said. That it appears that what Mr. Cox's motion is trying to do is to actually set the tax rate which is not the purpose of this resolution. They are only attempting to establish the district and say that the tax rate will be no higher than 5¢. That she thinks it would be a mistake to set the limit and say that the tax rate can go no higher than 1¢. When they later decide what the tax rate will be it might well be that Council will want to go with Mr. Cox's proposal, although she does not lean toward supporting it. But, a restriction like that to this resolution could be something that would be very harmful to them later.

Councilmember Carroll stated that Councilmember Selden had spent a lot of time and had a very thoughtful idea. That although he feels they should go with the whole area, Mr. Selden has tried to address the problem of where the funds come from to do something in the Municipal Service District that they are all wrestling with. That personally he thinks that Councilmember Cox has come up with a great solution; that he is combining the commitment that the whole city has to downtown, plus the extra commitments that everybody who is a property owner has down there, plus that even extra commitment of the people who are involved in business downtown. They are not talking about, as he has learned in the last six months, a lot of money in the City's budget, but what they are talking about is of symbolic value because they are trying to get a new initiative off the ground that is going to really be meaningful, that the combination that Mr. Cox has suggested has a lot of value. That the hearing Council had on this was very important in that they heard some people expressing views that somehow tend to mesh with what Mr. Cox is proposing.

He stated that what has always bothered him is that the City, by adopting an extra tax for the downtown area, will have basic policies which are in conflict. That is, we have a policy of trying to encourage a low income neighborhood in Third Ward, rebuilding Fourth Ward, and just the general promotion of downtown with the things that were mentioned that we have already put down there, and yet to add a tax to that is a disincentive. That Mr. Cox's proposal takes the sting out of it because it is a good idea to have a Municipal Service District. To the ones who are very committed to downtown, the thought of just a little bit more tax may not seem like a big barrier, but when they are talking about someone who is thinking about locating a business downtown, who does not live there but is from outside of the area, or from outside of Charlotte, that can perhaps be a more emotional and significant issue.

He stated that Mr. Cox has dealt with these things; that his proposal is a good one; that they could still change it any year they wanted to; that we would not be locked in just because we went with 1¢ this year. They would of course be anxious to look at what happened before they did anything next year.

Councilmember Dannelly stated some of the Councilmembers are concerned about the lower income persons that this will affect. That sometimes they are confused in planning like this as to which comes first the chicken or the egg. Mayor Harris stated they have to create the district before they can fund it.

Mr. Dannelly stated he feels that it may be somewhat of a lost cause in looking out for the concerns of the people who will experience some difficulty even though it may not mean more than \$2.50 or \$3 or \$4 per year. But as he has indicated, and Mr. Leeper has stated previously, that if your annual income is in the neighborhood of \$3,000 or \$4,000, then that is a lot of money.

Councilmember Gantt stated he wants to respond to something Councilmember Carroll said. That they are not really talking about \$93,000. That Mr. Cox's proposal is indeed just what he said it is - symbolic. That they should examine his proposal very closely. It is not that he is trying to be insensitive to what that tax might mean and the fact that they are dollars out of somebody's pocket. The fact is that a business is not going to make a decision on a downtown area purely on the impact of that 1¢ tax. That NCNB, a 40-story building in the No. 1 block of the City, is going to pay a relatively small amount of money compared to its investment. That \$10,000 is going to be generated by the squeezing in of boundaries which in essence almost eliminates all of the residential areas, which is a very graphic way of telling what the amount of the impact is likely to be on residential development. The single-family house belonging to a widow whose property was left to her by her husband, a \$24,000 house, would probably pay 62¢ a quarter in terms of the additional tax. So, the 1¢ is symbolic - the pie is bigger than the \$93,000. They are probably talking about millions of dollars; that the General Fund and the commitment of the City is not going to be substantially greater than the \$93,000. That private industry is going to put in considerably more than the difference between \$78,000 and \$93,000. What he is just hoping for is that Council will not, at this point, put one foot out there, and the other holding it back. We have some major companies that have made some commitments, who want to do something; they all admit they are at a crossroad and to quibble over 1¢ versus 2.5¢, or how much the rest of the city is going to contribute, is a waste of time.

Councilmember Chafin stated she would like to remind Council again, and several other people have alluded to this, that they are putting substantial amount of the General Fund budget into uptown; there is a \$5,000 item on the budget today and a request for additional \$30,000 earlier for Discovery Place, which is approximately the amount that they are talking about matching. She understands that there may be some problem in generating the kind of private grants or contributions that Mr. Cox has reference to that would probably have to come from the large corporations in the uptown area that are, in fact, going to be shouldering the greatest burden of the additional tax. It is going to be easier for them to do it through the tax than through a direct contribution or grant because of deductability.

Ms. Chafin made the observation relative to several people's concerns about the residential property owners, that the potential benefit to these residential areas far exceeds whatever slight hardship may be incurred. That Council has the opportunity to insure that the Municipal Service District Board or the board that will be administering the district, focuses on these residential areas and their needs through the contract they will be negotiating with them. Councilmember Chafin called the question, seconded by Councilmember Locke, and it failed on the following vote:

YEAS: Councilmembers Chafin, Locke and Frech.

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

Councilmember Selden stated he did not earlier speak to the point of the residents of Earle Village and other like areas but particularly Earle Village, where a substantial number of the inhabitants own automobiles and where there is a property tax, and where there will be taxation. While he would prefer to see the boundary exclude Earle Village, which the Central Business design would have done, he has the compassion to look to the people of Earle Village and would much rather they pay a 1¢ tax than a 2.5¢ tax. Therefore, he intends to support Mr. Cox's motion.

The question was then called by unanimous vote.

The vote was taken on the substitute motion made by Councilmember Cox and it failed as follows:

YEAS: Councilmembers Cox, Carroll and Selden.

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



Councilmember Cox stated it is important that we have this Municipal Services District; there can be legitimate concerns about how they fund it. That to him is really a "nit" and he is surprised it took them fifteen minutes to go over that. He thinks it is important that in this particular venture, if other members of Council can find a way to support the 2.5¢ that they do so, now that they have voted down the 1¢.

Councilmember Trosch stated that in the hearings last week it was mentioned that they would be looking at this from the center out; that it is her hope as an individual Council member, and she hopes it is the wish of the rest of Council, that this be simultaneous promotion and planning that looks at the outer rim at the same time as the inner rim; that good things will happen on the outer rim at the same time they are happening in the inner rim. That as Ms. Chafin says, she believes this can happen when they make the contract.

Councilmember Dannelly commented that today he believes he had the "chicken" so when it comes around the next time they will look for the egg.

Councilmember Leeper stated when they look at the contract and are talking about the kinds of things that they want to encourage downtown that maybe they want to make sure that the burden that some of these people are being asked to bear - the residents - that they can include some of the benefits in the contract in terms of employment - some kind of light industry that might be in a position to employ some of these people that may at this point be unemployed.

Councilmember Selden asked if, assuming they pass this motion and the one setting the rate, they elect to alter that in a year or two, would that be possible; and the answer was yes. Mayor Harris stated it is his understanding that every year you can reset the rate.

The vote was taken on the main motion by Councilmember Chafin and carried unanimously.

The resolution is recorded in full in Resolutions Book 13 at Page 325.

ORDINANCE NO. 62-X AUTHORIZING A LOAN FROM THE GENERAL REVENUE SHARING TRUST FUND TO THE CHARLOTTE HOUSING AUTHORITY FOR PURCHASE OF PROPERTIES FOR PUBLIC HOUSING.

Councilmember Short moved adoption of the subject ordinance to provide \$800,000 for the purchase of the Red Carpet Inn for use as public housing for the elderly and acquisition of housing sites. The motion was seconded by Councilmember Locke.

Councilmember Carroll suggested that they add to this motion something related to the things that were mentioned at the citizens hearing. That he has talked with so many of the elderly people, particularly in Fairview Homes and Piedmont Courts, who have experienced the problems not only with crime but with the close proximity of young children and just the inability to have enough living area for elderly people to really enjoy their environment.

He made a substitute motion including the statement that the Housing Authority amend its transfer policy so that the people who would otherwise be eligible for elderly housing in Fairview Homes and Piedmont Courts have the first opportunity to transfer, if they wish, to the new facility on East Morehead. Councilmember Frech seconded the motion for discussion.

Councilmember Leeper stated he has some of the same concerns that Mr. Carroll has, and he is sure most of the other Council members have also, after listening to the citizens. He just has some problems with including that in the terms of deciding whether they will grant this loan or not. That he thinks they ought to let the Housing Authority know Council's concerns and certainly whatever they can do in terms of trying to encourage them to consider changing their policy. But as a means of determining whether they are going to allow them to borrow \$800,000 or not, he would have some problems with.

June 12, 1978  
Minute Book 68 - Page 172

Mr. Leeper stated he asked a question at the last Council meeting about how close the proposed Independence Freeway will come to this property. Referring to a map Mayor Harris stated there were about four or five blocks.

Councilmember Carroll stated he thinks the feeling on Council is that this would probably be a very good idea - it is just a question of how they send that message to the Housing Authority. He does not want to send it to them in a way to upset them, but he does want to send it to them in a way that is forceful. He is open to other suggestions about how to do it.

Councilmember Short stated the Mayor could express this concern. That Council does not have direct control over the Housing Authority; Council does not appoint them; perhaps we have assumed a certain nexus with the Housing Authority by virtue of the fact that there was pilot money and because they are asking temporarily for \$800,000 as a loan. But, they have done a great piece of work here and it just seems a little opportunistic on his part for Council to suddenly move in and start making policy for them on what they regard, and he does to, as a mighty fine piece of work for the community. That he thinks it is sufficient if Council asks the Mayor to give them the message since he appoints them.

Mayor Harris stated he has three things written down that he will talk with Mr. Wheeling about tomorrow.

Councilmember Carroll stated he is glad to go with whatever Council feels is the best way to do it, but since they are the elected body and the people who hear from the citizens who have the real concerns, he wants to make sure that the message gets to the Authority. This is an opportunity which they never expected, to alleviate a real problem.

Councilmember Short replied he is not absolutely certain that the Authority can comply with this message real well, because this sort of thing has been attempted in the past. For that reason, he thinks they should make it more of a suggestion from the Mayor than an absolute order that Council is sending along with this loan. The Authority, in the past, has indicated various reasons why it is difficult to do this.

Mayor Harris stated he is concerned about this too, but he will be glad to go by whatever Council wishes. Councilmember Chafin stated she believes it is the consensus of Council to authorize this.

Councilmember Carroll withdrew his motion with the request that the Mayor report back to Council after he has talked with Housing Authority personnel.

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

The ordinance is recorded in full in Ordinance Book 25, at Page 453.

CONTRACT WITH GETHSEMANE ENRICHMENT PROGRAM, INC., FOR SPECIAL EDUCATION PROGRAM FOR YOUTH IN FOUR COMMUNITY DEVELOPMENT TARGET AREAS.

On motion of Councilmember Locke, seconded by Councilmember Chafin, and carried unanimously, a contract was approved with Gethsemane Enrichment Program, Inc., for a Special Education Program for Five Points, Third Ward, West Morehead and Grier Heights Community Development Area youth, for a total of \$319,140.

ORDINANCE NO. 63-X PROVIDING FUNDS FOR A CONTRIBUTION TO BIG BROTHERS, INC.

Councilmember Locke moved adoption of the subject budget ordinance to provide funds for a contribution in the amount of \$5,000 to Big Brothers, Inc. The motion was seconded by Councilmember Chafin, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 25, at Page 454.

June 12, 1978  
Minute Book 68 - Page 173

COUNCILMEMBER TROSCHEX EXCUSED FROM VOTING ON NEXT ITEM.

On motion of Councilmember Cox, seconded by Councilmember Short, and carried unanimously, Councilmember Trosch was excused from voting on the next item due to a conflict of interest.

ORDINANCE NO. 64-X PROVIDING FUNDS FOR CONTRACT WITH SONDERMAN DESIGN, INC. FOR AN AUDIO-VISUAL AND PRINTED PRESENTATION ON THE CITY OF CHARLOTTE.

Motion was made by Councilmember Selden, seconded by Councilmember Locke, and carried unanimously, adopting the subject ordinance to provide funds in the amount of \$5,357.50 for joint financing with the County of a contract with Sonderman Design, Inc., for an audio-visual and printed presentation on the City of Charlotte.

The ordinance is recorded in full in Ordinance Book 25, at Page 455.

CITY MANAGER AUTHORIZED TO INSTRUCT THE TRANSIT PLANNING OFFICE TO PROCEED WITH A PROGRAM OF SPECIALIZED TRANSPORTATION & STUDY NEED FOR COORDINATOR.

The Transportation Committee's report on Specialized Transportation and on Advertising on Bus Benches was presented in written form as an agenda attachment. Councilmember Gantt, Chairman of the Committee, moved acceptance of the committee's recommendation with one revision.

Mr. Gantt stated he has not had an opportunity to take this matter up with the Committee. That the Transportation Committee heard the report of the Specialized Transportation Task Force which called for a coordinator that would be funded by the City, the County and United Community Services, to pull together all of the human service agencies and coordinate transportation for a very special population. The Committee, in effect, did not accept the report in its entirety; the County did, but the UCS did not.

What the committee did do, because there was an additional report by Mr. Mike Kidd, Transit Planner, that fulfilled the responsibilities that the City has with regard to 5 percent of its funds being used for the special population, in this case the handicapped population, is to recommend that the City go ahead with that particular aspect of the plan; and that the portion of the plan that deals with coordination of transportation by all human service agencies, including those that are not affiliated with the City of Charlotte, be studied further, possibly by a planning consultant that would be funded by the City, UCS and the County.

Mr. Gantt stated that subsequent to the Committee's recommendation he received the following letter from Mr. Don Davidson, President of UCS:

"Confirming our conversation today, as President of United Community Services, I have discussed the transportation coordination matter with both selected officers of UCS and the staff executives. All of us agree that there is a need for coordinating various transportation facilities in our community. Further, all of us are grateful for the hard work done recently by a volunteer task force, seeking to gather some of the many facts which are needed prior to decision making.

"Following a study of the task force report, it is evident that numerous additional facts are needed. Also, we are mindful particularly of the crucial nature of this entire subject to the City's continued enjoyment of Federal funding in support of our bus system.

"Since it is imperative that the City take some initiative on this matter, we would support the approach suggested by Dave Burkhalter and Mike Kidd that the City begin by developing a coordinated system of vehicles which currently operate under its jurisdiction. When this has been accomplished, we would propose

June 12, 1978  
Minute Book 68 - Page 174

a meeting of City, County and UCS officials to consider appropriate steps which might foster the ultimate development of a community-wide human service transportation system.

"Thank you very much for what you're doing to help keep this a good community in which to live and work."

Mr. Gantt stated that this letter did not come officially from the Board of UCS, but represents the views of the heads of UCS. He stated that these views were really not clearly drawn when Mr. Sanders spoke to the committee. He stated this was somewhat of a bombshell at the last minute, stating that they, in effect, would support Mr. Burkhalter and Mr. Kidd in their efforts to do planning and ultimately to work with the coordination of the human service agencies.

He stated that the intention has been before, and the intention is implicit in the Specialized Transportation Task Force report that any coordinator funded or positioned in such a way that it would be tied to the County or City government, would not get the cooperation of agencies such as the Red Cross and others. There has been some re-thinking on that and the premise of that particular argument seems to be lost; that UCS now feels that there might be sufficient cooperation. He has also been given to understand from Community Relations people who were working in the West Morehead Street area that they have gotten substantial cooperation from other agencies when they addressed the question of special transportation in that area.

In view of that, he will recommend the report of the Transportation Committee with the exception of Item 2 which reads that we "participate with County staff and UCS"; instead ask our own City Transportation section to take a look at the Specialized Transportation Task Force report and proceed with whatever planning might be necessary at this point.

Councilmember Short stated that what he is actually doing is tying Items 1 and 2 together.

Councilmember Gantt's motion was seconded by Councilmember Locke.

Councilmember Selden asked what the cost of the consultant would be? Mr. Gantt replied they did not know; under the proposal that the committee gave to Council they were simply saying was that something should be done in finding a planning consultant and then the three agencies would go ahead and fund it. That what they are saying now is let the City go ahead with the proposal which Mr. Kidd presented which tied all of this together. That the committee did not totally accept all of it, he thinks in deference to some reservation by UCS and by the Specialized Transportation Task Force. It now appears that UCS is saying that they will be quite willing to have the City take on this responsibility of going ahead. That oftentimes the City has the resources and funding from UMTA and other places to support this, but at this point they do not know what the planning costs will be.

Mayor Harris stated he would only raise one question; that there were other people there and if they felt that was what they concluded, are they going to be misled if Council changes this? That he is speaking, not of the committee members, but of the members of the Specialized Transportation Task Force and others. It was like a public hearing and they came to a conclusion and now they come into another meeting and change it - that he is just thinking of it as a matter of courtesy.

Councilmember Gantt stated he recognizes, and believes Mr. Garrison also recognized, the degree to which Council wanted to cooperate with the Specialized Transportation Task Force - they spent a lot of time and effort in arriving at their recommendation. That he thinks ultimately what they are saying is that the efforts of their recommendation of a coordinator to handle all of this is being accepted, but the question of further study on how that coordinator ought to be set up will be given to the City since we have the resources, etc. That he will be quite willing to have another Committee meeting and call these people back in to hear this additional report.

June 12, 1978  
Minute Book 68 - Page 175

Councilmember Locke stated this has been considered for a long time - even before this new Council was seated; that when they came to Council initially and asked for three-way funding, not only were the County representatives, but also the City representatives, were very dubious of this kind of three-way funding. This just makes it so much better to have it this way.

Councilmember Leeper stated there is always the possibility of change when a committee brings back a recommendation to Council.

Councilmember Trosch stated, as she heard loud and clear in the Committee as to why they went with this recommendation of a cooperative effort is that there was no other way possible. Now it seems that the UCS and the City are moving forward with cooperation. She suggested they add to their proposal that the City Manager begin discussions with the County also; just to increase dialogue by whatever method this could be done.

Councilmember Gantt stated that what they were originally recommending was that we need to study this whole business of a coordinator and how they are going to put together the City's special population and other human service agencies that have this need. That the Specialized Transportation Task Force agreed with that; they simply said the way to study it is to have some expert do it independent of any particular body, and a three-way funding would handle it. That UCS is now saying "No, we are quite comfortable with the City going ahead and planning how we are going to coordinate all these services. We agree with the general concept that we have a coordinator but we do not necessarily agree that that coordinator ought to sit out there and be jointly funded by the three different bodies." That the other half of that is that in order for the City to do a good job and pull this into one central thing, they would have to deal with the County and try to get the County and get them involved in it.

Mayor Harris stated the County agreed to put up a third of the cost on the premise that this would be done; now, he would assume they can withdraw if they do not wish to participate.

Mr. Burkhalter, City Manager, stated this has surprised him a little bit, and he wants to be sure he understands. That what his staff is to do now is not get the coordinator or any program set up, but they are to find out if a coordinator is essential; and if the Red Cross and other people involved will not work with it, then there is no point in having a coordinator. Council generally affirmed this understanding. Mr. Burkhalter stated it is going to take some money to do this and he does not know where they will get it now. That the County certainly ought to be involved because they have a lot of services involved. That the easiest thing is getting the City services because Council can tell them what to do; but the volunteers are the ones who will be the problem. If they cannot get the volunteers to come into this, it cannot be done.

Councilmember Gantt restated his recommendation as being that the City go ahead and do the planning for this and decide on the need for a coordinator.

The vote was taken on the motion and carried unanimously.

Councilmember Gantt advised Council of the committee's consideration of the proposal for free advertising on bus benches to be provided by a private firm and that their recommendation is that the City not accept this proposal.

#### DECISION ON PARKING PLAN FOR INDEPENDENCE PARK DEFERRED FOR THIRTY DAYS.

Council's agenda called for consideration of a parking plan for Independence Park. The following citizens spoke concerning such a plan:

Ms. Jan Griffin, 1819 Ferncliff Road, stated she no longer lives in the Elizabeth Area, however, she once lived there and was active in the Association. She stated in 1975 and 1976, the Elizabeth Association, after sending out newsletters and holding many meetings, went to the Park and Recreation Commission, to protest the extension of a maintenance facility which was housed in Independence Park.

June 12, 1978  
Minute Book 68 - Page 176

That they understood the facility was contrary to the zoning, which is 0-6. She stated when they went to them, they also had the support of St. Martin's Church and the Open Elizabeth School, which was located right in the Park. That they also had several requests having to do with park safety, maintenance, and additions which the residents would like to have seen made available.

She stated she was in the park today and where they removed the pile of dangerous concrete slabs and other dumped items, there is a parking area. That sometime past, she understood they were thinking of having a couple of tennis courts built right where the parking lot is located. The ugly mess of the old tennis courts has changed little and the screen of hedging or similar materials has not been built. That, however, the Parks Department has corrected a number of dangerous areas which they brought to their attention.

Ms. Griffin stated when she was there today, there were approximately 200 school children from the new Traditional School playing in that park. That as she sees it, a large open area like this one, in the heart of town, is bound to attract lots of people's attention and lot of people are going to want to build there and she could see why there would be constant pressure to have it, but it grieves her that a constant pressure has come directly from that very agency which Elizabeth has counted on to create one open recreational area. That Elizabeth really needs this park and needs as much of it as they can keep for recreation; they do not need more parking lots.

Mr. Henry Bouchelle, 2615 East Fifth Street, stated the problem as he sees it is that the City is being asked to solve a problem that is essentially one of the County. He realizes that it appears that the City is offering a trade - getting a parking facility in turn for a parking facility. This is illusory because while the City offers its park, Central Piedmont offers only a parking lot unsuitable for any other use. This is tragic when you realize suitable parking already exists for City events - behind the Quality Inn and the County garage which does not seem to be able to be filled.

He stated the perfect opportunity exists to experiment with park and drive options. The City can lead the way in this by utilizing large numbers of outlying shopping centers with expansive parking lots already in place. That any modern city has a scarcity of flat space for baseball, soccer, football and a variety of other uses. As increasing demands are made, we may regret sooner than we could have possibly expected the sacrifice of the available grass land for parking. We know parks can become parking lots, but the reverse is unknown. When parking facilities currently exist, it is a shame to use valuable green space and recreational land. No matter how they would like to talk around the issue, parks are for people. At present, a wide variety of people use the area in question. Several different organized baseball teams and vast numbers of other informal teams use it. The park also serves the community as the radial streets around the park are all showing new growth, giving life to the neighborhood, making city living more pleasant than traffic. The City would not be serving the neighborhood very well if it denies the essential green space and recreational opportunities.

He stated he is delighted with Central Piedmont's commitment to the City and to build its facilities in an area where it can best serve the public and where public transportation and the public are, but it is unfair to put the City in the position where it begins to consume those resources which affect its quality of life. This is antagonistic to the avowed purpose of a public institution to serve the public.

Councilmember Cox stated when he first heard about this, he thought he has lived in Charlotte all of his life and that has always been used as a parking lot. What is wrong with keeping it like it has always been? But the more he has thought about it he has asked "is that a parking lot that is used for a park, or a park that is being used as a parking lot?" Then he got to the question of saying "Why don't they close it down and see what happens? See whether any creative ideas will be generated." That is where he is right now. He thinks there is plenty of room for creativity on the part of the people who currently use that park, and he would hope that this Council would take a chance, close it and make it back into a park, just to see what happens.

Councilmember Carroll stated Jan Griffin did try to recite a little bit of the history of the neighborhood working with the Park and Recreation's Commission about dealing with this problem. It is important to know this is not something new; but something that has been a concern over several years and the people who use the park have been concerned about and working with. It has been only in recent years that the staff has begun parking in the park right below the maintenance facility. He would suggest there are other alternatives such as the Park Center that would be available for that. It is a great park and it gets a lot of use. At the park hearings, Council heard from people about the soccer areas that do have flat fields. The need for the parks are year round and they do not stop after the spring and summer softball seasons; it will get the use; it is vital that Council show the sensitivity when we are thinking about the needs for improving the parks and also creating new parks that we really take a stand for beginning to use all the parks we have - a good park where we have a growing neighborhood interested in using it.

Councilmember Carroll moved that Council instruct the staff to discontinue the use of the park for parking. The motion was seconded by Councilmember Leeper.

Mayor Harris asked if there is a time on this? Councilmember Carroll replied they are not using the majority of it for parking now; they do not use it in the summer as they keep it for softball fields. They are using another portion for staff people to park. He would suggest..... Mayor Harris stated because of this long standing joint relationship, as he understands it, it will take some time to work it out. Councilmember Carroll stated as he understands it, there is no formal relationship, or anything binding, that we need to undo. There is nothing regarding Central Piedmont that they will not have the remainder of the summer to work out.

Mr. Williams, Assistant City Manager, stated one thing that is a little confusing is the amount of space that is actually being used for parking. He referred to a handout, and stated that is only one portion of the park. The other source of confusion is the employee parking lot; that is not a part of the green space that was represented before on the map, but it is off to the side. It is only about 20 or 25 cars; that is used also by Saint Martin's Church, and the Elizabeth Community. Councilmember Carroll asked who at St. Martin's Church or from the Elizabeth Community have ever parked down there? Mr. Williams replied he does not know them; but that is the report he gets - that they use it also as parking. Councilmember Carroll stated he would be interested in knowing about that - particularly any member of the Elizabeth Community. Mr. Diehl replied members of St. Martin's Church do use the lot. Councilmember Carroll stated they were one of the key support groups trying to get the park area refurbished again and getting the cars off. So he would be interested if they would let him know who is using it for parking. The Council has never given the public general permission to go down and park in this park; that is a serious problem.

Mr. Williams stated there is a history that precedes even Council's involvement. That he understands before Independence Boulevard was ever built - this area runs through a low area; when the stadium was built the underpass was built by the highway department to provide for access for people to get over to that parking area. The whole area in green was piped and the only area that was piped so they could provide parking area for that area. So they had the parking area long before Central Piedmont used it as a parking facility. He does not know of any formal permission by Council to use it. But the arrangement with Central Piedmont is approximately nine months out of a year their students can use it.

Councilmember Selden stated St. Martin's did use the parking lot for a period of time; as a member of St. Martin's he knows that as a fact. He does not know the current position; they did use it for a period of time. Councilmember Carroll asked if that was on Sunday? Councilmember Selden replied it was.

Mr. John Blume, 506 Louise Avenue, stated they really do not have much park space in their neighborhood. Independence Park is approximately 45.42 acres. Of that land 32.46 acres is in development. It includes Park Center, Memorial Stadium, the Craft Center and the Rose Garden, Elizabeth School and the maintenance shed. When you total that, it leaves only 12.96 acres of play ground space. Of this 12.96 acres left, is where they propose to put the parking lot. In the 74 study, the

June 21, 1978

Minute Book 68 - Page 178

Planning Commission said with their population they should have approximately 42 acres of park land. Of course they do not have this now. There are other problems. They want to see their park develop; they would like to see tennis courts back; the eye sores removed. Also there is a list of negative things wrong with the park.

One of the reasons he chose to live in Elizabeth, and he lives one block away from the park, is specifically because there is a park there. The last thing he wants is a parking lot.

Mr. Joel Strickhouser, 415 Louise Avenue, stated he lives less than a block away from the park. He feels that the interests of all Charlotteans are concerned here too. The City appears to have learned its lesson about how we should treat the downtown area from other areas of the south, and all over the nation. Some of the key issues. We need to encourage growth in the downtown neighborhoods; and to discourage or limit the use of automobiles. A lot of effort and support financially has come forth for the restoration and encouraging the growth of Fourth Ward. That Elizabeth, which surrounds the parks, has some healthy growth existing today. Houses are being restored on almost every street and avenue in the neighborhood. It is in the interest of Charlotte to encourage this kind of healthy growth. Especially when we can do so without a large expenditure of money. The park is already an objection of some questionable use. There is a large area that was a tennis court, which is currently being used as a parking area and storage facility for some of the park and recreation vehicles. It makes a considerable eyesore. Additional parking in the park would be a further distraction. Their suggestion is that whatever the use of the park is to be, it should be studied. Some possibilities to enhance the use of the land would include restoration of the tennis courts; non hard surface jogging trails; soccer fields; maintain and enhance or screen around the eyesores that exist now.

To maintain and enhance this area of recreational use can only encourage the growth of the key downtown neighborhood which will be to the advantage of all Charlotte.

Councilmember Leeper stated he seconded Mr. Carroll's motion; that he indicated to him earlier that he has some of the concerns others have. He thinks Central Piedmont is a very important part of our community; that he does not want to do anything to discourage students from participating in Central Piedmont because of the lack of parking spaces. But by the same token, we are in the process of proposing park bonds to the citizens to ask them to support so that we might develop other parks in the areas of the city. That he thinks the way we maintain our parks now will be a help in whether citizens will really go out and support a sum of money for park development. That we have had a lot of discussion about the maintenance of parks; we have a park facility here we are using for a parking lot. It does not seem to him this would encourage people to spend a lot of money for parks, and then allow other kinds of uses to take place. That is his real concern. This park should be used for a park. He would like to put some kind of timetable on Central Piedmont to begin to look for some additional parking spaces.

Mayor Harris stated it is an offset. We have the stadium and it has to go both ways. Councilmember Carroll stated he does not think we should make any special provisions for Central Piedmont. That he thinks a timetable will have to be set there. He just does not know what it will be.

Councilmember Frech stated if we were to discontinue parking by Central Piedmont, would stadium parking be allowed there; or is Mr. Carroll saying no parking at all? Councilmember Carroll replied no parking. Once you park in there, and if it rains, it cannot be used. Councilmember Frech stated there has been reference to the city parking garage. She asked if that is close enough to the stadium and close enough for Central Piedmont to use. The reply was you would have to use the shuttle. Councilmember Carroll stated it is only two blocks. Councilmember Frech asked if it is true that is empty at times, and could be used? Is it used when there is an event? Mr. Williams reminded Council there is an event coming up soon where they will need some parking spaces. Councilmember Frech asked if parking is free in the park area? The reply was there is a charge; that the Central Piedmont students pay in kind. The student is not charged; but Central Piedmont makes available through the Park and Recreation Department some of their parking places. This is a trade-out. Councilmember Frech stated the reports reads that all parks and recreation metered lots are used by CPCC on a full time basis; and likewise the CPCC-owned lots are used. She asked if the 800 spaces in the park are a part of the trade off? Mr. Williams stated



we have some more metered lots in addition to the park. Councilmember Frech asked if we make available to them about the same number of metered spaces they are making available to us? Mr. Williams replied he does not know the ratio. Mr. Diehl replied CPCC makes more available to us than we do to them in the trade. Mr. Williams stated we have about 258 metered spaces; they have about 1500 spaces.

Mr. Williams stated the sponsoring organization keeps the revenues from the lots whenever it is in use.

Councilmember Short stated at first impression to run somebody out of a park like a soccer player and replace him with an automobile sounds wicked, and against the environment, and sounds like the worse thing in the world that someone in a political office could vote to do. But he does not think we have very many parks in the city that do not have parking in them. As a matter of fact, it seems to him parking is a necessity for a larger park. There is a tremendous amount of parking at Freedom Park; and the effect of it is to allow people not just a block away, but three miles away to come over and use the park. He thinks if Mr. Diehl examined the records or someone made a study of all the parks we would find that all the larger parks, including 45 acres and whatever size on down have parking, and simply have to have parking. It is a little hard to see why this one should be singled out. In fact, he thinks the critical location of this park, where there clearly is a tug of war for the use of this land for various purposes, would make it less desirable to eliminate parking here, than in some park like Freedom Park. He thinks we should not interfere with the administration of parking at a park any more than we would interfere with Mr. Diehl's management of the use of any facilities, or anything else at the park. He thinks we should leave it with Mr. Diehl and let him work it out as best he can; and tell him our preference would be to give maximum emphasis to recreational uses. It seems to him he has to have parking.

Councilmember Dannelly stated it seems to him there are some other concerns and the other concerns is the fact we could be creating a problem for merchants and other residences in the area when we have activities at Memorial Stadium bringing large groups of people and you eliminate 800 parking spaces. All ready people are complaining about the problems they have with parking when you have activities there - the parking needs are greater than the parking spaces available. This would add tremendously to the problem. He also recognizes the fact that in the past four years, up to May of this year, with that sharing situation with park and recreation and CPCC that park and recreation has been able to pick up some \$55,500 on their share of it - just in the last four years up to May of this year. That is a great deal; and the upkeep they have been giving that particular field is minimal. He recognizes the fact, and understands the residents in the area saying they need more space for parks; but in having this feeling for them, he also has feelings for them when the unforeseeable comes. That is the elimination of 800 parking spaces and people get out of hand, and park any place when they want to get to something they are going to attend. It is regrettable that is where our major recreational facility is as far as Memorial Stadium is concerned, and Park Center, and CPCC, and we do not have adequate space. He cannot see anything being done until such time as we can find some reasonable, adequate space in order to not dump an additional burden on the residents in the area.

Councilmember Carroll stated there are two parking lots for the people who use the park. The parking going on here has nothing to do with the users of the park; it is the people who are using Central Piedmont. That Mr. Short's suggestion does not really relate to what is going on. This takes up all the flat space in the park. This rules out any kind of organized athletics for people in this community nine months of the year. You can say it has been ruled out in the past; but he has gone back and looked through the minutes of our discussions about the procedures for memorial stadium. That was one of his big concerns - parking. He wanted to get the parking out of here, and have a plan so that we could use the other lots that are available. He looked out of his office at the downtown area, from the NCNB Building today, and there was a lot of parking spaces that were not being used - three blocks away at the Charlotte-town Cinema a very large parking lot almost completely barren. There are other ways to deal with this. He just feels this is a high enough priority that we should be sensitive for the needs for the park here.

Councilmember Cox stated the question of how many spaces are available and what we get for trading out spaces for their spaces, and how far the spaces are away is really to the point; but it is also beside the point. He thinks we have to stop talking about reasons why this thing will not work; and face the opportunity

that maybe if we forced it, some people may come up with some creative ideas to use all the asphalt we have that Mr. Carroll talked about.

Mayor Harris suggested they give staff 30 days to see what they can come up with. Councilmember Cox stated he does not care how long we give them to do it; he thinks we have to give a reasonable back out time. Really what he is after is some way to force the issue to see what kind of creative ways they will come up with. He is willing after they come back and says there is no way, that we can use transit; make use of the Charlottetown lot talked about; make use of the city garage; and that all those are bad, then he would be willing to go back and use the park spaces.

Mayor Harris stated he gathers that is the consensus of Council on that point. For staff to come back within 30 days.

The City Manager stated one of the things the community through his experience has objected to, and the things mentioned here today more than that was the maintenance building. The maintenance building and the maintenance parking is all ready due to be removed. The building is funded and as soon as we determine about the joint function of the landscaping and park maintenance, that will be gone. This has been the kind of eyesore and problem for a lot of people there. The stadium is a park too; that park is used by a lot of people in this city; it is used for a number of ballgames that will be played there. That is a service to the people too. The parking function with CPCC is something for them to provide, and not our problem; but they have provided parking for us.

Councilmember Trosh stated we have extended the no fare zone to Central Piedmont. This is something we have done to encourage the use of transit system.

Councilmember Selden made a substitute motion to defer for 30 days, during which time the Park and Recreation and the Staff will develop and search out every possible alternate arrangement. The motion was seconded by Councilmember Locke.

Councilmember Gantt stated that would mean the present situation would still apply for that period of time.

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

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

NAYS: Councilmembers Carroll and Cox.

CONSIDERATION OF MOTION TO RECESS MEETING FOR AN EXECUTIVE SESSION TO BE AT END OF BUSINESS AGENDA.

Councilmember Chafin stated she understands a number of the Council Members have to leave the meeting early today, and there is an important item Council needs to deal with this afternoon that is not on the agenda.

She moved that the City Council recess this meeting, and hold an executive closed session to discuss the employment of an investigator to investigate alleged wiretapping and destruction of evidence by the Police Department pursuant to the provisions of G.S. 143-318.3(b) and G.S. 143-318.4(7). The motion was seconded by Councilmember Short.

Councilmember Gantt stated he wonders whether or not it is possible to complete the business agenda, and adjourn this meeting totally, rather than coming back? Councilmember Chafin replied the reason for recessing the meeting is in order to come back and act on the contract Council will be discussing in the executive session.

Councilmember Cox asked if Council cannot go through the business agenda, so the people who are waiting on those items will not have to wait. Councilmember Chafin replied she made the motion at this point as she understood some of them had to leave. Council members agreed to complete the agenda and come back to the executive session.

PROPOSED CODE OF ETHICS FOR CITY OFFICIALS DEFERRED.

Councilmember Gantt moved that discussion of the Code of Ethics be deferred until such time as it can be scheduled on another agenda. The motion was seconded by Councilmember Locke, and carried unanimously.

RESOLUTIONS OF CONDEMNATION FOR ANNEXATION AREA I SANITARY SEWER PROJECT, DEFERRED.

Motion was made by Councilmember Leeper and seconded by Councilmember Gantt to adopt a resolution authorizing condemnation proceedings for the acquisition of property belonging to Robert E. Cothran and wife, at 6539 Old Concord Road.

Mr. Cothran stated he will be addressing both Item (a) and Item (b) as they concern the same situation.

He stated they have a small tract of industrial property on which the city has proposed to route a sewer easement. The route the city has chosen and the route that is better for them are different. The route he would like to have is on the property line; and the one the city proposed is 30 feet off the property line. He referred to a map stating that towards the end of the property they cut across the property diagonally which will reduce the use of that property for site plan reasons later on. He stated it will cost the city more money as has been reflected in the appraisals.

Mr. Dukes, Director of Utility, stated it will cost more money to go the way Mr. Cothran is proposing to do it. He indicated the property in question on a map, and stated the city has elected to carry sewer across at an angle and pick it up on what is called Dover Street. Mr. Cothran stated they can do it on the property line as well as 30 feet out for less money. Mr. Duke replied no as it would extend the length of the sewer, and they would have to add an extra manhole. Mr. Cothran stated they would like for it to go on the line as it would not affect the site plan for the future.

Councilmember Selden asked an estimate of the additional cost? Mr. Dukes replied every foot would cost about \$30, and about \$1,000 for the manhole. He would say \$3 or \$4,000. Mr. Cothran stated they proposed to do this at one time - put in that other manhole - but not follow the property line.

After further comments between Mr. Dukes and Mr. Cothran, Councilmember Cox moved that both resolutions of condemnation be deferred. The motion was seconded by Councilmember Selden.

Mayor Harris stated this is a condemnation proceedings, and they have not agreed, and that is the reason it is here.

Mr. Burkhalter, City Manager, stated it is difficult to try a case here; this is a condemnation in which Mr. Cothran will not agree to a price. If he wants to make a deal with Mr. Dukes as to a price on this land, then Council should listen to him.

Councilmember Selden stated he feels there is information lacking, and they might come to a resolve on that.

The vote was taken on the motion and carried unanimously.

Later in the meeting, Councilmember Dannelly stated in Council's haste it moved to defer Agenda Item 12(a) and 12(b) on the condemnation of Mr. Cothran's property. That he felt Council should have gotten some kind of commitment, if it could, from Mr. Cothran; or else, we will be right where we are now, when it comes back, and it will waste the same amount of time going through the same thing. He would go along with the deferral if Council had asked him whether or not he was willing to work out an agreement; we did not get that kind of commitment from him; but we could have asked him.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO JANIE MURDOCK HEIRS, 305 CEMETERY STREET, IN THE FIVE POINTS COMMUNITY DEVELOPMENT TARGET AREA, ADOPTED.

Upon motion of Councilmember Selden, seconded by Councilmember Chafin, and carried unanimously, the subject resolution was adopted, and is recorded in full in Resolutions Book 13, at Page 327.

CONTRACT AWARDED J.V. ANDREWS COMPANY FOR PLUMBING CONTRACT FOR FIRE STATION NO. 21 (LITTLE ROCK ROAD.)

Motion was made by Councilmember Chafin, seconded by Councilmember Selden, and carried unanimously awarding contract to J. V. Andrews Company, in the amount of \$16,025 for plumbing contract for Fire Station No. 21, D. L. Wilson Company, previously awarded the contract, defaulting.

CONTRACTS AUTHORIZED.

(a) Councilmember Locke moved award of contract to the low bidder, Baltimore Paint & Chemical Company, in the amount of \$28,940, on a unit price basis, for pavement marking paint. The motion was seconded by Councilmember Short, and carried unanimously.

The following bids were received:

Baltimore Paint & Chemical Co.	\$28,940.00
Prismo Universal Corp.	33,750.00

(b) Motion was made by Councilmember Locke, seconded by Councilmember Trosch, and carried unanimously, awarding contract to the low bidder, West Virginia-Virginia Mine Service Company, in the amount of \$23,252, on a unit price basis, for painting and cleaning elevated water tank at Patton Avenue and Fairmont Street.

The following bids were received:

W. Va.-Va. Mine Service Co.	\$23,252.00
Charlotte Tank Lining Co., Inc.	24,610.00
Security Tank & Tower Corp.	49,546.00
Maynor & Hennessey Paint Co., Inc.	70,200.00

(c) Councilmember Locke moved award of contract to the only bidder, Perkin-Elmer Corporation, in the amount of \$9,299, on a unit price basis, for gas chromatograph. The motion was seconded by Councilmember Chafin, and carried unanimously.

June 12, 1978  
Minute Book 68 - Page 183

(d) Upon motion of Councilmember Locke, seconded by Councilmember Trosch, and carried unanimously, contract was awarded the only bidder meeting specifications, Covington Diesel, Inc., in the amount of \$66,460, on a unit price basis for retrofitting of engines and transmissions for five front loading refuse trucks.

Bid received not meeting specifications;

Carolina Tractor & Equipment Co.	\$33,245.00
----------------------------------	-------------

CONSENT AGENDA APPROVED.

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

- (1) Resolution authorizing the refund of certain taxes, in the total amount of \$644.65, which were collected through clerical error and illegal levy against fourteen tax accounts.

The resolution is recorded in full in Resolutions Book 13, beginning at Page 328.

- (2) Contracts for water and sewer installations:

- (a) Contract with M. E. Dellinger for the construction of 130 linear feet of 2-inch water main to serve 7106 Whitside Lane, inside the City, at an estimated cost of \$714.00. The applicant will advance \$357.00, which is 50% of the total estimated cost, and the remaining will be funded with 635.18, Minor Improvements to water system.

Located immediately north of I-85 and west of Little Rock Road.

- (b) Contract with Walter H. Wilson for the construction of 130 linear feet of 8-inch sewer main to serve 5320 Nevin Road, inside the City, at an estimated cost of \$2,600.00. The applicant will advance \$1,300.00, which is 50% of the estimated cost, and the remaining will be funded with 633.07, Minor Improvements in sanitary sewer system.

Located west of Eargle Road, inside the City.

- (c) Contract with P. J. Development Company for the construction of 278 linear feet of 8-inch sewer main to serve Lansing Drive, inside the City, at an estimated cost of \$5,560.00. The applicant is to construct the entire system at his own proper cost and expense and the City is to own, maintain and operate said system and no cost to the City.

Located east of Newhall Road, inside the City.

- (d) Contract with Messrs. George P. Leventis and Nathan H. McLamb for the construction of 300 linear feet of 8-inch sewer main to serve 6613 and 6620 Sharon Hills Road, inside the City, at an estimated cost of \$6,000.00. The applicants will advance \$3,000.00, which is 50% of the total estimated cost, and the remaining will be funded with 633.07, Minor Improvements in sanitary sewer system.

Located east of Quail Hollow Road and west of Sharon Acres Road.

- (e) Contract with Lorick Enterprises, Incorporated for the construction of 300 linear feet of 8-inch sewer main to serve Pineville Dinner Theatre, Highway 51, outside the City, at an estimated cost of \$6,000. The applicant is to construct the entire system at his own proper cost and expense and the City is to own, maintain and operate said system, at no City to the City.

Located east of Park Road, outside the City, on Highway 51.

- (f) Contract with Raintree Corporation for the construction of 12,824 linear feet of 8-inch sewer main to serve Raintree - Section IV, Village of Williamsburg, outside the City, at an estimated cost of \$256,480.00. The applicants are to construct the entire system at their own proper cost and expense and the City is to retain all revenue, at no cost to the City.

Located in Section IV, Village of Williamsburg, off Four Mile Creek Road, in Raintree.

- (3) Ordinances ordering removal of trash, rubbish, junk, weeds, grass and abandoned motor vehicles:

- (a) Ordinance No. 65-X ordering removal of weeds and grass from vacant lots s/s Davis Avenue.
- (b) Ordinance No. 66-X ordering removal of weeds, grass, trash and junk from premises across from 2708 Craddock Avenue.
- (c) Ordinance No. 67-X ordering removal of weeds, grass, appliances, trash and junk from 1614 Pondella Drive.
- (d) Ordinance No. 68-X ordering removal of trash, rubbish, junk, tires and undergrowth from vacant lot adjacent to 2738 Mayfair Ave.
- (e) Ordinance No. 69-X ordering removal of trash, rubbish and junk from lot to the right of 316 Heflin Street.
- (f) Ordinance No. 70-X ordering removal of junk, trash, rubbish, furniture, appliances and tires on street at apartments across from 229 Jones Street.
- (g) Ordinance No. 71-X ordering removal of trash and rubbish from 1937 Garibaldi Avenue.
- (h) Ordinance No. 72-X ordering removal of weeds and grass from vacant lot at corner of Wintercrest and Arundel Drive.
- (i) Ordinance No. 73-X ordering removal of weeds and grass from vacant lots adjacent to 2227 and 2215 Winthrop Avenue.
- (j) Ordinance No. 74-X ordering removal of weeds, grass, limbs, trash and junk from 1123 Log Cabin Road.
- (k) Ordinance No. 75-X ordering removal of weeds, grass and tree limbs from vacant lot at corner of Collins and Durham Lane.
- (l) Ordinance No. 76-X ordering removal of weeds and grass from vacant lot adjacent to 1817 Patton Avenue.
- (m) Ordinance No. 77-X ordering removal of weeds and grass from two vacant lots, one on each side of 5608 Ilford Street.
- (n) Ordinance No. 78-X ordering removal of weeds and grass from 1800 Finchley Drive.
- (o) Ordinance No. 79-X ordering removal of abandoned motor vehicle at 2113-15 East 8th Street.
- (p) Ordinance No. 80-X ordering removal of abandoned motor vehicle at 421 Billingsley Road.
- (q) Ordinance No. 81-X ordering removal of abandoned motor vehicle at 1332 Richland Drive.

The ordinances are recorded in full in Ordinance Book 25, beginning at Page 456.

- (4) Contract of sale of Lot 21, Section P of Elmwood Cemetery to Mr & Mrs. Miles Boyer, and the execution of a deed granting such interest as the City may have in the lot to Mr & Mrs Boyer, at \$1.00 plus reimbursement of the cost of the legal advertisement.
- (5) Settlements:
  - (a) Settlement in the case of J. H. Guion vs. City of Charlotte, in the amount of \$7700 for the Randolph Road Widening Project.
  - (b) Settlement in the case of City vs. James Perry Hovis, et al, in the additional amount of \$4,222 for Delta Road Extension Project.
- (6) Resolution authorizing execution of an encroachment agreement with Southern Railway System allowing the city the temporary use of 480 square feet of railroad property along and adjacent to 1710 and 1804 North Tryon Street, for EDA Project Sidewalks, Phase II, N. Tryon Street.

The resolution is recorded in full in Resolutions Book 13, at Page 330.

- (7) Property transactions.
  - (a) Acquisition of 112.05' x 240.76' x 105.81' x 210.09' of property, with one story brick house, at 4903 Idlewild Road North, from James W. Dewese and wife, Madge E., at \$28,000.00, for the Delta Road Park Site.
  - (b) Acquisition of 15' x 264.32' of easement, plus a temporary construction easement, at 5201 North Idlewild Road, from Brookridge Center, a Limited Partnership, at \$1,000.00, for Sanitary Sewer to serve Carousel Drive, Idlewild Road North and Maple Knoll Drive.
  - (c) Acquisition of 15' x 36.24' of easement, plus a temporary construction easement, at 7041 Delta Road, from Mardru, A General Partnership, at \$1.00, for Sanitary Sewer to serve Carousel Drive, Idlewild Road North and Maple Knoll Drive.
  - (d) Acquisition of 15' x 254.72' of easement, plus a construction easement, from David Houston Taylor and wife, Faye, at \$255.00, for Annexation Area I Sanitary Sewer Project.
  - (e) Acquisition of easement at South Prong Clark Creek and 24th Avenue from the Town of Huntersville, at \$1.00, for Right of way for Huntersville Pump Station and Pressure Line.
  - (f) Acquisition of 30' x 135.23' of easement off Jackson Street, Huntersville, N. C., from the Town of Huntersville, at \$1.00, for Torrence Creek Outfall Phase III.
  - (g) Acquisition of 30' x 22.69' of easement off Sherwood Drive, Huntersville, N.C., from the Town of Huntersville, N. C., at \$1.00, for Torrence Creek Outfall, Phase III.
  - (h) Acquisition of tenant interest of real fixtures located in Grier Heights Community Development Target Area from Cyclone Builders Supply Company, 2920 Dunn Avenue, in the amount of \$3,000.00.
  - (i) Acquisition of one parcel of real property located in the Five Points Community Development Target Area, from Mrs. Ollie Brown, at 515 Campus Street, in the amount of \$2,250.00.

CITY ATTORNEY ADVISES IT IS NOT NECESSARY TO VOTE AGAIN TO EXCUSE COUNCILMEMBER CARROLL FROM MATTERS RELATING TO ALLEGED WIRETAPPING.

Councilmember Carroll asked that the record show that he has been excluded and took no part in the vote on the executive session.

Mr. Underhill, City Attorney, advised that Council has taken action previously to exclude Mr. Carroll from taking part in any of the items relating to the alleged wiretapping in the Police Department.

MOTION FOR EXECUTIVE SESSION OF COUNCIL.

Councilmember Chafin moved that the City Council recess this meeting and hold an executive closed session to discuss the employment of an investigator to investigate alleged wiretapping and destruction of evidence by the Police Department pursuant to the provisions of G. S. 143-318.3(b) and G. S. 143-318.4(7). The motion was seconded by Councilmember Locke, and carried unanimously.

MEETING RECESSED AND RECONVENED.

The meeting recessed at 6:00 o'clock p.m., and the Mayor reconvened the meeting at 6:20 o'clock p.m.

CONTRACT AUTHORIZED WITH DAVID SENTILLE AS AN INDEPENDENT INVESTIGATOR.

Councilmember Chafin moved approval of a contract between the City of Charlotte and Mr. David Sentille as an independent investigator. The motion was seconded by Councilmember Locke.

Councilmember Chafin stated all members of Council have a copy of the contract, and have reviewed it; that copies of the contract will be available to members of the news media.

The vote was taken on the motion and carried unanimously.

COMMENTS BY COUNCIL MEMBERS.

Councilmember Trosch stated the Liaison Committee meets on Thursday. They are now under a policy where anything that goes to the Committee must be requested by our bodies. If any members of Council have anything for this Committee they should tell them now.

Councilmember Leeper stated in their last meeting the School Board indicated a real concern about participating in the planning process. He asked that the Planning and Public Works Committee to send them minutes of their meetings; also if they are interested to participate in it.


Councilmember Short stated there should come a time when Council gives a greater priority earlier in the day to receive comments from Council Members.

Mayor Harris stated if the Public Hearing scheduled tomorrow night is short, he would suggest that Council continue its budget workshop after the hearing.

Councilmember Chafin called Council's attention to the information that Carol Loveless has provided regarding activities this week relating to the Airport Bond Referendum. She asked that they try to respond to some of these opportunities to participate and have visibility.

MEETING ADJOURNED.

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

  
Ruth Armstrong, City Clerk