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The City Council of the City of Charlotte, North Carolina, met in a televised session on Monday, June 19, 1978, at 8:00 p. m., in the Board Room of the Educational Center, with Mayor pro tem Betty Chafin presiding (at the beginning of the session) and Councilmembers Don Carroll, 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: Mayor Kenneth R. Harris (for the first part of the meeting).

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INVOCATION.

The invocation was given by Dr. Douglas W. Oldenburg, Minister of Covenant Presbyterian Church.

OFFICIAL CLOSING CEREMONY FOR SUGAR CREEK DREDGING PROJECT.

Major William C. Mattei, Deputy District Engineer, Corps of Engineers, was recognized for the purpose of officially closing the Sugar Creek Dredging Project.

Major Mattei stated he is pleased to turn over to the City of Charlotte the completed Sugar Creek Flood Control Project. The project was authorized for construction in Section 205 of the Flood Control Act of 1948. The contract for construction was awarded the F. T. Williams Company in September of 1977 and construction was completed this past month at a cost of \$476,000. The final joint inspection was accomplished two weeks ago with representatives of the City and personnel from his office.

This project provides a little better than three quarters of a mile of improved channel designed to contain the 10-year frequency flood. One area that was frequently flooded was the sewage disposal plant in that particular location. This project will do much to prevent that; in fact, it is estimated that the 40 year frequency flood will be contained in that channel.

The area adjacent to the channel was seeded with several different types of grasses; in addition, approximately 80 trees were planted of the dogwood and sycamore types. The result was to create a park-like atmosphere that enhanced an already beautiful area. The few rains experienced during the construction have not tested this project to the fullest extent, but they are confident it will perform as expected. However, the newly widened and deepened channel will not be as efficient as they would desire until the old Tyvola Road bridge is replaced with a new structure. It will not restrict the stream flow. It is his understanding that construction for this improvement will begin in the near future.

Major Mattei stated that while they are confident that the project will provide the desired results in protection, it will only do this over the years if properly maintained. This, of course, is where the Council and the City come in. The Corps of Engineers is designed to supervise the construction; now it is up to the City to maintain it. To assist the City's Engineering Department in this endeavor, they prepared a maintenance manual for its use. The Corps will monitor the performance of this project from time to time and will be available on any occasion for consultation.

He thanked the many people in Charlotte City Government - in particular Mr. Robert Hopson and Mr. Lee Rea of the Public Works Department - for their many courtesies which made their job so much easier, and presented to the Mayor pro tem a letter officially turning the project over to the City.

Mayor pro tem Chafin expressed the City's gratitude to the Corps of Engineers for what they have accomplished in the Sugar Creek Project and assured them that the City of Charlotte takes its responsibility for maintaining it very seriously. She presented him, on behalf of the Mayor and Council, a key to the City of Charlotte.

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NOMINATIONS TO BOARDS AND COMMISSIONS SCHEDULED FOR JULY 10, 1978.

Mayor pro tem Chafin announced that on Monday, July 10, the City Council will make nominations to fill positions on the following boards, agencies, committees and commissions:

Airport Advisory Committee - one vacancy.
Charlotte Historic District Commission - one vacancy.

She encouraged citizens to forward suggestions to members of Council.

APPROVAL OF MINUTES.

On motion of Councilmember Short, seconded by Councilmember Trosch, and carried unanimously, minutes of the meeting of June 5, 1978 were approved with the following correction:

Page 136, Paragraph 4 -5th line, add "hired" after "white male applicants."

CONTRACT WITH INTERVENTIVE LEISURE EDUCATION ADMINISTRATION AND PROFESSIONAL SERVICES, INC. FOR THERAPEUTIC LEISURE EDUCATION PROGRAM FOR COMMUNITY DEVELOPMENT AREA YOUTH.

Motion was made by Councilmember Gantt, seconded by Councilmember Dannelly, approving the subject contract in the amount of \$72,000. The program will serve 150 developmentally disabled youth in all CD Target Areas for twelve calendar months.

Councilmember Frech questioned if the six hour per month per child minimum is adequate to do what is necessary; that it does not seem like a lot of time.

Mr. Joe Michie of the Community Development Department stated there are about 95 children in the program and with the size of their staff that is about all the time they can spend with each child. He stated this is the third time they have contracted for this service, and the evaluation of the first two years has been very good. The cost is reasonable and the success phenomenal.

The vote was taken on the motion and carried unanimously.

RESOLUTION DESIGNATING THE COUNCIL ON AGING AS A JOINT CITY-COUNTY ADVISORY BOARD.

Motion was made by Councilmember Selden, seconded by Councilmember Locke, to adopt the subject resolution.

Ms. Virginia Bowser, Chairperson of the Council on Aging, expressed appreciation for this opportunity, stating this has been on their agenda for a long time and it means a great deal to them to become a part of the City. She called Council's attention to the fact that in the act of passing this resolution the name should be changed to Charlotte-Mecklenburg Council on Aging. Councilmember Selden amended his motion accordingly.

Ms. Bowser referred to copies of the result of the last Senior Citizens Speak-Out stating this has meant a great deal to them and they hope this will be an annual event.

Responding to a question from Councilmember Gantt, she stated they now have a 39-member board but there are a number of vacancies - with the passage of this resolution it will go to 42. That this is an excellent opportunity for the City Council to start recommending names to them. She stated that the appointments that Council will make at the outset will be filling vacancies; they will not be "bumping" anyone off.

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Councilmember Leeper commented that this is another consolidation between the City and County that he is glad to see take place. He requested that the nominations to fill the vacancies on this board be placed on Council's agenda as soon as possible.

Mayor pro tem Chafin stated the Council is looking forward to working with the Council on Aging; that they are doing an excellent job, and she is very eager to see the City become a more integral part of that work.

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

The resolution is recorded in full in Resolutions Book 13, at Page 331.

RESOLUTION TO SUBMIT A GRANT APPLICATION TO THE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION TO ESTABLISH A CRIME ANALYSIS UNIT FOR THE POLICE DEPARTMENT.

A motion to adopt the subject resolution to submit a grant application for a total of \$61,357 was made by Councilmember Dannelly, seconded by Councilmember Selden. The federal share is \$55,221.30, requiring a match of \$3,068.85 in state funds and \$3,067.85 in city funds.

Councilmember Gantt stated that last year he asked Mr. Burkhalter to put together a listing of all of the LEAA grants that the City was seeking in the interest of seeing whether there was some coordinated effort. He received this from the City Manager and studied it for some time. That at the time he requested this information, this particular program, the Crime Analysis Unit, was a part of it and was something that the Council raised some questions about and he is not sure that it really went through.

He asked if this is the same thing that was presented last year and now is being tried another time with a new Council? Mr. Burkhalter replied yes. Mr. Gantt asked if there is any reason why they have five items on the agenda dealing with LEAA programs; is this an effort to sort of coordinate it so that Council can see all of these programs at one time?

Mr. Burkhalter replied it does that; that he has another one that is not on the agenda. He suggested that Major Kiser of the Police Department is present if they would like to ask questions.

Mr. Gantt stated he supposes there is no way of handling Items 6, 7 and 8, but they all seem to have some relationship with the exception of Item 9 which deals with the 911 System.

Major Kiser stated that regarding the timing, they submit their grants about this time of the year; they will be approved October 1st. That is why they get them all at the same time - they have to be in by July 1st.

Councilmember Gantt stated that his comments are not an attempt to say that these applications are not legitimate - he is sure they are, and quite clearly when you add up the federal funds and what we have to put in in local dollars it seems to be a bargain. But, the danger, in his mind, is that we do not know when LEAA is going to go out, and it seems to be in many of these programs the building up of a staff that might be kind of hard for us to give up on later on. He recognizes that some of them are repeats, we have been applying for for the last four or five years and getting grants for. When he looked at the first one - the Crime Analysis Unit - which appears to be some statisticians and programmers who will prepare some statistics; that knowing the speed of computers it would seem we could do that once a month and get the answer and not require a whole staff to sit around and fool around with programs. He had some difficulty with it last year and he still has some difficulty with this - the people they are going to hire and what precisely are they going to do? And, why is it needed?

Major Kiser replied the main reason they need an analysis section is that they have a large amount of data that is collected and goes through their computer system, but unfortunately most of the data that comes back to them they have no one to analyze the data and put it into something meaningful so that people in the field can understand it and can deploy their people from that information; can determine where the crimes are happening; what

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type of activities they should plan to combat those crimes. This statistical section would give them someone who had the expertise to put this data together and hopefully tell them where their people should be - the time of day and day of the week they should be there. There are many things that a Crime Analysis Section does, and it is something that they have been lacking since they went into team policing. They have had many complaints about coordination of activities, crimes occurring in certain areas and people in other areas not knowing about them. A Crime Analysis Section is supposed to pick up on this information and relay it to them.

Councilmember Gantt asked if this kind of thing would not happen with the later item which deals with a \$175,000 study of operations?

Major Kiser replied that in order to be eligible for the \$175,000 grant they have to have an Analysis Section, because about 40 percent of the work in that grant will be done by a Crime Analysis Section. That the \$175,000 grant was set up to try out different types of deployment methods, call prioritization, things of this nature, that have been tried around the country but have never been put together in one package. Charlotte was selected as one of three cities in the country - with Albuquerque and Sacramento - to try this, one of the reasons being that we were the only city that had full team policing and they wanted to see how it works in Charlotte and in the team policing crime service. This is put on by LEAA at no cost to the city; they have their own evaluation teams that would come in and evaluate the whole project.

Councilmember Short stated the establishment of a Crime Analysis Unit calls for the employing of a computer programmer and there is comment about various data that he will have to process. He asked if information about individual citizens ^{will} be put into a computer by this individual, or anyone in this program?

Major Kiser replied no, they are just dealing with numbers. If a person called in a complaint, there is a possibility that the complainant's name or the crime committed against a person might be put in there for the police to be able to pick up on what happened, but there will be no information gathered that will come back to them by name; everything comes back to them by number.

Mr. Short stated does he mean to say that if someone called in a complaint about some citizen committing a crime, those names would be inserted into the computer for the purpose of being able to index it? Major Kiser replied only if it is the person the crime is committed against. An example is if they had a store break-in, they would have listed in the computer the name of the company or the name of the owner of the store, just for information purposes. But, when it comes back to them, it comes back as a number. He agreed they have a print-out with the victim's name, but not the accused. Mr. Short asked if the names of victims of rape be included?

Major Kiser replied they only have one print-out that information with names comes out on - it is a daily print-out just so they have a 24-hour status of what happened. They compare it with the offense reports they have on file. All the information they are talking about for analysis would be in numbers. He did not want to mislead them by saying they do not have a print-out with names on it, but they also have offense reports that they compare it with.

Councilmember Short stated he feels it would be wise to ask the Police Department to present Council with a plan of safeguards that would make sure individual's names were not included in this computer. That it is hard to get things out of a computer when you do not want it there. From what Major Kiser says, this would not be hard to accomplish.

Mr. Burkhalter stated he thinks they are getting off of the subject; that this study does not involve individuals and the information Major Kiser is talking about is already there. That he would like to tell them beginning in the immediate future, the Municipal Advisory Board will go into each department to check the information kept about individuals in all departments.

He stated this was discussed at the last department head meetings, and he alerted

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all of them to the fact that the people will be coming in - the procedure has been set up and they will make recommendations to Council as to whether or not the City is collecting information which is not in keeping with the spirit of what Council, or they, think is proper. He stated he does not think they have any reason to be alarmed about that in this case; that what they are talking about is the fact that they have a lot of good information in our Police Department that they are not able to use; that is what this is really all about.

Councilmember Short stated that is a good comment; that the value of this Municipal Information Advisory Board is illustrated right here in this very matter.

Councilmember Cox stated there are certain personalities of departments that come through in the agendas that Council receives. That Vernon Sawyer's department always gives them more information than they can possibly look at. That may be because it is required by the federal law, but you can always tell the CD attachments because of their thickness. The Police Department always gives them less than they need to make their decision. Some of the items and ideas that Major Kiser has brought out, and that Mr. Burkhalter has brought out, have had a positive effect on him in these matters. He would hope that they could get more information about these matters rather than the two paragraphs that are given. It would certainly be more helpful to him. He thinks the department representatives would go through a lot less questions if they would do this.

Major Kiser stated these are the grants they submit and he imagines it is because of the volume of them that they do not get copies. Mr. Cox replied all he wants is some more information - a summary. They are not asking him to spend \$3,000 of City money; they are asking him to spend \$61,000 of everybody's money. That he would just appreciate more information and perhaps other Council members would too. Ms. Chafin stated that is a good suggestion.

Councilmember Dannelly stated he would like to pursue what Councilmember Short asked. He is not satisfied with the answer, and he thinks he is a little confused. He is concerned about protecting the identity of rape victims and he did not hear a satisfactory answer to that question. That Law Enforcement Officers, and the agencies in general, have enough difficulty as it is in getting people to report these kinds of things because of revealing their identity. That if they are going to be dealing with something that is going to identify the person to the press, then he is really concerned about it because he thinks it is important that that person's identity be protected.

Major Kiser stated he knows of no need for the Police Department to have the names on any of their statistical reports, but he does know they have one print-out because it is put into the computer through the dispatcher when they dispense the car by name of who they are to contact. That print-out comes out daily by each call they have to make sure they have an offense report to correspond with the calls. But, no one in the department, other than records, uses this; it is not exposed to the public that he knows of.

Councilmember Trosch stated that not having any previous experience with the LEAA funding, she has a few questions regarding this. Does this come up on a yearly basis? Major Kiser replied yes. Ms. Trosch stated then if the grant is approved we are creating five positions, and those five positions will be re-funded in a year if, in fact, LEAA approves again and the funds are there? Major Kiser replied yes. That this particular grant, he would hope that it would be funded by the City when the grant period runs out.

Ms. Trosch replied that was her point - is the Council making a decision that when the grant runs out that possibly we would have a continuing unit? Major Kiser replied yes. She stated that she also feels they needed more information in light of that kind of decision.

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Councilmember Locke stated there is some question as to when LEAA funds are going to run out; that it is her understanding it is within the next year, which means that in the next budget they will have to fund these five positions.

Major Kiser replied that would be true if it dries up; but they normally fund for three years on a decreasing amount of revenue.

Councilmember Gantt stated there is a lot of validity in these federal programs such as LEAA and at one time, Model Cities and others, that allowed you to do things that normally local governments would not be able to afford to do. That the purpose would be to try out or experiment, or to add certain facilities and equipment or programs, largely to see whether they work out and if they do work out, hopefully the local governing body would ultimately include this because it becomes an invaluable part of their overall program. He asked Major Kiser if this would be the kind of program that he concluded was a low priority and could not get funded through the normal process and therefore what we are doing is asking for something that we know we might be able to get federal funds for but is not a very high priority thing? In other words, what would happen to the department in terms of the quality of law enforcement without a Crime Analysis Unit?

Major Kiser replied he would consider this the most important project they have asked for since we went into LEAA; this is about our fourth year of asking for it. That he believes the results would be that they have some 600 people working in the field and they put them out there based on the individual analysis of data. Each team analyzes their own and tries to perform accordingly. Unfortunately, they need to do it as a department. He stated they were criticized in the Productivity Study for not having adequate data to deploy people, for not deploying them by time of day or day of week. What they were really saying is that the data was not available for them to look at. What they were doing was deploying them on an individual team basis because that was all they had.

That also their calls for service are recorded with a code - it could be anything from a murder to a lost child, to a cat in a tree. They need to have that broken down so that all of those calls are itemized so they know how many murder calls they get and so forth.

Councilmember Gantt asked Mr. Burkhalter if he is recommending this program by virtue of having it placed on the agenda. Mr. Burkhalter replied yes. That since about three years ago when the Council asked them to, they have been very frank with them about cutting off LEAA positions. Many of them that they have come to Council with have been equipment, or buying materials. That this particular one will add some people to the payroll; that when this LEAA runs out, he will tell Council so; that the chances of his recommending the full compliment of these people to replace what they are doing here are not very great, because they are talking about doing a complete program to go back and catch up. That what they will probably want to fund eventually is just the maintenance of this type of program.

That in the other areas - the Dalton Village is a very good example - when that program expired and the money disappeared, they reduced those positions. The City adsorbed it but we did not get any more police. That the City is not picking up the tab for LEAA police; when the alcoholic units were done away with that they had in the Model Cities areas, they just reduced personnel by these numbers. They will not be picking them up unless Council is told this.

Councilmember Short stated it would appear to him that a lot of women would be fearful of the practice of using the names of crime victims; that it would be better, frankly, if they asked the MIAB to give Council a comment on this matter before it is voted on rather than leaving it for them to come along and backstop later.

Mr. Burkhalter stated that he is trying to tell them that this does not have anything to do with that; this data is already in the computer; that what they are talking about here is the analysis of it.

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Councilmember Selden asked if we did this same program in the FY78? Major Kiser replied it has never been done; it is a new program. Mayor pro tem Chafin explained that it has been submitted before but it has never been funded.

Major Kiser stated they have been operating with one patrolman who works as part on the helicopter unit who gathered all of their data and distributed print-outs and did what little analysis work they do. He was not trained to do analysis work; that when they went to the last reorganization he was transferred to the field and now each team does its own.

Councilmember Selden stated he thinks that the program is extremely worthwhile; that they will get material advantage out of it; however, he would like to request that if we get the grant, after the program has been in effect for three months, that Council get a summary report of what it yields, so that they can evaluate it as it goes down the road.

Councilmember Frech stated that is in effect what she was going to request because she has the same concerns as the other Councilmembers. That her request was going to be at the end of a year that they have a very careful evaluation. It might be they would want to continue it if it proved really effective.

Assistant Chief Adams stated he would like to respond to the rape victim identification; that this is public information, on the offense reports. It is a matter of the media's discretion as to whether or not they print the name. So, it is not really doing something they are not doing now - it is there in black and white, on the tables in the record bureau, for the press who have the use of it. As Major Kiser suggested, this is for the statistical value of it, developing MOs, identification and other types of things - a basic occurrence for the particular crime.

Chief Adams stated that about two years ago a project was funded through the Governor's Highway Safety Committee in the Traffic Engineering Department - a very fine program. They have used some of the information in developing information about where traffic accidents are occurring, problems existing, etc. This was about the same time that the Police Department submitted this grant application which Council did not allow. They would especially like to have this Crime Analysis Unit at this time to respond to several things - the Productivity Study. It is a real need in the department.

Councilmember Dannelly asked how this would affect us, if it would, when Council begins to discuss recommendations made by the Productivity Study - with these five additional personnel? Mr. Burkhalter replied we would have five people who will be in a job and they will have to decide whether they want to keep them or not. But, as the Police Department members have pointed out, this is one of the criticisms they had in the Study, that they were not deploying people according to the information they had.

The vote was taken on the motion and carried unanimously.

The resolution is recorded in full in Resolutions Book 13, at Page 334.

RESOLUTION TO SUBMIT A GRANT APPLICATION TO LEAA TO FINANCE ONE ADMINISTRATIVE ASSISTANT I POSITION IN THE POLICE PLANNING AND RESEARCH BUREAU.

A motion to adopt the subject resolution to submit a grant application for a total of \$16,513 was made by Councilmember Gantt, seconded by Councilmember Short. The federal share is \$14,862, requiring a match of \$825 in state funds and \$826 in city funds.

Councilmember Gantt referred to the Police Department's written request which stated "this position is vital to the Administrative Division's handling of its workload as demonstrated by the fact that this will be the seventh year the department has applied for and received the position," and asked if this person is someone who simply looks to see whether or not the Administrative Division has handled its goals and objectives?

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Mr. Burkhalter replied this is a position that LEAA has given us six years straight. As long as we participate in their program, they want someone on our staff to evaluate and keep them informed. This is the man who does it for us and for them; they pay his salary every year. This is the only one we have had that they continue to do it for.

Mr. Gantt asked if the evaluation is similar to the budget and evaluation report that we get on all of the social programs under Community Development?

Chief Adams replied no, this is a planning position, provided for the purpose of planning, part of which is evaluation of our ongoing LEAA program.

The vote was taken on the motion and carried unanimously.

The resolution is recorded in full in Resolutions Book 13, at Page 335.

RESOLUTION TO SUBMIT A GRANT APPLICATION TO LEAA TO DEVELOP AND IMPLEMENT AN AUTOMATED PROPERTY SYSTEM TO COMPUTERIZE PROPERTY CONTROL IN THE POLICE DEPARTMENT.

Motion was made by Councilmember Dannelly, seconded by Councilmember Short, and carried unanimously, adopting the subject resolution to submit a grant application to LEAA for a total of \$85,000. The federal share is \$76,500, requiring a match of \$4,250 in state funds and \$4,250 in city funds.

The resolution is recorded in full in Resolutions Book 13, at Page 336.

CITY MANAGER TO SUBMIT APPLICATION FOR LEAA FUNDS FOR A PROGRAM FOCUSING ON CRIME PREVENTION IN BLACK COMMUNITIES.

Mr. Burkhalter stated that Governor Hunt has asked that the Division of Crime Control allocate LEAA funds to the major urban areas for a program focusing on crime prevention in black communities. That Charlotte would be given \$20,000 to \$30,000 to hire one or two police officers trained in crime prevention. The program would run for two years and Charlotte would be required to match with 5 percent of local funds. That they think this might easily fit in with the recommendations that Council is likely to get soon from the evaluation made on the Dalton Village study.

He stated this does not require any Council action but he just wants to know if Council members are in sympathy with his applying for these funds. Ms. Chafin replied very much so and other Councilmembers agreed.

RESOLUTIONS TO SUBMIT GRANT APPLICATIONS TO LEAA FOR THE 911 EMERGENCY NUMBER SYSTEM.

On motion of Councilmember Locke, seconded by Councilmember Short, and carried unanimously, resolutions were adopted for submission of two grant applications to LEAA for the 911 Emergency Number System:

1. A grant application to obtain funding for the 911 Publicity Campaign, for a total of \$17,778. The federal share is \$16,000, requiring a match of \$889 in state funds and \$889 in city funds.
2. A grant application to cover the cost of installing the equipment and making the necessary telephone hookups for the 911 Emergency Number System, for a total of \$50,000. The federal share is \$45,000, requiring a match of \$2,500 in state funds and \$2,500 in city funds.

The resolutions are recorded in full in Resolutions Book 13, beginning at Page 337.

MAYOR HARRIS ENTERS MEETING AND PRESIDES FOR REMAINDER OF SESSION.

Mayor Harris came into the meeting during the discussion on the next item and presided for the remainder of the session.

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APPROVAL FOR SUBMISSION OF A GRANT APPLICATION TO LEAA FOR A MANAGING PATROL OPERATIONS PROJECT.

Councilmember Gantt moved approval of the submission of a grant application to LEAA for a Managing Patrol Operations Project, for a total of \$175,015 to operate for 20 months and be financed totally by federal funds. The project will provide manpower deployment plans for the Police Department based on service and patrol research. The motion was seconded by Councilmember Leeper.

Councilmember Gantt stated this sounds like a pilot program where we are a select group of people because of our team policing. He asked who will make up this Managing Patrol Operations - are they people within the department or are we going to go out and hire new people, and if so what kind of people? Assistant Chief Adams replied they would come from within the department.

Mr. Gantt stated then the funds here are not for new personnel - what are they for? Major Kiser replied they are going to use existing people to staff these positions, but will be reimbursed by LEAA. There will be at least one position that they will probably fill while this particular person is operating in the project. Once the project is over, all of these positions will be done away with.

Mr. Gantt stated so we have in-house people who will be working on the project and LEAA is simply reimbursing us for the time that they spend on that project? Major Kiser replied yes. There is an outside analyst they will hire from outside for this 20 months and then he will be terminated. He stated LEAA is also putting people into the project - the complete evaluation team will be here and they will have one person who will work fulltime with the department from their staff. It is supposed to be at no cost to the City - LEAA hopes to benefit from it as much as we do, so that they can use it in other areas.

Councilmember Leeper asked what kind of calls would they answer by mail? Major Kiser replied he does not know of any calls they would answer by mail; that he thinks what they are referring to in the written request is if a person called in and had a bicycle stolen it might be important to have him send the information in. Many other cities have done things like this and it is up to us to decide if it is something we want to do.

Mr. Leeper asked if there would be a telephone operator who would receive these calls and make that decision, or who would make that decision? Major Kiser replied the person who answers the phone would make the decision, but they would have a policy that if anyone insisted on having a police call, they would send one. They have that policy now; approximately 25 percent of all the offense reports are taken by telephone, but if they want the police to come, then they go. This is on minor things, like bicycles, hub caps and things of this nature. They just do not have the manpower to respond to every call.

The vote was taken on the motion and carried unanimously.

NOMINATIONS TO COUNCIL-APPOINTED COMMISSIONS.

Mayor Harris declared the floor open for nominations, under the new procedure, for vacancies on three commissions - Planning, Historic District and Historic Properties.

A question was raised as to whether the same person could be nominated to fill each position when there is more than one vacancy.

Mr. Underhill, City Attorney, stated that is up to the individual Councilmember; that according to Council rules they have the right to nominate one person for each position; it does not say they cannot nominate the same person when there are two positions open. When there are two positions open a Councilmember can nominate two people, or the same person for both positions.

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Councilmember Locke stated she feels they should make their nominations and let the chips fall where they may.

Councilmember Selden stated Council has built themselves a cage unless they elect to nominate, where there are two positions open, the same person to both positions. Otherwise, they have "games" plan for who is running for position one and who is running for position two. It would be like it has always been - it has just as much politics and just as much lack of democracy. If there is any question, he will make a motion that they carry it out in that fashion.

Mayor Harris stated since this is a new procedure, the important thing is that they understand the rules before the first nomination is made. Mr. Selden stated he check with Mr. Underhill and he gave a ruling this afternoon just as he has just done.

The following nominations were made:

Charlotte-Mecklenburg Planning Commission

1. Position held by Margaret Marrash, expiring June 30, 1978.
 - (a) Joan Zimmerman - nominated by Councilmember Locke.
 - (b) Peggy Culbertson - nominated by Councilmember Short.
 - (c) Steve Helms - nominated by Councilmember Selden.
 - (d) Humphrey Cummings - nominated by Councilmember Carroll.
 - (e) Dr. William McCoy - nominated by Councilmember Frech.

Councilmember Cox stated that he would like to meet each of these people individually before Council votes. He would like to ask the individual Council members' help in contacting their people so that they can get together.

2. Position held by Kimm Jolly, expiring June 30, 1978.
 - (a) Joan Zimmerman - nominated by Councilmember Locke.
 - (b) Peggy Culbertson - nominated by Councilmember Short.
 - (c) Dr. Bertha Maxwell - nominated by Councilmember Leeper.
 - (d) Dr. William McCoy - nominated by Councilmember Frech.
 - (e) Steve Helms - nominated by Councilmember Selden.

Charlotte Historic District Commission

1. Position held by Charles C. Hight, expiring June 30, 1978.
 - (a) Charles C. Hight - nominated for reappointment by Councilmember Chafin.
2. Position held by Kimm Jolly, expiring June 30, 1978.

Councilmember Chafin stated she is concerned, as are several other Council members, that they might want to wait to fill this position until after all of the vacancies on the Planning Commission are filled.

For that reason, she moved that Council suspend Paragraph 2 of the resolution adopted by Council on May 29 setting forth nominating procedures, to allow nominations of persons to fill Ms. Jolly's position to be made at the Council meeting on July 10, when they will be voting on the new appointments to the Planning Commission. The motion was seconded by Councilmember Locke. Ms. Chafin further explained that this position has to be made from the Planning Commission and she feels they should have the full slate to draw from. The Mayor was advised by Mr. Underhill that this requires a two-thirds vote. The motion carried unanimously.

Charlotte-Mecklenburg Historic Properties Commission

1. Position held by William E. Bluford, expiring July 16, 1978.
 - (a) William E. Bluford - nominated for reappointment by Councilmember Gantt.
2. Position held by Ernest Hunter, expiring July 16, 1978.
 - (a) Ernest Hunter - nominated for reappointment by Councilmember Trosch.
 - (b) Nan Henderson - nominated by Councilmember Selden.

Mr. Burkhalter urged Council members to use their telephones tomorrow or very soon to call in the recommendations for the people who have been nominated. That the requirement is that Council must have a recommendation from the person who makes the nomination. He stated staff can help get the statistical information, but the recommendation is needed from the Council member.

AWARD OF CONTRACTS.

1. On motion of Councilmember Locke, seconded by Councilmember Dannelly, and carried unanimously, contract was awarded the low bidder, RDR, Incorporated, in the amount of \$447,978.50, on a unit price basis, for Water Distribution Improvements - 1977 Annexation Areas 2, 4 and 5.

The following bids were received:

RDR, Incorporated	\$447,978.50
A. P. White and Associates	459,194.00
Ben B. Propst Contractor	512,616.25

2. Motion was made by Councilmember Locke, seconded by Councilmember Chafin, and carried unanimously, awarding contract to the low bidder, A. P. White and Associates, Inc., in the amount of \$224,549.00, on a unit price basis, for Sanitary Sewer Construction - Various Trunks to serve new Fire Station Sites - 1977 Annexation.

The following bids were received:

A. P. White and Associates, Inc.	\$224,549.00
Rand Construction Company, Inc.	234,718.50
Rea Brothers, Incorporated	259,249.95
Ben B. Propst Contractor, Inc.	276,003.13
L. A. Reynolds Company	276,332.00

3. Motion was made by Councilmember Locke, seconded by Councilmember Selden, and carried unanimously, awarding contract to the low bidder, Atlantic Envelope Company, in the amount of \$12,269.40, on a unit price basis, for Water Bill Envelopes.

The following bids were received:

Atlantic Envelope Company	\$ 12,269.40
Double Envelope Corporation	15,108.60
Henley Paper Company	17,471.22

CONSENT AGENDA APPROVED.

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

1. Resolutions for Public Hearings.
 - (a) Resolution setting a Public Hearing on July 10, 1978, at 3:00 o'clock p. m., on the Modification of the Redevelopment Plan for West Morehead Target Area.

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- (b) Resolution setting a Public Hearing on July 10, 1978, at 3:00 o'clock p. m., on the Community Development Plan and the Redevelopment Plan for First Ward Target Area.
- (c) Resolution setting a Public Hearing on July 10, 1978, at 3:00 o'clock p. m., on Amendment No. 1 to the Redevelopment Plan for the Fourth Ward Area.

The resolutions are recorded in full in Resolutions Book 13, at Pages 339 - 349.

2. Loan Agreement with Vivian McNair, trading as Viv's Painting Company, in the amount of \$9,000.00.
3. Lease Agreements for office space for the Community Development Department:
 - (a) Renewal of a Lease Agreement with Edmond R. Johnson for a Community Development Department site office, at 916 West 5th Street, in the Winston Mutual Building, for a total of \$4,914. The term of the lease is July 1, 1978 through June 30, 1980.
 - (b) Renewal of a Lease Agreement with Dover Wilkes for the Community Development Department Rehabilitation Division Office at 3215 North Davidson Street for a total of \$3,300. The term of the lease is July 1, 1978 through June 30, 1981.
4. Ordinances ordering the removal of weeds, grass, trash, rubbish and junk:
 - (a) Ordinance No. 82-X ordering the removal of weeds, grass, tree stumps and limbs from premises at 2320 Kingsbury Drive.
 - (b) Ordinance No. 83-X ordering the removal of weeds, grass, junk and trash from premises at 300-02 East Independence Boulevard.
 - (c) Ordinance No. 84-X ordering the removal of trash, rubbish, weeds, grass and tree stump on premises at 5109 Kistler Avenue.
 - (d) Ordinance No. 85-X ordering the removal of weeds and grass from premises at 4309 The Plaza.
 - (e) Ordinance No. 86-X ordering the removal of weeds, grass and limbs from premises at 3025 Simpson Drive.
 - (f) Ordinance No. 87-X ordering the removal of weeds and grass from premises at 1229 Pegram Street.
 - (g) Ordinance No. 88-X ordering the removal of weeds and grass from premises at 1233 Pegram Street.
 - (h) Ordinance No. 89-X ordering the removal of weeds and grass from premises at 1109 State Street.
 - (i) Ordinance No. 90-X ordering the removal of weeds and grass from vacant lot adjacent to 4305 Morris Field Drive.

The ordinances are recorded in full in Ordinance Book 25 beginning at Page 473.

5. Contracts for Sewer Installations:
 - (a) Contract with Carmel Land Company for the construction of 2,924 linear feet of 8-inch sewer main to serve Montibello #10, outside the City. 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 cost to the City.
 - (b) Contract with John Crosland Company for the construction of 980 linear feet of 8-inch sewer trunk to serve Fairmarket Place, inside the City.
6. Agreements with the North Carolina Department of Transportation.
 - (a) Temporary Easement Agreement for grading and sloping banks in connection with the Plaza Road Extension Widening Project.
 - (b) Encroachment Agreement allowing the City to construct water and sewer line improvements for I-85 and Mulberry Church Road Interchange.

7. Property Transactions.

- (a) Acquisition of 15' x 104.37' of easement, plus a temporary construction easement at 7213 Plaza Road, from John M. Burdette and wife, Eva D., at \$105.00, for Annexation Area I Sanitary Sewer.
 - (b) Acquisition of 7.5' x 406.15' and 15' x 259.09' of easement, plus a construction easement at 4020 Merlane Drive, from Louise B. Long, at \$978.00, for Annexation Area I Sanitary Sewer.
 - (c) Acquisition of 7.5' x 406.14' of easement, plus a temporary construction easement at 3901 Merlane Avenue, from Charles Benjamin Wilson and wife, Catherine S., at \$812.00, for Annexation Area I Sanitary Sewer.
 - (d) Acquisition of 15' x 2,088.00' of easement, plus a temporary construction easement at 5200 North Graham Street, from Overnite Transportation Company, at \$2,088.00, for Annexation Area I Sanitary Sewer.
 - (e) Acquisition of 15' x 76.95' of easement at 5146 Princess Street, from Hoyt Cleon Harris and wife, Peggy P., at \$277.00, for Annexation Area I Sanitary Sewer.
 - (f) Acquisition of 15' x 152.84' of easement at 5142 Princess Street, from Alton Foster Harris and wife, Shirley A., at \$452.00, for Annexation Area I Sanitary Sewer.
 - (g) Acquisition of 15' x 376.98' of easement, plus a temporary construction easement at 4501 North I-85 Access Road, from T. Bragg McLeod and Margaret D., at \$675.00, for Annexation Area I Sanitary Sewer.
 - (h) Acquisition of 7.5' x 149.61' of easement, plus a temporary construction easement at 6601 Crab Orchard, from Roger Alan Hoover and wife, Mona D. Hoover, at \$1,000.00, for Sanitary Sewer to Serve Slatewood Section IV.
 - (i) Acquisition of 15' x 206.99' of easement, plus a temporary construction easement at 421 Beverly Circle, from Ferenc Sajgo and wife, Margaret Isza, at \$1,500.00, for Annexation Area 4 Sanitary Sewer.
8. Issuance of a Special Officer Permit to Charles Edward Cecil, 702 Farmhurst Drive, for a period of one year for use on the premises of Park and Recreation Department.
9. Approval for the following streets to be taken over for continuous maintenance by the City:
- (a) Bluff Court, from Fontana Street to 200' north of Fontana Street.
 - (b) Burton Street, from Hamilton Street to Oaklawn Avenue.
 - (c) Callahan Street, from 230' northwest of Polk Street to Spring Street.
 - (d) Canton Place, from Polk Street to 300' southeast of Polk Street.
 - (e) Fontana Street, from Spring Street to Whisnant Street.
 - (f) Hamilton Street, from 50' west of Polk Street to 300' east of Burton Street.
 - (g) Polk Street, from the northerly intersection of Callahan Street to 700' south of southerly intersection of Callahan Street.
 - (h) Rembert Court, from Fontana Street to 200' north of Fontana Street.

(continued)

- (i) Spring Street, from Oaklawn Avenue to Burton Street.
- (j) Vogel Court, from Fontana Street to 200' north of Fontana Street.
- (k) Whisnant Street, from Burton Street to 200' north of Fontana Street.
- (l) Camilla Drive, from 700' south of Thornridge Road to City Limits.
- (m) Savings Place, from Fairview Road to 686' south of Fairview Road.
- (n) Old Lawyers Road, from Lawyers Road to 1,003' west of Lawyers Road.

In addition to the above streets, the following streets are to be accepted under the improvement program for non-system residential streets:

- (a) Cardiff Avenue, from Hillard Drive to Palm Avenue.
- (b) Jason Avenue, from Carlotta Street to dead-end.
- (c) Linwood Avenue, from 245' south of Gossett Avenue to to 560' south of Gossett Avenue.
- (d) Millbrook Road, from Pineview Road to dead-end.

COMMENTS BY THE CITY MANAGER.

Mr. Burkhalter called Council members attention to a meeting shown on the Schedule of Meetings which was included in error. The Planning Commission Presentation of Preliminary Land Classification Plan scheduled for Thursday, June 22, is a staff function and not one for Council to attend unless they just absolutely want to.

Mr. Burkhalter asked for confirmation of two items mentioned during the informal session for inclusion in upcoming agenda.

1. A resolution by Councilmember Chafin concerning the Independence Corridor together with a staff report on alternatives within Alternate 2.
2. The request by Councilmember Gantt for deferral of a CD contract until July 10. Mr. Burkhalter stated he has written Councilmembers about this. There will be a little bit of discontinuity because of the fact that this contract was to be effective July 1. They do have an existing contract and he has discussed this with Mr. Sawyer and it can be worked out.

There was no objection expressed to these requests.

Mr. Burkhalter referred to a copy of a letter he has received addressed to Councilmember Gantt as Chairman of the Transportation Committee from a union. He advised Council members not to encourage this sort of thing as it is very dangerous. That we have a good management firm that was selected by Council; they are responsible for the employees and it is very unusual for a union to approach a Council committee to take management functions. He hopes Council will allow staff to look into this situation and give them a report; then if they are not satisfied with that report they can come back later. It is not very good for a union to contact Council members officially; they have a real serious contract coming up with this union in the very near future; they would be opening an avenue for them to come directly and negotiate with Council, which is against the law; it is just not good that this take place that way.

Mr. Burkhalter stated since the letter is written to Mr. Gantt he can of course answer it any way he wants to, but as far as Council is officially concerned he hopes they will allow staff to look into it and advise them what it is about.

Mayor Harris stated after having been in attendance at the Mayors Conference in Atlanta and seeing the problems created around the country in this area, he thinks the Manager's remarks have great wisdom in them. This is something they should be very careful about.

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COMMENTS BY COUNCILMEMBER FRECH.

Ms. Frech stated they have received a memo about the proposed noise ordinance. That from the phone calls she has had in the past few days, it may not be that we need a new ordinance; it may be that we need the present one enforced. She is told by some of the people that if a call is made the police tell them that they cannot do anything about loud radios and amplifiers and things like that between the hours of 7 a. m. and 11 p. m. She stated she reviewed the present noise ordinance today and it seems to her quite clear that they can. She suggested that the police look into whether they can enforce the present noise ordinance a little better than it is being done. That might eliminate some of the complaints they are getting.

Mayor Harris stated the question he had after reading the same ordinance is the equipment. That the police officer would have to have the equipment to make an evaluation of the complaint.

Councilmember Frech stated the ordinance says on the subject of radios that you may not play a radio or a record player any louder than is necessary for someone in the same room to hear it normally. That one of the complaints which came to her had to do with a radio being played on the porch of a house while the occupants of the house were inside the house with the door closed. It was being played so loudly that it disturbed everyone in the neighborhood. It seems to her there would be very little difficulty in making a judgment that this is a violation. She stated the ordinance is pretty specific and she questions whether that ordinance could not be enforced.

Councilmember Short stated he thinks one of the questions here is whether it would even be conceivable that the police could ever comprehensibly handle an ordinance of this sort 24 hours a day when there is probably nothing in the budget for this purpose. That he imagines this is simply the police's own policy - they cannot possibly come to grips comprehensibly with this problem and so they probably try to restrict it just during these hours.

Ms. Frech stated well, not comprehensibly, but if there is a complaint and the violation is taking place, it does look like it is possible to decide whether the ordinance is being violated.

Mr. Burkhalter stated he has not found the interpretation about hours from the police, but it is possible one person may have said that.

Councilmember Frech stated that another thing is that she is beginning to be very frightened to drive on the streets of Charlotte because of the people who are running - not yellow caution lights - but red lights. She is seeing this more and more. She is getting the feeling that the citizens of Charlotte do not think that this ordinance is being enforced at all. She knows it will be hard to catch all of them, but everywhere she goes she sees at least four or five people running through a light long after it has turned red. That this is certainly an area they need to start considering if there is not some way this can be enforced. She knows it will be difficult, but it is getting worse and worse because people do not think it is being enforced.

Her next concern is a potential need in District 4. That in most districts no one wants any roads widened, but The Plaza is going to need to be widened from the present widening which terminates at Milton Road on out to Newell-Hickory Grove Road. She wonders if they do not need to try to get this request in to start being evaluated by the Department of Transportation for this year.

Councilmember Short mentioned the possibility of also redoing the intersection which is a "mean" one. Ms. Frech stated that one of the problems is that between Milton Road and Newell-Hickory Grove Road there are turn lanes but people are very confused about what these turn lanes mean and they are having near collisions. She asked if Council should vote to have this referred to DOT or does it need to be evaluated by the Transportation Planning Department?

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Mr. Burkhalter replied that usually the first steps originate either in the Planning office or in the Traffic office of the City and then it goes through the Technical Coordinating Committee, through the Transportation Committee and then the recommendation is made to the State Board. That usually a priority is placed on them and Council helps determine the priorities. He stated he would start this for them, and requested that she give him the beginning and end. Ms. Frech replied the Plaza Road from Milton Road to Newell-Hickory Grove Road; that beyond that point is county but eventually it may need to be widened on out to Plaza Road Park.

Ms. Frech stated she is very interested in the recommendations of the Housing Task Force and asked if there will be another more formal report? Ms. Chafin's reply was yes. Ms. Frech stated she is very interested in whether they will find money in this next year to implement the recommendations about rent subsidies. That as they all know, that is something that she has been very interested in seeing done since she and Councilmember Trosch took their original tour of housing, particularly in Grier Heights.

Councilmember Chafin stated they are looking at a deadline of early July; they will have a meeting tomorrow and another one on the 27th and hope to have a written presentation to the Council with recommendations and price tags by the first week or two of July, certainly by the July 10th meeting.

Councilmember Frech stated there is a deadline coming up of December 31, 1978 by which time we are supposed to have prepared measures that we are going to take, or plans, for reducing air pollution - for bringing ourselves in compliance with EPA requirements. She asked if we are doing something on that?

Mr. Burkhalter replied that he is not quite sure where it is today. That we made application some time ago. He requested that Mr. Randy Jones, who serves on the committee, speak to this.

Mr. Jones stated the Transportation Advisory Committee has been designated as the lead planning organization for air quality planning and implementation for Charlotte-Mecklenburg. That right now, they in conjunction with the Technical Coordinating Committee and its Special Air Quality subcommittee, which will meet on Thursday, are devising a set of alternative actions to present all of the local governing bodies, so that we can devise a plan which will help us to reduce our air quality pollution levels by the 1982 or 1987 deadline. The report on the alternative analyses will be ready hopefully by September in time for public hearings shortly thereafter and adoption by the January deadline. He hopes Council will be getting a copy of this report and can talk about it in late August or early September.

Ms. Frech stated her last item is that she was a little concerned last week that they ended their budget hearings without hearing Officer Christmas and the people that he had lined up to talk to Council about the one-on-one police car plan. That they had been planning on bringing a presentation and Council did sort of cut them off. She hopes that in a few weeks, or later on, they can reschedule them.

Mayor Harris stated he thinks Council should hear them when they go through the Productivity Report as that item is in that report.

COMMENTS BY COUNCILMEMBER COX.

Councilmember Cox stated he has heard some very positive things about Bill Finger and his cut-through traffic team, and wants to publicly acknowledge that. That the response has been particularly on his attitude and concern for the plight of the citizens in the two areas that he is familiar with.

Secondly, he sent members of Council a note regarding the Fairview Road median, and that several of them have responded. The issue that he tried to re-raise was the treatment of the three individuals closest to Sharon Road. He would like to know Council's consensus. Do they want it to come back up or do they want him to contact the people and inform them that the

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Council thought it was passing the median as designed. That he, for one, was not quite sure of Council's intention at that time. That he does not expect an answer now but if they will let him know in the future he will deal with it.

Mr. Cox asked if Mr. Burkhalter or the special committee studying the Animal Shelter has done anything that might be the first step toward consolidating the Animal Shelter; that perhaps from some rumblings he hears now it might be a good time to start some kind of initiative there. Mr. Burkhalter replied that he has not done anything but he will be glad . . . Ms. Frech stated that her committee is considering a number of things and they will include that in their discussions.

Councilmember Cox stated he also sent around a memorandum to Council members about balanced growth; that his comments speak for themselves. He would like to get other Council members response to that resolution as far as presenting it as an agenda item.

Mr. Burkhalter stated he has seen Mr. Cox's correspondence about the median and he is concerned that they are busy designing and getting ready for construction as Council has authorized, but they are still saying "What are we going to do about it?" That his suggestion would be to at least let them go on and design it as they instructed and come back to them with it; that they will have to approve the contract and if at that time they want to put an opening in it or change it, that is the time to make that suggestion. He suggests they build it exactly like they approved it, and attractive; let people see it; try it a while, because cutting a place in it is not a major problem.

Councilmember Cox stated the only reason he brings it up is that one of the residents called him and he, frankly, was not sure what Council wanted to do. He is just trying to find out what they want to do. That he thinks the manager's suggestion is a good one. The reason he responded rapidly to it was he wanted Council to deal with it with certainty before they got too far along in the design. If the rest of Council wants to go along with what Mr. Burkhalter says, that is fine with him.

Councilmember Short stated he thought they voted for the "jug handle." That the record might show that.

Councilmember Cox stated in the absence of a comment in a week, he will presume the Council would care for it to be like it is.

Councilmember Selden stated he asked for it to be brought back on the agenda and thought they had it that way; he tried to get something done but did not have any support from Council. He would like to rejuvenate it, but did not see an opportunity.

Mayor Harris stated when the matter comes up for letting the contract, it would be good to review the design at that time.

Councilmember Frech stated they asked before if it were not possible to find a way to cutting through a road - Coltsgate, or some road off of Sharon - to give those people access that does not come off of Fairview. She asked if someone could look into it and see if there is another possible way for those people to get access? It is an area that obviously is going to be developed in the coming years.

Councilmember Gantt stated one of the concerns he has is that what they are talking about doing is making the first change order in the contract at the point that Council is asked to approve the contract. That is a little late; that Mr. Burkhalter's point is that before these go out for actual bidding, if they are going to make that change, it is always less expensive to do it at this point than even before the contractor goes to work on it. He thought in the discussion that Council had that they concluded that those families would have to drive approximately 2,000 feet to make that U-turn to come back to their houses. That was not considered to be desirable by any of the Council members but at least the unspoken word was that they did have access, albeit somewhat inconvenient, but that to damage the storage lane at that time was going to present some problems. Since that time there have been a number of

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recommendations that suggest that maybe in some way they cut down on the storage of cars at that intersection to provide an opening for people to get through in some fashion.

It seems that now they are not so much considering the question of the median as they are trying to find access for these three residences. From that standpoint, it bears some consideration. Maybe they ought to simply request that Mr. Corbett provide access.

Councilmember Cox stated which involves cutting a hole in the median - that is what he is talking about. Do they want a hole in the median, or do they not want a hole in the median?

Councilmember Dannelly raised the question of whether or not other persons, if they owned property on that side of the road, would be faced with the same problem later on when they build.

Councilmember Gantt replied that as he remembers the situation, these are the only three property owners that find themselves in that particular circumstance. That obviously those people who decide to develop there later, develop there under a little different conditions. They will know of the situation before they go in. Of course, much of that particular route, in terms of what they are talking about in the Comprehensive Plan, they will be talking about reverse frontage from now on anyway and other ways of getting access to the property.

After further discussion, Mr. Burkhalter commented this is a dangerous way to design a road. That what he said previously he said advisedly because he had thought about it quite a bit. If they go on and build this road like it is designed now they will get a concrete median that starts at the most dangerous part of any road - the intersection. This concrete median will go down past all three of those places. After that is built, and they see that it is not satisfactory for them to use the jug handle, or Council does not like it, it is a very simple matter to cut a hole through that concrete median. They would not have a storage lane and it will be difficult if there is any traffic coming from the other direction, but it will allow them access. He pointed out that the difficulty in doing this is that the proper place to do it is down after you come off of Sharon Road and go far enough to hit the third house. There is some problem with that their driveway being where it is. If they do that though, they will not help the people on the other side at all and they will be here the next week wanting one for them for the traffic going towards Sharon.

Councilmember Carroll stated he agrees with Mr. Burkhalter in his analysis on the median, but he agrees with Mr. Cox on bringing it up. That now is the time to bring it up if there is some uncertainty and they want a change. Like the rest of Council, he has talked with the lady who lives out there and who is very concerned; that he told her he thought Council considered her concerns in the discussion about the jug handle, and tried to explain to her what he saw as the reason they made the decision and perhaps the benefit to her in terms of the development that will occur on that road because the median is there, and the character which they want it to maintain. That he thinks Councilmember Cox is asking for something rather simple and Council should say if they want to rehash the design now, but not go out there and build it and tear it up again even though it is a small tearing up.

Councilmember Gantt stated he has some serious problems about tearing up another median in this city.

Councilmember Cox stated they have talked about this for fifteen minutes and he has not heard anyone say that they want to change the design, and he thinks he has gotten the message.

COMMENTS BY COUNCILMEMBER LEEPER.

Mr. Leeper requested from the City Manager an update on where we are with the sidewalk program, stating they have included some additional funds in FY79 for the sidewalk program; that he thinks Allegheny is next in line for

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starting and he is concerned about getting something started this summer in hopes they could be completed before school starts again. He is speaking of the proposed sidewalk program.

Mr. Leeper made reference to a letter which Council members had received regarding the Drew Hearn Derby Downs. There is a problem with the fact that a previous Council made a decision about some signs which have been torn down.

Mr. Burkhalter replied that simply stated the Council named it but he cannot answer about the signs. He agreed to respond to that later.

Mr. Leeper referred to Mr. Burkhalter's statement in regards to the letter received from the transportation union. He stated that to some degree Council ought to know - that someone is going to be approving a contract with the union for the bus drivers; but they are also going to be in the process of sometime this year approving a contract with the management company. That there are some things that Council needs to know prior to renewing that contract; that he would be glad to get that information. That they have discussed the possibility of putting this in the Transportation Committee, and because of Mr. Burkhalter's response, he would opt that they not do that at this time; but ask Mr. Burkhalter to look into it and make some comments back to Council sometime as to whether they should look into it further. He is concerned about the comments made in the letter and feels someone should look into it.

COMMENTS BY COUNCILMEMBER CHAFIN.

Ms. Chafin stated in the earlier portion of the meeting there was another item suggested for referral to the Transportation Committee - regarding a staff report on special rates for the elderly which Mr. Carroll alluded to. She requested that be referred to the Transportation Committee.

That she would also like to echo Councilmember Frech's comments about the embarrassing failure of some of the Council to remember last Tuesday night that they had in fact promised the FOP that they would give them an opportunity to present their additional information on the merits of the take-home car plan. She hopes that they will schedule another time in the near future for this presentation, as well as the information that they had requested from the Manager. Appropriately, this should come after budget adoption, and as has been suggested, at the time Council discusses the Productivity Task Force's recommendations.

Councilmember Chafin stated that during the campaign for the airport bonds we have heard from time to time suggestions that service delivery levels are uneven throughout the City. In order to address this issue and to assist Council in its planning process, she asked the City Manager if he will have the staff prepare a report for Mayor and Council which provides an inventory of services by district, a statement on level of services by district and a plan for evaluating the equality of services delivered by district. That this information might provide some surprises.

Her final comment was on Councilmember Cox's memo of June 16th. She stated he has some very good ideas and she hopes he gets sufficient response from Council to encourage him to place this resolution, or some modification thereof, on the agenda.

RESPONSE BY COUNCILMEMBER COX ON THE REQUESTED REPORT OF SERVICE DELIVERY LEVELS.

Mr. Cox stated he has mixed emotions about the district duplication of city services. He knows that the prevailing opinion is that folks in the southeast, or this side of Tryon Street, get most of the services. He does not know whether that is true or not. But he frankly thinks that if they start keeping score, by district, that they will find some surprises and force this Council, or give added impetus for this Council to start meting out its services on something other than a need basis.

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Councilmember Chafin stated that was not her intent at all. She sees it as information which will provide Council an additional tool in its planning process.

Mr. Cox stated he does not hear what she is saying; that she said an "inventory". Ms. Chafin replied . . . of the services that exist in each district and then a statement on the level of those services, and then a plan. That she thinks it is premature to ask for this information now because she suspects that it may be somewhat difficult to develop a plan for evaluating the equality of services which will begin to pinpoint the need for additional services in some districts.

Councilmember Cox stated he hears what she is saying, but he thinks it is dangerous for this Council to start keeping score by district because, as they have known in the last couple of weeks, district boundaries change; there are anomalies about districts. That districts have no rational bearing on the delivery of city services; they are just an arbitrary division of the city into seven pieces of pie. There is nothing homogeneous about District Seven, about District One. District One has the downtown area; District Three has the airport.

Councilmember Chafin stated this is why she says it may be a rather complex matter, but that it is something . . .

Mr. Cox stated he hears what she is saying, and he heard her ask the Manager to do that, and before the Manager acts on that he would like for there to be some more discussion about it. He, personally, would like to have some more discussion about exactly what she means - he just thinks they need more discussion. He will hasten to add that he thinks some of the surprises they will find are going to be something that they will really be surprised to see. That the City addresses its monies to the need of individual areas.

Ms. Chafin replied that is her very point. Mr. Cox replied he does not understand that to be what she is saying, therefore, if he does not understand it, should not they have some more discussion on it so that every member of Council understands exactly what they are doing?

Councilmember Chafin stated perhaps the Manager can come back to Council and report on how he would have the staff proceed on such a study and then they could have discussion at that time and authorize him to proceed or not to proceed. Mr. Cox responded that is not what he heard a few minutes ago.

Ms. Chafin replied that in response to Mr. Cox's concerns, she is now asking the City Manager to do this. Councilmember Selden stated he would be in favor of doing that.

Councilmember Carroll stated he has a suggestion that might deal with the problem which they are talking about. That they do this on a neighborhood basis, that comes out of the neighborhood definition study which the Planning Commission is presently undertaking. That he can see where you would have District "X" which had one neighborhood which was over-serviced and another neighborhood which was very much under-serviced. That perhaps this is what Ms. Chafin was trying to get out in a more particularized fashion and maybe that would be the way to go. Mr. Cox stated that is the way to do it - not by district.

Councilmember Gantt stated he can see Mr. Burkhalter having some real difficulty with this. A few years ago he asked a question about the location of certain park facilities around the city, and about certain expenditures of funds that occurred. That a couple of the older Council members requested Mr. Burkhalter to look up this information and what they got back was a report that showed all the recreation centers in the community were on the west side of town, there were none in Southeast Charlotte. The conclusion was that the City provides more recreational services to the west side of town and none to the underprivileged east side, in that case.

Mr. Cox stated that is an erroneous conclusion; that is exactly the kind of thing he is talking about.

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Councilmember Gantt stated they should ask the question of what they mean by service; that he thinks both Ms. Chafin and Mr. Cox have valid points. But, what are they trying to measure? Do you measure the quality of a neighborhood by the sidewalks, paved streets, garbage services, - does everybody get their garbage picked up at the same time, does everybody get Community Improvement to come through and clear up a problem in the same response time. Those are legitimate - but how do you measure land uses put there by certain Councils that tend to mitigate against that neighborhood being considered a quality neighborhood; or red-lining that might have occurred by private institutions possibly through governmental action for certain kinds of things. You cannot measure that; it is not a city service. The zoning might be a political decision that might have been made that impacted no matter how often the garbage was picked up or how many sidewalks are paved in that neighborhood. It gets to be a little difficult question when you try to measure it on that basis. He just wants Council to know that if the City Manager is really going to do that kind of job he is going to be measuring just a little bit more than his coming back and saying we have 50 recreation centers in West Charlotte and that shows we provide a great service over there. It is something that requires a lot more in depth measurement.

Councilmember Chafin stated she can assure Council that she was aware of that and discussed this with the Manager and he has assured her that she was not asking for something that was impossible.

Mr. Burkhalter stated they can be very selective about this and pick the ones they can identify. The level of service they can do, but the equality of service is something that will have to be measured in a different way. That he believes what Ms. Chafin is trying to get at is there are so many people who say we do not get the same service that other people get. That he believes it is because of their perception as to what that service is rather than what the service actually is. That after they do this they will try to work out some way that can be measured; he does not know what it is right now.

CONSIDERATION OF PROHIBITING NEW MOVIE THEATRES IN NEIGHBORHOOD BUSINESS DISTRICTS TO BE PLACED ON COUNCIL AGENDA.

Councilmember Short stated that indoor moving picture theatres are now allowed in all business and industrial zones, under our zoning ordinance. That they should consider changing this to prohibit indoor moving picture theatres or any business that shows any kind of movie - 8mm or whatever - for pay; make it impossible to have one of them or build a new one in the B-1 Districts, this being a neighborhood business district. Anyone can obviously see that theatres have changed a lot in the last several years, and it is his view that they just do not fit many of the neighborhoods of this City anymore because of the movies that they are showing.

As one movie owner said in The Charlotte News recently - and, he had this idea before then, but he picked up a point or two from this article - "any movie that makes money now has got to be full of violence or it has to have sex, otherwise it is a box office calamity." That he will hasten to add that this is certainly no effort on his part to censor movies; that he has voted against that sort of thing in the past; but this is an effort to protect our neighborhoods and protect our tax base because deterioration of the neighborhood and loss of the tax value begins to set in when X-Rated movie houses arrive. That this comment is also an effort to be responsive to the public desires. He does not think that even the most permissive type of individual wants an X-Rated movie house near the home where his life savings are invested or where he is raising small children.

That we have a number of locations in Charlotte that are just "sitting ducks" for this sort of thing - there is one on Central Avenue in a small shopping center. There are a lot of vacancies in it; that whoever owns it probably has a mortgage and is trying to pay off the mortgage and has fewer and fewer tenants, so he is willing to rent to anybody. There is another one at The Plaza and Milton Road - a B-1 area; The Plaza and Hickory Grove Road; Commonwealth Avenue near Woodland Avenue are other wide open opportunities for this sort of thing; Brandywine and Colony Road and Selwyn Avenue; Eastway and Kilbourne; Sharon Amity near Providence; Idlewild and Idlewild North.

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Mr. Short stated there are number of things that could be said on this subject. The only thing he wants to do now is make a motion that this matter be placed on the agenda for consideration. The motion was seconded by Councilmember Cox and carried unanimously.

Councilmember Short made this comment: That the way to get something into the hands of the staff and force the City Manager to do something is to make a motion and get the Council to vote on it. He is not referring to Ms. Chafin's proposal as she had already taken this up with the City Manager, but he is aware that from time to time some of the Council members just simply make a request of the City Manager which may be a large order in some instances. That they just have to realize that he is supposed to respond to the majority, not to individual requests. That some of the Councilmembers may not have realized that and that is why he takes the liberty of making this comment.

REQUEST OF COUNCILMEMBER DANNELLY FOR INFORMATION ON PARITY FOR POLICE AND FIREMEN TO BE FURNISHED IN WRITTEN FORM.

Councilmember Dannelly stated he does have a request of Mr. Burkhalter. That in the budget discussions he and Mr. Wilder gave some points verbally as to reasons why they do not feel there should be parity between police and firemen. That some of the reasons were good but he did not get them all and would like to have them in written form.

FUNDING OF NORTH CHARLOTTE EXTENSION TO BE PLACED ON AGENDA FOR CONSIDERATION ON JULY 10, 1978.

Councilmember Carroll moved that the funding of the extended area in North Charlotte - the three streets - put on the agenda for July 10; the funding to come from appropriated and unspent funds out of the First Ward CD Area. The motion was seconded by Councilmember Locke.

Councilmember Chafin asked if he would amend his motion for another date as she understands the July 10th agenda is impossible because of four public hearings on CD plans? Mr. Carroll replied he thinks that is a good reason for having it on that date; that he understands they are pretty perfunctory but one does deal with the CD Plan for First Ward so they would have both things in mind when they are dealing with it.

Councilmember Cox asked if Mr. Carroll will ask that Council act on this on that date? Mr. Carroll replied yes. Mr. Cox requested that either Mr. Carroll or the CD Department give him some information on that.

The vote was taken on the motion and carried unanimously.

Councilmember Carroll stated one thing that was mentioned at the budget hearing was a report on the implementation of the First Ward settlement. He asked if there is a schedule as to when Council will get that report? Mr. Burkhalter replied he does not. Mr. Carroll stated he believes they have until December 31st to meet certain commitments and he would like to see the time frame to insure that this Council is going to do that.

Mr. Burkhalter asked Ms. Chafin if the Housing Task Force has received that? He stated then what he is prepared to do is to ask Mr. Underhill to review that order and tell Council what they are committed to do in housing.

Councilmember Chafin stated what they are committed to do and what we have done to date and plans for fulfilling that commitment by the end of this fiscal year. Councilmember Carroll stated that is exactly right and his understanding is that they are going to have to build some more houses other than the 25 they are presently building in First Ward to meet the terms of that settlement; that time is running out if they are to be built by the end of the year. He wants it on the record that he does not want to be one who is held in contempt for not having that settlement which was agreed to fulfilled. That he would like to see the report on that as soon as possible.

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Mr. Carroll commented to Mr. Cox that he did reply to his memorandum on balanced growth and would like to see it on the agenda as soon as he thinks it is appropriate.

Councilmember Carroll stated he has mentioned to Mr. Randy Jones about one of the things which appears on the minor projects in the recent Charlotte-Mecklenburg Improvement Program - an improvement of proposed Project No. 6 dealing with the intersection of Pecan and Seventh Streets. As he understands from Mr. Jones, this is essentially our "wish list" that we present to the Department of Transportation at their meeting on June 27th. He requested, unless other Councilmembers feel otherwise, that they omit this project from their wish list. It is one of the streets that is part of the neighborhood cut-through traffic alleviation problem in Elizabeth and he would like to see the results of that before they talk about trying to get that funded. He understands there is more in the list than they will give them anyway and they will not be hurting themselves by taking a project off.

Mayor Harris stated this goes back to the discussion they have just had on the median; that they should be very careful on the deletion of items like this unless there is some discussion and notice.

Councilmember Gantt stated he wishes he had known this earlier as TAC just went through an approval of the whole thing for the County and the City and he had advised them that Council had generally approved this.

Councilmember Carroll stated it is a question again of the point Mr. Short has made; they get this list every so often and they have no formal way of having input into it and it just cranks along. He has just read it this week-end and remembered that it was one of the roads being studied. He stated if Council feels they need some more discussion, maybe it would be appropriate to put it on the agenda.

Mayor Harris stated he thinks the interaction between the staff and the Council concerning these kinds of lists should be done at the time they are put together and approved, versus the idea of us having lists and communications through TAC and through DOT and all these other people; then all of a sudden something is on there and then it is off, and they get confused. Then they have no way of knowing what is our approved list. That he gets calls on these kinds of things. If there is going to be an item that Council is concerned about, then he thinks Council should have a discussion. Councilmember Carroll moved this subject be placed on the agenda for discussion to either present as a part of the plan on the 27th or not. The motion was seconded by Councilmember Cox, and carried unanimously. Councilmember Cox asked for a review at that time of how these things get on the list, preferably in writing.

Councilmember Carroll requested that the Clerk include, as a matter of record, the following letter addressed to him from Mr. John Paul Lucas, and dated June 7, 1978:

"It's unfortunate that conditions were such as they were during the presentation Monday night. Perhaps the seeds for rational thinking were planted, though, enabling your lobbying efforts to meet with some success. I was glad to have contributed any expertise I could in making the attempt to stop the freeway as I am convinced that it is not the highest and best use of the land involved. I also feel that it will be detrimental to residents of Dilworth, Elizabeth, and Cherry, all of whom have my sympathy.

"The following information may have been helpful earlier, but was not provided to you simply because it always either slipped my mind or seemed much less important than the task at hand. In some remote way it might be useful now or in the future. It relates to my planning credentials which are, in part, as follows:

Employed by Roger K. Lewis, AIA, and Associates, Architects
and Planners, Washington, D. C. 1971-72

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Employed by Harry W. Moser, Jr., Architects and Planners,
Raleigh, North Carolina 1973-74
Member of the Community Development Group, directed by
Henry Sanoff, Raleigh, North Carolina.

"All of the above organizations have won awards for design and/or planning. In addition, I am a registered architect and have taught design at three major universities - N.C.S.U., Texas Tech, and U.N.C.C. (This is only a partial resume, related to my planning experience.)

"I would also like to list some of my wife, Veronica's, credentials. She aided us in the early stages of the presentation. Again, this is a partial list:

Bachelor's degree in Economics (Barnard College)
Masters degree in Landscape Architecture from an accredited,
planning oriented program (N.C.S.U.)
Employed by the Catawba Regional Planning Council, Rock Hill,
S. C. 1977-78
Members of the American Institute of Planners

"With respect to our conversation following the council meeting, it is not necessary to officially set the record straight as to Eric's and my participation in the meeting as Architect-Planners, as I had requested. We are concerned, however, that reference to us only as Assistant Professors of Architecture and Planning at U.N.C.C. might lead people to interpret our presence as somehow representing U.N.C.C. or the College of Architecture, which is not true per se. Stating this publicly, though, might complicate matters and lead some to think we are under pressure to make such a statement of correction. This would not be true either. Therefore, I think this letter appearing in your council files should suffice to clarify the issue should it ever arise in the future. Thank you."

REQUEST BY COUNCILMEMBER GANTT FOR STATUS REPORT ON INDEPENDENCE FREEWAY;
PLANNING AND PUBLIC WORKS COMMITTEE TO MEET ON JUNE 29.

Councilmember Gantt stated that at the risk of appearing to reopen the question of the Independence Freeway (the closing of the inner loop belt) it did occur to him that he would personally like to know whether or not he can have an opportunity to take a look at the construction plans that are underway now. It might be interesting to see whether or not it is possible while the design of the road is going on, if certain measures with regard to buffering and landscaping certain portions to soften the impact of the road can be done and incorporated into the design.

That one thing he got out of reading the minutes from the meeting that was held in District Five was that maybe not enough attention had been paid to the impact of land uses in and around the road. He wonders since we have not gone to the point of letting the bids on that whether the State might be interested in incorporating some of these comments at the last minute.

He would say that the citizens who object have objections to the entire road, but what concerns him anymore is the edge of the road that is going to connect from Kenilworth to I-77, particularly in the area running along the heavily vegetated area between Dilworth and Independence Boulevard. It seems that we have some opportunity there to do some things and to possibly re-examine what the design is going to do around the interchanges that occur.

He does not wish to go through the process of putting it on the agenda for consideration, but he would just like to find out something about the status of the road.

Mr. Gantt announced that the Planning and Public Works Committee will resume their study on June 29 at 3:00 o'clock.

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MAYOR HARRIS' COMMENTS ON MAYORS CONFERENCE IN ATLANTA.

Mayor Harris reported a very interesting trip to Atlanta for the Mayors Conference. That one of the reporters from our local newspaper commented after two days that he would be glad to get back to Charlotte because he never appreciated a city so much after being around a group of mayors and people concerned about various problems they are having all over this country. That the Council should be doubly proud of the excellent city which they represent.

He reported a debate going on between HUD and the U. S. Department of Commerce continues and that we will all benefit from the good competition which is always helpful in government as well as everywhere else. They were flooded with representatives from all levels of staff, all the way up to the Vice President who will be there tomorrow.

He stated there was much interest in the recent passage of Proposition 13 in California - mayors all over the place were discussing the subject and pointing fingers at the state and federal problems versus the cities.

He stated there was some very disturbing information coming out of resolutions - concerning targeting benefits to distressed cities and taking them away from cities who do a good job. That every resolution almost had that in it. This was very disturbing and means that there is going to be some real fights on hand regarding that.

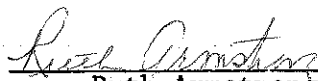
He cannot say enough about the cooperativeness of the various agencies. They discussed some of the tax rate relationships and what they really mean to communities; also housing matters. It is very interesting how cooperative everyone wants to be as far as trying to solve the housing dilemmas in this country. That our Housing Task Force has already made it to Washington where people have heard about it.

The Arts got a tremendous play - there was a workshop yesterday afternoon on the arts, how it is good business for the cities, and what it means to our whole country and how much federal funds we can get in this community to do a lot with the Arts.

By and large, he is glad to get back in Charlotte; it is refreshing after being involved in some of the concerns that some of the other cities have, to be representing a city like Charlotte. He urged everyone to vote in the Airport Bond Referendum tomorrow, stating it is a very important day for Charlotte.

ADJOURNMENT.

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



Ruth Armstrong, City Clerk