

The City Council of the City of Charlotte, North Carolina, met in a regular session on Monday, June 26, 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, Charlie Dannelly, Laura Frech, Ron Leeper, Pat Locke, George K. Selden, H. Milton Short and Minette Trosch present.

ABSENT: Councilmembers Tom Cox, Jr. (at the beginning of the session) and Harvey B. Gantt.

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#### INVOCATION.

The invocation was given by Rabbi Richard Rocklin of Temple Israel.

Mayor Harris requested a moment of silent prayer for Councilmember Harvey B. Gantt and family upon the loss of his sister.

#### PROCLAMATION PRESENTED BY MAYOR HARRIS FOR "SAFETY SABBATH" IN CHARLOTTE.

Mayor Harris presented a proclamation to the religious leaders of all faiths in Charlotte, declaring the period from sundown, September 1, to midnight, on Labor Day, September 4, 1978, as "Safety Sabbath" in Charlotte on behalf of the Citizens Safety Association of Charlotte, Inc.

#### PRESENTATION OF EMPLOYEE PLAQUES TO RETIRING CITY OF CHARLOTTE EMPLOYEES.

Mayor Harris presented the following City of Charlotte Employee Plaques to retiring City Employees:

- (a) William Henry Roseboro, Laborer II, Civil Preparedness, employed on March 2, 1964, retired May 31, 1978.
- (b) Clarence Robert Benfield, Police Officer, employed October 16, 1950, retired May 31, 1978.
- (c) William Jackson Costner, Police Sergeant, employed February 1, 1947, retired May 31, 1978.
- (d) Kenneth Delynn Jetton, Police Officer, employed May 3, 1950, retired April 30, 1978.

Each employee was congratulated by members of Council and Mayor Harris.

#### APPROVAL OF MINUTES.

Upon motion of Councilmember Trosch, seconded by Councilmember Selden, and unanimously carried, the minutes of the Council Meeting on Monday, June 12, 1978, were approved as submitted.

June 26, 1978  
Minute Book 68 - Page 217

CERTIFICATES OF APPRECIATION PRESENTED BY CHAIRMAN OF THE CHARLOTTE TREE COMMISSION.

Mayor Harris stated Mr. Lee McLaren, Chairman of the Charlotte Tree Commission, is present today to award Certificates of Appreciation.

Mr. McLaren introduced other members of the Tree Commission and stated they would like to thank the Mayor and Councilmembers for their support in the awards program as well as their efforts to help them establish a tree protection ordinance and the funding for tree planting and maintenance in the City, which is very important.

He stated they would particularly like to thank them for the support given them in the recent budget request for tree planting program and funds to match the state funds for planting on portions of the Eastway Beltroad. That trees require so little that it is often easy to forget they are living things who get diseases and die from injuries. He stated with this in mind, this tree protection program, or tree replacement program, is very important because the trees that Charlotte is so blessed with are beginning to reach maturity and are taking more and more maintenance and are beginning to die in some of the older sections of town, one or two at a time.

He stated without the tree replacement program, they are not even maintaining their existing grounds so they applaud the Mayor and Council in their efforts to provide funds for this program. That they are also trying to put together some statistics from the Landscaping Division and some educated guesses as to how many trees we are likely to lose along city streets over the next period of years so they can have a better idea of how much funding it will take to maintain the status quo, or how much more money it might take to improve our trees.

Mr. McLaren stated today's presentation is an effort of the Tree Commission to encourage tree preservation and planting by recognizing those who have done a good job in the past of either planting trees or saving trees. That they have chosen the best candidates among six different categories.

He presented pictures of the different categories and presented the following Certificates of Appreciation:

- (1) Retail Category - Eastland Mall - Mr. Howard Phillips, Manager.
- (2) Office Category - Charlotte Pipe & Foundry - Mr. Roddy Dowd, President and Mr. James Nash, Superintendent.
- (3) Industrial Category - Bealer Wholesale, Inc. - Mr. Tcherkezien.
- (4) Institutional Category - Presbyterian Hospital - Mr. Byron Bullard, President.
- (5) Multi-Family Category - Park Towne Terrace - Mr. Ray Wheeling, Executive Director, Housing Authority.
- (6) Residential Category - Woodbridge Apartments, Section I

Each of the recipients was congratulated by Mayor Harris and members of Council.

June 26, 1978  
Minute Book 68 - Page 218

PUBLIC HEARING AND ADOPTION OF RESOLUTION APPROVING THE SALE OF TWO LOTS AND HOUSES IN THE THIRD WARD TARGET AREA TO FAMILY HOUSING SERVICES, INC.

The scheduled hearing was held on the proposed sale by the City to Family Housing Services, Inc., properties located at 242 Victoria Avenue and 1021 Greenleaf Avenue.

Mr. Vernon Sawyer, Director of Community Development Department, stated this hearing is required by law before the City can sell property to a non-profit organization. He stated he was approached by them back in December of 1977 and they expressed an interest and asked if it might be possible for a non-profit organization to do a similar thing. At that time they were told no, but since then they have negotiated a contract with MOTION and since Council expressed an interest in having as many non-profit organizations involved in this activity as possible, they are recommending this action.

He stated the main objective is to produce the housing and bring it up to standard and make it available and this proposal will do that.

Councilmember Locke moved adoption of a resolution approving the sale of two lots and houses in the Third Ward Target Area to Family Housing Services, Inc., at \$9,500.00. The motion was seconded by Councilmember Chafin, and carried unanimously.

The resolution is recorded in full in Resolutions Book 13, on Page 350.

PUBLIC HEARING AND ADOPTION OF A RESOLUTION APPROVING EIGHT CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR YELLOW CAB COMPANY.

The scheduled public hearing was held on subject application by Yellow Cab Company for eight new and additional Certificates of Public Convenience and Necessity.

Mr. Henry Underhill, City Attorney, stated the application has been reviewed by the Taxicab Inspector, which is a division of the Police Department, and, in the opinion of the Taxicab Inspector, these additional new certificates do not exceed the demand for taxi service and he recommends approval of their request.

He stated he has prepared a resolution for Council to authorize these new certificates.

Councilmember Chafin moved adoption of a resolution approving eight Certificates of Public Convenience and Necessity for Yellow Cab Company. The motion was seconded by Councilmember Locke.

Councilmember Selden asked if this changes the number of outstanding that are allowed or change the number that is outstanding on four wheels and Major Smith replied there are 153 operating now, and 14 will increase this to 167 on the road.

Councilmember Selden asked if they have one that is down or out of service, can they replace it without action of this Body and Major Smith replied they have 90 days in order to do that. If they do not, then they have to re-apply.

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

The resolution is recorded in full in Resolutions Book 13, at Page 351.

June 26, 1978  
Minute Book 68 - Page 219

PUBLIC HEARING AND ADOPTION OF A RESOLUTION APPROVING SIX CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR VICTORY CAB COMPANY.

The scheduled public hearing was held on the subject application by Victory Cab Company, Inc. for six new and additional Certificates of Public Convenience and Necessity.

Upon motion of Councilmember Locke, seconded by Councilmember Selden, and unanimously carried, subject resolution was adopted approving six Certificates of Public Convenience and Necessity for Victory Cab Company.

Councilmember Carroll requested the City Attorney to respond in writing to the whole Council about how these regulations which we have over the cab companies affect, or how Council might change them to increase competition in transportation out of the private sector. That in the past he has sent some memorandums that point out this is one area of development where there might be a lot of important ways we could improve in the future and we need to look at our regulations to see if we can do something in this area.

Mayor Harris asked Mr. Underhill to up-date the information to Council relative to this.

Councilmember Carroll stated if there are any barriers that Council might want to think about removing to increase the competition, that Council would want this information.

Mayor Harris asked if vans were regulated under the same rules and Mr. Underhill replied not unless they meet the definition of taxicabs. That taxicabs are defined as five or fewer passengers; so anything that carries more than that, does not fit the definition, therefore, we have to go through this rather elaborate process to get a certificate.

Councilmember Carroll asked if they were regulated and Mr. Underhill replied no, all they have to do is get a privilege business license; that they are not regulated by the City, but they may be regulated by some state agency.

Mr. Underhill stated the ordinance was re-adopted in 1972 and he has always had the feeling that perhaps we have over regulated that industry, but this is more of a personal feeling than anything else. He stated perhaps some looks should be given to seeing that we do not have more regulations or ordinances for businesses than are absolutely necessary.

Mr. Underhill stated he will advise them on what he would suggest to increase competition between the carriers.

The resolution is recorded in full in Resolutions Book 13, at Page 352.

CONTRACT WITH THE CHARLOTTE-MECKLENBURG YOUTH COUNCIL, INC. FOR AN ACADEMIC CAREER DEVELOPMENT PROGRAM FOR COMMUNITY DEVELOPMENT AREA YOUTH; COMMUNITY DEVELOPMENT TO REPORT BACK IN TWO WEEKS ON MODIFICATION OF CONTRACT.

Councilmember Selden moved approval of a contract with the Charlotte-Mecklenburg Youth Council, Inc. for an Academic Career Development Program for 825 Community Development Area Youth, at a cost of \$79,098. The motion was seconded by Councilmember Chafin.

Councilmember Trosch stated this kind of program is the heart of really breaking the cycle that many of the children in the Community Development areas are in. The reason for her questions is so that we can zero in on the areas of real need, and perhaps not duplicate services that are available within the community. Referring to the testing that is proposed in this particular contract, she stated she is aware of the extensive testing that is done by the public schools, and the special testing that is available upon request from the schools. Being an ex-teacher she has worked with the testing program. Her fear is that perhaps with the 100 students that they are academically testing, that perhaps this information is available within the school system. That if there are any barriers to our getting it, we ought to work on a cooperative arrangement rather than on retesting because we do not have that cooperation.

June 26, 1978  
Minute Book 68 - Page 220

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

She stated that she and Councilmember Leeper have found that on the Liaison Committee at least the policymakers are wanting cooperation.

Mr. Art Lynch stated when this program first started, the School System had not implemented any testing procedures at all for high school age students. The testing they are administering is coordinated with the school system - all their program activities are coordinated. They still implement a different testing batteries because some of the 10th, 11th, and 12th Graders they deal with will be tested only in the 10th Grade or will not have been tested since they have been in the school system. They implement their testing while students are involved in the program to give them a good comparison of the progress that has been made.

If they have already received school testing for competency, they may or may not administer their testing values; they try not to duplicate services, but to supplement what is being done in the school system. Their testing of the student is to give them a greater comparison of the progress the student is making within a nine to 36 week period, as compared to a one year period. Some of the students are with them for nine weeks up to 36 weeks.

Ms. Trosch stated she is aware right now of the competency testing requirement; that 10th graders in the public schools, down to the last 10th grader, have gone through two batteries of tests - the original one in September and then retesting for the low-achievers. She wonders if enough has been done in relating; that in talking with the school officials they indicated that at any point in their career you can plug right into the system and get comprehensive knowledge on that child, you can know where the reading skills are as of that week. Her concern is if they looked at this contract in light of not defining the need, if in fact the definition of the need exists, but in meeting the need, which she thinks they are well equipped to do, and there are very good proposals within the contract to do that. She would like to see more work done on coordination with the schools in the things that are available.

Mr. Lynch stated the students they will be dealing with in the LRC classes will be those students that have been co-identified by their Projects staff and by school administrators as the students who may have been tested but they may not be able to provide them with actual remediation in class periods. That 50 percent of the children that they work with in the LRC classes are in the school setting - their staff goes to the school. It is more feasible than transporting 30 or 40 students to the workshop.

He stated they are taking the overflow from those students who cannot be placed in the regular school classes, or those students who may be scoring below a 6th grade level, in which case the high schools say that they do not have the teachers, or the resources, to work with students at that lower grade level. They have excellent coordination in this respect.

Ms. Trosch stated that is right and she is thoroughly in accord with meeting those needs, and they have a beautiful program to do that. It is the area in this contract for defining those needs that she is asking if they cannot coordinate and define those needs without retesting the students when there is that complete a battery on most students in public schools. She is not as familiar with the career testing program in the schools, but there is a segment of the school system that offers this and offers career counselling. Perhaps it was because the information was not available here as to the total coordination that they have had.

Mr. Lynch stated this is their third contract; that this was explained in greater depth in previous contracts. That in the career area, they are again dealing with students who are not reached by the vocational counsellors or by the tests the school system has on ESC. They utilize, in some cases, Kuder, but they are trying to get away from that because they are finding that a lot of their students have such low reading levels that they need to find tests that they can basically interpret. That would give them the same comparison results as the Kuder D, and Kuder EE. They have excellent coordination with the Vocational Education Department, the Employment Security Commission and with the school system and their remediation lab.

Ms. Trosch stated another thing that is in the heart of this program is giving these students the skills to function in this world - the reading, the writing, the minimum skills. A career will help them none if they do not have these skills, and they will not like themselves very much in the process. To her the learning center is the heart of the program. And, it is being reduced by 100 students, in this contract, from last year's contract, whereas the counselling seminars are being upped by 200. She would like to see if they could move to not spending the time defining the needs, but to add the 100 students to meet the needs.

Mr. Lynch replied that one of the reasons they reduced their LRC participants this year is that they are waiting to hear from the City of Charlotte Employment and Training Department if they will have some terminations of CETA staff who now act as instructors in that particular function. However, they are planning on providing academic remediation for those students in career orientation sessions who will show need for remediation. The biggest problem they were able to uncover, aside from students having needs for basic skills, is their total development, and they are looking at trying to provide that through the three orientation sessions, where students not only prepare themselves for the world of work but also look at their own personal development. The LRC participants would be hard core students who need extensive remediation, but their remediation service would be applied across the board at all component areas to whatever students need that.

Councilmember Trosch stated she would like to see that put into this contract under the Career Orientation section. Mr. Lynch replied it is written in there in some terms. Ms. Trosch stated that in the preface it said that a greater emphasis on academic achievement - but in the contract she could not really see that in the two other sections; that having reduced the one academic section by 100 she feels maybe some of the heart of this program was being cut. She would like to see this reflected in the contract so that when they have their evaluation a year from now, they will know if these objectives have been met.

She stated she knows nothing of the program except what she has heard, and this is in no way to criticize the program, but more to address what she feels could be lessening the academic portion of the contract. She feels it is a vital service.

Mr. Lynch stated they have reduced the number of students, but they are planning on providing that same service across the board. All of the component areas that they find listed in that contract are correlated. They used the quota figures to give them a good target. That each contract year that they initiated the remediation services they always over performed. This year they did reduce that number but they are expecting staff cuts! Hopefully they will be able to receive all of the personnel they have requested; if not, they will have to reduce the number of students in that LRC component. unless they can find supplemental staff or volunteers to come in.

Ms. Trosch asked if she is understanding that as far as he is saying there is no way they can increase their working relationship with the schools and reduce the need for these 100 students being tested, or even the career testing?

Mr. Lynch replied they are confident that they cannot. There are two facets that they have to look at, aside from the staff being cut. One is that some of the Senior High Schools will be conducting their own reading labs this year. In the past, they had conducted their program class in the school setting. This year they have been approved to come back to Olympic High School and Myers Park High School to work with their target area students. The need in those two schools may go well above 100 students that they have listed in the contract. The other fact to consider is the availability of staff which is sometimes correlated with the fact that they are CETA employees - as to when they can schedule these sessions with the students. They have encountered, in the past, major problems with trying to get these high school age students to afternoon or evening settings so they have moved their settings into the school system where they can cover the students for the first through seventh periods of the regular school day.

June 26, 1978

Minute Book 68 - Page 222

Councilmember Trosch stated she would still like to see written into this contract a more clear definition of the fact that they are going to actually try and work toward coordinating the existing testing and not having to test these students, taking that time for career orientation. That what she hears him saying is not written necessarily in the contract. She requested that in two weeks Mr. Michie come back with further elaboration concerning the move toward this coordination. If Council tells them to test 100 students in this contract, and indeed they find out they do not need to test 100 students, then if they are evaluated a year from now and have not tested 100 students, then they will say "My goodness, you did not test your 100 students." In other words, she would rather know that is something they could give the information on now. She would be willing to go ahead, either to defer this contract for two weeks, until this could be done, or else just have an evaluation come back to Council with the emphasis on the academic and remedial, in the career section, and go ahead with the contract in light of further revision. She asked for Mr. Michie's reaction to this.

Councilmember Dannelly asked where Ms. Trosch got her information that you can plug in so easily? That they are working with the names of individuals and there is a law whereby you have to get certain kinds of agreements before they can even get those results. Councilmember Trosch stated she believes the Supreme Court ruling is that the individual student is entitled to his own test scores at any time.

Mr. Lynch stated that is under the Buckley Amendment, but at the same time they have been denied access to student records because some students have not paid all of their activity fees, even though they have a waiver of assent signed by both the student and his parents. As far as the testing goes, that would come basically through coordination with the individual schools the students go to. Their testing is primarily a supplement. In some cases, they found the students were tested in competency exams and would have a fifth grade level and they would administer their test and there might be variance in it from 3.5 years to 7.6 years. Some times the testing is based on the student's attitude when he sits down to take the test that day. Their testing is not in conflict with the school system, but to give them a good ascertainment of where that student is at that particular time and whatever environment they may be in.

Ms. Trosch stated she sometimes think they test students to death; that sometimes the public schools do that; but getting at the real need of the child is sitting down with the child and beginning to work on the real academic needs they have. That if they are having trouble getting those scores from the school system, this is something for the Liaison Committee, the policy-makers, or whatever to say "This is a cooperative effort, this is something that we need to work together on." We should not have to provide that when the schools are supposed to provide it to each student, according to North Carolina law. We should be able to use our resources, and the talents of people like Mr. Lynch, to continue the remainder of the program.

Mayor Harris stated this is two different items; the Liaison Committee needs a charge if Ms. Trosch feels this is something they need to consider. But, the contract is one thing and the idea of the Liaison Committee working with the school representatives is another thing, as far as trying to eliminate some of the red tape.

Councilmember Trosch replied that is not all that she is asking. That is a portion of it; the other part is that the actual academics need to be part of the contract so that we can have measurable objectives which we are trying to move towards.

Councilmember Frech asked if it would help if the contract was amended to take out the requirement that they test no less than 100 students and leave it to their discretion that they test only those they think necessary? Ms. Trosch replied she is not saying they have to delay this contract; she is only saying she would like to see it more specifically related to the academic achievement and career section, since they have cut 100 students out of the only identifiable academic part of the contract. Secondly, a movement towards cooperation. They say they have good cooperation, but underneath she hears, and from Mr. Dannelly's comments too, that perhaps that cooperation may not

be as well as they would like it to be. She just wants to emphasize that if, in fact, it is not then we need to move forward to bridge this gap.

Mr. Lynch stated he wants to be very candid; that each school is sometimes run as a separate area and some schools will be very cooperative one year and the next year you may have a change of principals or change in counselors and they will be very uncooperative. They have found it best to work individually with each school, on a one-to-one basis, and try to get as much out of it as they can, either in support or coordination of services; and try to bridge whatever gaps, again with the school administration. They have gotten letters in the past and from present supervisors that really carry no weight once you get into some of the schools. In some cases, it is a detriment to them in having the support of the central administration.

Councilmember Leeper stated he shares Ms. Trosch's concern and he thinks the point that has been made is very valid, but he would be a little bit concerned if they withhold this contract simply because we are not getting the cooperation with the schools. He would like to work toward trying to make sure that we can open the doors and get the kind of cooperative relationship with the schools in these programs that they want.

Councilmember Dannelly stated he thinks they all recognize that the school system tests at certain times and their program might not be correlated with the testing of these students. That as Mr. Lynch has indicated, the student in all probability has made some progress and they do not really know where to start unless they test the youngsters to find out what items they need to work on themselves. He is not so sure that he would go along fully with the idea of their not doing their own testing.

Councilmember Trosch requested of Mr. Michie that they come back in a couple of weeks with further information; and secondly, if in fact, part of their expectation is under the Career Counselling section of the contract, that they provide for the academics in the contract.

Mr. Michie stated that he has talked with Ms. Trosch earlier about this and they do not see any problem in getting this information.

The vote was taken on the motion and carried unanimously.

Mr. Michie stated he understands his directive to be to report back to Council in two weeks with either suggested modifications to the contract itself to address these objectives, or produce a report that their staff works up for Council.

Councilmember Trosch stated that any directive she takes from Council to the Liaison Committee she believes should come after they have heard this report from Mr. Michie.

Councilmember Dannelly stated that he agrees with Ms. Trosch that whatever can be used by the Youth Council of the school testing they should do that, but he also feels that there are some situations in which the Youth Council will have to do its own testing in order to find out where the work begins.



AMENDMENT TO COOPERATION AGREEMENT WITH THE CHARLOTTE HOUSING AUTHORITY,  
APPROVED.

Upon motion of Councilmember Locke, seconded by Councilmember Chafin, and unanimously carried, subject amendment was approved to the current cooperation agreement with the Charlotte Housing Authority changing the number of authorized units of low rent public housing units from 4,020 units to 5,020 as required by HUD regulations.

ORDINANCE NO. 92 AMENDING CHAPTER 5 OF THE CODE OF THE CITY OF CHARLOTTE  
ENTITLED "BUILDINGS."

Councilmember Dannelly moved adoption of subject ordinance amending Chapter 5 of the Code of the City of Charlotte entitled "Buildings." The motion was seconded by Councilmember Locke.

Councilmember Short stated he was just looking over the list of things to be inspected for which a fee is charged and thinking about the fact that in his own home, a number of these appliances and so forth have been changed over the years. He asked when you do that, are you supposed to get some kind of inspection, like for example, a room air conditioner? Mr. Jamison, Director of Building Inspection Department, replied for the plug-in type, you would not have to, but if there was wiring involved, you would.

Councilmember Carroll asked if this deals exclusively with new buildings and new construction and Mr. Jamison replied new construction and replacement.

Councilmember Short asked the amount of the fee for a single family home approximately for the total house and Mr. Jamison replied based on a cost construction and also the amount of wiring, plumbing and mechanical work which is done, the building part of it is based on the net cost of the work at so much per thousand dollars and then the rest of it is based on the number of outlets the appliances are wired in; the air conditioner is based on the BTU, and heating also. Councilmember Short asked if it would run \$200, \$300 or \$400 for a new house with a reasonable spread of appliances and Mr. Jamison replied if a person built a house that cost \$50,000, the present fee would be \$96.75 and he would propose that it be \$127.50.

Councilmember Short asked if this was plus these individual items and Mr. Jamison replied yes, plus the increase in the individual mechanical items. Councilmember Short stated it could get up to \$175.00 or \$200.00 for a house and Mr. Jamison replied yes.

Councilmember Selden asked if that represents an increase of roughly 25 percent, and Mr. Jamison replied it runs a little more than 25%, actually about 30% on the building part and about 40% on the mechanical end of it. Councilmember Selden asked how long it had been since the last increase and Mr. Jamison replied 1970.

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

The ordinance is recorded in full in Ordinance Book 25, beginning on Page 493.

RESOLUTION OF THE CITY COUNCIL REGARDING THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION'S U. S. 74 CORRIDOR STUDY, ADOPTED AS AMENDED.

Mr. Bernie Corbett, Traffic Engineering Director, stated this presentation is in response to Councilmember Chafin's request that they analyze the impact on traffic caused by the Council accepting Alternate 2 as set forth in the EIS.

He stated the U. S. 74 Transportation Corridor Study is primarily a study of transportation options for the areas currently served by Central Avenue, Independence Boulevard, Seventh Street and Randolph Road. That current volumes on these streets total over 100,000 vehicles per day with approximately 50% of this volume on Independence Boulevard.

Mr. Corbett stated as shown on Figure 2 of the preliminary draft environmental impact statement, twenty (20) of the signalized intersections along these and other streets paralleling Independence Boulevard operate in an overloaded or forced flow mode during peak hours. He pointed out the intersections with slides.

He stated in Figure 2.4, it showed that 25 of these intersections experienced more than 15 traffic accidents during 1975. In fact, of the State's 470 high accident locations for 1977, 96 of which are in Charlotte, 16 are found among these 60 signalized intersections, which had more than 15 accidents per year.

Mr. Corbett stated furthermore two other non-signalized intersections in this area are also on the State's list. That Independence Boulevard and the roads that parallel it, operate under stress; among the alternatives under consideration in the U. S. 74 Study are several options for improvements along the existing alignment of Independence Boulevard. Construction associated with any of these options would decrease the ability of Independence Boulevard to service traffic and thereby increase the stress on paralleling routes.

He stated this report attempts to define and illustrate the nature of the stress as reflected in traffic impacts. The U. S. 74 Study is a study of transportation corridors and can set two alternatives for these corridors; it does not report the preliminary engineering study, therefore, it does not provide specific design details of the various alternatives.

For example, the three way concepts, interchange locations, are not specifically determined and at this point, with none of the design done, the right of way is unknown. That to develop a block by block analysis of traffic circulation impacts requires a projection definition which is more detailed than that of a corridor study, therefore, this report provides more general analysis of the impacts upon the routes that parallel Independence Boulevard.

He stated consideration is also given to the problems of providing access to businesses along Independence Boulevard and according to EIS, on-site detours would be provided for Corridor 2 improvements along the existing alignment of Independence Boulevard. That this means that construction would not involve complete closing of Independence Boulevard and is therefore reasonable to assume that if Independence Boulevard were to be closed for even just one week day, it would be a day long remembered. Assuming that on-site detours will be employed to maintain traffic flow and access during construction, a fairly predictable scenario for the traffic impacts can be developed.

June 23, 1978

Minute Book 68 - Page 226

Mr. Corbett stated currently Independence Boulevard carries approximately 50,000 vehicles per day and he would like to emphasize the word "current" because if it takes five to ten years to build this facility, we can expect the traffic to increase substantially at the rate of 5% per year and by the time it is built, we may have 60 to 75,000 vehicles there. He stated on some days now, we exceed the volume level of 60,000 per day.

That even a well designed detour and construction schedule plan will provide greatly reduced capacity due to the confusion, distractions, and side friction inherent with detours at construction sites. With any traffic demand over 20,000 vehicles per day, such a detour can be expected to break down and operate at forced flow. The most that such a detour could be expected to service would be approximately 25,000 vehicles per day and this is the traffic that would be detoured off of Independence while it is under construction, still maintaining somewhere in the neighborhood of 25,000 vehicles per day moving along Independence Boulevard - again assuming the 50,000 that we have today.

He stated the 25,000 trips which could not be served on-site would be diverted to several paralleling arterials and neighborhood streets. The major portion of the diversion would be to Monroe Road and Central Avenue, however, thoroughfares as far away as Shamrock Drive or Providence Road would experience some increase in volume.

#### ACCIDENT IMPACTS.

Mr. Corbett stated as described earlier, the nearby facilities parallel to Independence Boulevard are already operating under stress. Several improvements have already been proposed along these routes due to existing accident problems. During the detour situation, the number of high accident locations in the area bounded by Central Avenue and Randolph Road can be expected to increase from 18 in 1977 to 25 during the construction period. This includes several intersections which are not currently signalized and which do not currently have an accident problem.

#### CONGESTION.

He stated traffic congestion would increase on Central Avenue and Monroe Road. Off-peak congestion can be expected to approach that of current peak-hour levels. This is especially true since off-peak demand is more balanced, (equal for both directions of travel) which limits what can be done with progressive signal timing. He stated by that they mean setting up traffic signals to control the preferential flow, for example, coming in Independence Boulevard in the morning or going out Independence Boulevard in the afternoon, so what they are saying is you will no longer have that preferential flow situation and things would become more equalized. That peak-hour congestion would typically be a forced flow situation with excessive delays and extended queues.

He stated on Randolph Road, volume would increase, but not to the levels of Central Avenue and Monroe Road. The increased congestion would most likely be tolerable except in the vicinity of Cotswold Shopping Center where excessive delays and extended queues would be a regular occurrence.

#### NEIGHBORHOOD STREETS.

Mr. Corbett stated several neighborhood streets could be expected to experience increased volumes during a detour period. By the words detour period, they do not know at this point how long a section might be detoured because they have insufficient information as to what the design will be, where the detours would take place because of construction schedules. For example, in the two mile section of Independence Boulevard between Hawthorne and Eastway Drive,

there is no place in there where the road could be detoured because there is not a cross street, so the detour would have to be somewhere outside of those limits. That these could include Sudbury Road, Arnold Drive, Amity Place, Redman Road, Woodland Drive, Commonwealth Avenue, Shenandoah Avenue, Craig Avenue and Fifth Street. Three of these streets, Redman Road, Commonwealth Avenue and Fifth Street, were recently the subject of petitions for study of through traffic in neighborhoods. Other petitioned streets, including Country Club Drive, could also experience increased volumes. If the petition process removes or decreases the through traffic utility of these streets, then congestion on the thoroughfares will be even greater.

That in addition, several streets which cross Independence Boulevard would be disrupted at some time during the course of construction. This problem will be most significant west of Eastway Drive. Currently, the only thoroughfare crossing Independence Boulevard in this section is Hawthorne Lane. The situation has already led to petitions for through traffic studies of Truman Road, Pecan Avenue and Laurel Avenue. Construction will compound this problem, especially where detouring of Hawthorne Lane is involved. That particular question is raised because the early concepts pictured Hawthorne Lane as a road going over Independence Freeway without any connections to Independence - so when that bridge is built, it would be necessary for all of that traffic that presently crosses over Hawthorne Lane to follow some other route.

#### BUSINESS IMPACTS.

He stated no discussion of traffic impacts of detours would be complete without a discussion of the impacts upon access to businesses. Obviously, any significant impact to the businesses along Independence Boulevard would have an economic impact on the city. Whenever access to businesses becomes congested, confusing, and less attractive, there will be a significant impact. The E.I.S. document (which members of Council received last week) provides an extensive discussion of these impacts on Page 190 through 197 and the reader is referred to this discussion. That the discussion indicates that over 300 firms could experience reduced access during some portion of the construction, depending upon the construction schedule, it could be for a minimum of about two years up to five years, depending upon the way that schedule came out.

#### UPON COMPLETION.

Mr. Corbett stated so far this report has dealt with the impacts of detouring and construction. Obviously, these impacts can only be negative. Detouring can never be a positive impact of a facility. Once completed, a Corridor 2 facility should thoroughly reverse these negative impacts. The accident profile for U.S. 74 would be improved over what it is today. As indicated by Five 5.5 of the E.I.S., volumes, congestion and accident characteristics of paralleling routes (including neighborhood streets) will also be better than today. Although localized access to businesses may be less direct due to some form of access control (by that they mean under one of the alternatives it is proposed that the Freeway be six lanes, with a two lane access road on each side, which would generally limit the access to those businesses), areawide accessibility for these businesses will be greatly enhanced.

#### PERSPECTIVE.

He stated it is interesting that the traffic volumes on the paralleling routes under the scenario of detouring Independence Boulevard today are roughly

equivalent to those for the same routes forecasted for the year 2000 under "Concept A", or a no-build alternative. That what they are saying is that in building Independence Boulevard in following Alternate 2, the problems which would occur during construction would be almost identical to those if the alternative of doing nothing was selected. That this is indicative of the fact that roads in this area of Charlotte are already under stress and this stress can only increase unless improvements can be made. To relieve the stress in the future requires a commitment to endure added stress today and there are measures which can be taken to minimize that stress.

#### RECOMMENDATIONS.

Mr. Corbett stated one measure that can be employed to reduce this stress is the removal of unsafe conditions at intersections and along routes in the area. Several high accident intersections on routes that parallel Independence Boulevard have unsafe design features which can be remedied. Re-design of these intersections and other improvements along these routes prior to any construction would have a significant, beneficial impact on accident rates and severity before, during and after the construction of a new facility in Corridor 2.

That the E.I.S. calls for "a significant effort to develop the best construction staging and detouring plan possible," and that is exactly what will be needed if a Corridor 2 improvement is developed. Three principles should be part of this plan. These are:

1. Minimize the length of U. S. 74 affected by detours at any one time.
2. Minimize the length of time that any one section is subject to detouring.
3. Minimize the total time for construction of the project.

He stated sound engineering can apply these principles to minimize the negative impacts of detours. To be fair, it must be conceded that even these minimum impacts would be so significant that almost everyone in Charlotte would be affected and it would be one heck-of-an experience for some of us.

Councilmember Short asked if they could maintain traffic even on a part of the road when they are doing things like he mentioned on Hawthorne and Mr. Corbett replied it is possible - they could build a temporary bridge and things of this type and this is what they are talking about in the recommendation.

Councilmember Short asked if Mr. Corbett's paper predicates itself upon the situation where the roadway itself is not used at all and Mr. Corbett replied no, they are only saying here that they would detour approximately half of the traffic.

Mr. Burkhalter, City Manager, stated this was a very good report and asked if the City can have any influence with the State in the suggestion that a 16 or a 24 hour work schedule be used when they are under construction and Mr. Corbett replied he thought we could and that was one of the things that they had in mind when they made their recommendation. For example, in some areas the specifications have been stated so as to require the contractor to do certain work at nighttime and then have the road open by 7:00 o'clock the next morning. That these are the types of things that can be negotiated with the State; of course they cost money and what the State's position on that would be as far as the City's participation, he did not know, but these things can definitely be taken into consideration.

Mayor Harris asked why a detour was needed at all and Mr. Corbett replied because they cannot handle 50,000 cars a day, which we have, under construction because of obstructions in adjacent lanes. Mayor Harris asked why they could not go one way and Mr. Corbett replied because all the traffic on Independence

does not go one way; in the mornings, sure, but still a good part of it is going to have to get on these other paralleling streets. That this has been the difficulty in Independence - three years ago, the peak hour on Independence was very defined in the morning from 7:30 to 8:30 and from 4:30 to 5:30 in the afternoon - now, that peak hour has just stretched itself out. He stated the road is carrying more traffic during the hours it did not use to have and the peak hours cannot carry any more.

Councilmember Short asked how many of those "days long remembered" would there be and Mr. Corbett replied he could not say at the moment - that there were too many things unknown at this time.

Councilmember Frech asked about the obstruction of the cross streets and if they would not be obstructed no matter if another corridor is used and Mr. Corbett replied to some extent yes. She asked if those streets would still suffer some negative impact even if another corridor were used and Mr. Corbett replied yes.

Councilmember Frech stated she is wondering if there are not a couple of possibilities if this corridor is used. That if that would not be the time to try to put in "Park and Ride Programs," encouraging people to park further out if it is going to be that bad and use buses. That she would say this would be a very good reason for going ahead with this project; it would get people into buses and they might find that they prefer them.

She stated another way might be to work with businesses toward staggering hours of going to work and closing times. Mr. Corbett stated they will find both of these questions addressed at length in the E.I.S.

Councilmember Carroll stated he has consulted with the City Attorney and advised him that he presently lives in the path of one of the alternative routes and asked whether or not he ought to participate in the vote on this matter. Mr. Underhill, City Attorney, stated he advised Mr. Carroll that perhaps this may be a matter that would affect his financial interest and he should be allowed to withdraw from Council's consideration in this matter.

Councilmember Chafin moved to excuse Councilmember Carroll from Council's consideration in this matter. The motion was seconded by Councilmember Selden.

Councilmember Cox stated he would vote "no" on this motion because Council would be losing an opportunity to hear from a point of view that if he had to leave the room, Council would not hear from.

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

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

NAYS: Councilmember Cox.

Councilmember Dannelly stated he recognizes that Mr. Corbett is the Traffic Engineer but he agrees with Mayor Harris about whether the traffic could go one way on Independence during the rush hours. That he has observed that generally, during the morning, the eastbound traffic, during peak hours, is very negligible comparatively and it seems to him that eastbound traffic also on Central Avenue and Monroe Road is just as negligible as the traffic coming into town. He stated he could not see why this could not be implemented.

Councilmember Chafin stated the State is considering some of these alternatives. That she does not know how many of them have had the opportunity to thoroughly review the E.I.S. but a lot of the questions they are raising are addressed in that document. She stated it would take about four or five hours to go through it.

June 26, 1978

Minute Book 68 - Page 230

Mayor Harris stated we have quite a few people who would like to speak to this issue and he would like to ask them to limit their appearance to three minutes.

Mr. Ed Garner, 1924 Bay Street, presented the City Clerk with two letters from parties supporting their position for distribution to the Councilmembers. He stated two years ago the citizens of the Elizabeth Community and other inner-city neighborhoods came before the Council at a time when they felt their communities were threatened by the possibility of a new expressway. That at that time, four alternative routes were under consideration, three of which would further fragment neighborhoods, destroy homes and dislocate people.

He stated as a result of what they had to say, the Council, in what they felt was an outstanding act of responsiveness, adopted a resolution fully supporting their views and recommending the choice of Alternative Route No. 2, the improvement of Independence Boulevard as the least of the evils and the one least harmful to neighborhoods, people and environment. That they felt the unequivocal stand taken by the Council should have spelled clearly to the Transportation Board that they did not want their neighborhood buried in concrete. He stated it appears that the Board did not understand that because it has now proposed Alternative Route No. 5 which they believe was designed to circumvent the intent of the Council's resolution. That they are equally opposed to this alternative because it would further serve to isolate neighborhoods from each other, destroying in the process, property and homes in one and severely affecting values in a part of the other. He stated such a road would not serve the city neighborhoods in which he damages and destroys but would benefit principally those <sup>who</sup> live in outlying communities, and those of them who are trying to keep their city and its neighborhoods in tact, would be asked to pay the price for their convenience.

Mr. Garner stated they are tired of living for years under the constant threat of having their homes taken from them, or at the very least, having their values severely damaged. That they prefer not to have any new roads, but if, as it seems, the Transportation Department is determined to have something, then they are asking the Council to reaffirm, in the strongest possible terms, the position it took in 1976, favoring Alternative No. 2.

Mr. Shelley Blum, 2300 Greenway Avenue, stated he has been before Council previously opposing what is called "progress" and he has heard it suggested that he was scared by a concrete mixer as a child. That in fact he was scared by a cement truck in the course of a Civil Rights protest, while sitting in its path, in 1961, but that is not why he is opposing an attempt to pave over the City of Charlotte from one end to the other so that commuters can get from Matthews to Gastonia in no time at all.

He stated he has a conception of a post-industrial society that will not be dependent on the internal combustion engine to get around. That the industrial revolution in the gas engine broke down the isolation of the rural communities and created a national culture; it got people off the farms and by necessity grouped them around large, industrial work places. He stated the planning for today seems to be for that society, early industrial revolution, or at least the planning of the Department of Transportation is in terms of farm to market roads and moving commuters without thought of other values. Our planning needs to take into account the technology that allows us to build desk-top computers, computer terminals and telephone lines to carry computer information and the fact that this City is a paper-shufflingtown and not one engaged in manufacturing.

Mr. Blum stated he believes there will soon be a revolution in the way work is organized and people will no longer have to be grouped in large work places and will not need to commute. That this is the kind of future we should plan

and we should plan to keep a City that values the quality of life that keeps skilled and educated people, such as the people on this Council, as opposed to moving to some other place; treed-neighborhoods which add a sense of community and belonging is that kind of value; that Elizabeth, Grier Heights, Chantilly, Plaza-Midwood, McClintock Woods and all of the other neighborhoods are other examples and this highway is a commuter road to help people get from Monroe to Gastonia without going through the City. That we have spent a lot of time, money and energy, trying to devise ways to conduct people to Interstate 77 and we ought to quit sacrificing our best values for the sake of plans designed long ago to meet the needs of 1960 and start working on 1990. He stated it will take political muscle to stop the DOT Board; this Council must do more than merely take a position against the various alternatives - Council must lobby with the members of the Transportation Advisory Council to get the Mayors of other towns to vote against road. That he doubts the ability of citizens in neighborhood groups, or as individuals, to stand up to the bulldozer mentalities.

He stated if he has to sit in front of the cement mixer again, even figuratively, he is counting on all the members of Council being there beside him.

Ms. Leslie Winner, 328 Cameron Avenue, stated she would like to speak about the effect of closed corridors on housing; that she is not speaking as a Legal Aid Attorney, but rather as a citizen of the Elizabeth Community. She stated for the past seven months, Council has repeatedly expressed their frustrations about the shortage of safe and sanitary housing for lower income people in Charlotte. That the expressed frustration was because of the enormity of the problem and well Council should be frustrated because the Housing Assistance Plan for the City of Charlotte for 77-78 shows 30,000 lower and moderate income households in need of housing assistance in the City of Charlotte - 30,000 families need better housing now.

She stated in order to try to solve the problem, they have done many things; they have established a task force of prominent people who have spent many hours trying to figure out how to build new housing and fix up the ones we have that are falling apart. That one clear way to tackle this problem is to stop doing things that make it worse; and one of the things that make it worse is tearing down sound and well-built houses in good neighborhoods to get people from the suburbs through the city.

Ms. Winner stated each of the proposed freeway corridors, except No. 2, destroys a huge number of houses; they range from 800 to 235; even 235 houses are a lot of houses. She asked where are they going to relocate 235 families on tree-lined streets, closer to Charlotte than they are now; the Housing Task Force has spent many hours and proposes to spend a whole lot of money to get 235 new houses for the people of Charlotte. That not only is there the direct housing loss to consider; also, there is the indirect loss; environmental impact statements say although housing loss is always critical to a community, displacements in the Elizabeth, Midwood and Chantilly area would be considered more critical because housing loss in this area could cause a cycle of deterioration. That it is clear that what Charlotte does not need right now is to turn more healthy neighborhoods into another deteriorating neighborhood.

She stated don't use their road-building arm to fight what their housing-saving arm is trying to do. That they have spent a lot of energy trying to save houses and if the Department of Transportation wants to build a road, tell them to do it on the existing corridor and save their healthy neighborhoods.



Ms. Carlson Willyard, 611 Clement Avenue, stated she is representing the Elizabeth Community Association and she would like to thank them for the opportunity of being heard on an issue of profound interest to them. That she is sure that Council hears that every issue brought before them is believed by the constituents to concern the "life or death of Charlotte" and probably from time to time they pause and ask themselves what it is about Charlotte that makes its survival so precarious. However, when they talk about a highway that might possibly carve a path through the City, they are talking about the destruction of many hundreds or perhaps a thousand homes. She stated to them, their homes and their neighborhoods are the City. That their friends, neighbors and the places where their children play and go to school - for them, these are Charlotte.

She stated among the five choices that the Department of Transportation has given them, there is no perfect route for this highway. That the information in the environmental impact study and from what Council has heard from those who spoke previously, it is clear there are many reasons for their concern. She stated reasons that have to do with destruction of their neighborhoods. That they are not urging Council selfishly to let them keep their homes since they know, or at least they hope, that the Department of Transportation will not build a highway on any of the five alternates.

She stated they are asking Council to vote to show the Department of Transportation that there are people who care about neighborhoods and the quality of life in the older existing neighborhoods; to show the Department of Transportation that people and their children and their homes are more important than cars and when the time comes to make the final decision, that the basis of that decision should be how many homes and neighborhoods will be destroyed; how many families uprooted - not the Department of Transportation's desire to build whole new roads, nor should it be based on the temporary inconvenience travelers might suffer while waiting its completion.

Ms. Willyard stated in voting for the resolution today, Council can begin the process of re-establishing priorities by encouraging the Department of Transportation to begin thinking about transportation and not just cars and put interested people ahead of those cars.

Dr. W. H. Hartford, 1413 Red Coat Drive, stated his home is located about a mile and a half from the Independence Boulevard and he is speaking primarily as a professional and a teacher of Environmental Science at Belmont Abbey College. That he has spoken and written quite a bit about highway expansion in Charlotte and Mecklenburg County during the past year.

He stated he was very happy that Ken Harris sided with him, and with Liz Hair, when the Outer Belt controversy came up. That if we had not had a few "dog in the manger" people, they could have kept the Outer Belt from being recommended for the southern route at that time.

Dr. Hartford stated we are in a sort of transition period in our economy which started about 1973 which has to be considered whenever we consider some of the projects. That it is a fact that for the first time in the history in the United States, about 1973, somebody else started calling the shots, in directing our transportation which depends so heavily upon the automobile. Today something 48 billion dollars annually go out of this county to pay for oil, largely from the Arab world; this is contributing to inflation and it is not helping us one bit as far as our own standard of living is concerned because as long as we are taking out of one pocket and sending it somewhere else, we are in trouble. That whether we like it or not, we have to realize that the day of the automobile as our master, is over, it has got to be our servant; consequently, in any highway program, we have got to do that job which disturbs the least, and that is clearly Route 2, because we have an

existing road there; we have a road which is poorly designed to start out with to serve its commercial purposes and we have got to revamp it so it does service its commercial purposes. That it is not a commuter road primarily, it is a commercial road in the City of Charlotte, and we have got to design it that way.

He stated he is thoroughly in favor of the Corridor 2, the upgrading of Independence Boulevard. That it will cost more in property acquisitions and in buying up some residential property, but it will be worth it environmentally and will not disturb neighborhoods. He stated it is possibly more attractive to some of the people in Raleigh because it involves actual construction costs but more property acquisition costs. That this cost is something that should be borne and he is in favor of Route No. 2.

Councilmember Chafin stated she would like to offer a slight amendment to her resolution and then move its adoption.

Councilmember Chafin stated she would move adoption of the resolution inserting the phrase "reaffirms its earlier position" in the paragraph which reads -"The City Council Hereby reaffirms its earlier position, and recommends the North Carolina Department of Transportation consider Alternate 2 to include only those proposals having minimal impact on existing residential neighborhoods and businesses, and....". The motion was seconded by Councilmember Selden.

Councilmember Chafin stated it is very good that all of the citizens, as well as Councilmembers, were here today to hear Mr. Corbett's presentation because clearly Alternate No. 2 will result in some short term inconveniences and disruptions and many of those inconveniences will affect those of you out there because the inconveniences will be in their neighborhoods, but there is not doubt in her mind, after a thorough review of the EIS, that the use of the existing Independence roadway is in the best long-term interest of this community. She stated it is important that Council support Alternate No. 2 with a design plan that will address the severe impact and disruption to the businesses along Independence both during construction and after completion and that Council ask their Staff to work with the State to develop what might be called a staging plan that will include some of the short term improvements to intersections and arterial streets within the corridor that will improve capacity and perhaps reduce some of the negative impacts during construction and that will also take into full consideration use of techniques that will increase the use of transit.

She stated it is very important that this City Council have an opportunity, not only to take a position today, asking that the State support Alternate 2, but that also they have an opportunity to have continuing input in this process during the design stage. That she hopes Staff will ask the State to give Council the opportunity to review the design plans at an early stage in their development.

Councilmember Trosch stated at the heart of this resolution is the fact, as pointed by the EIS, that a road cut through this older established area of housing would cause a cycle of accelerated deterioration in Charlotte's inner-city neighborhoods. That the vitality of these neighborhoods is crucial to the healthy development of our total city; these areas are beginning to revive with new life and neighborhood commitment to their preservation. It is essential that Council's decision continue to support the well being of these areas so that the goals of preservation and the development of a workable public transit system can become a reality in Charlotte-Mecklenburg. The presence of Independence Corridor has already served to divide several neighborhoods like Chantilly. She stated she could

think of nothing worse than a parallel Independence Boulevard; it would tear apart the neighborhood fiber of these communities even more, taking with it many newer neighborhoods in the process.

She stated for these reasons, she wholeheartedly supports Councilmember Chafin's resolution.

Councilmember Frech stated she would like to add to what Mrs. Trosch has said; that Charlotte is just now beginning to think about how to repair the damage that Independence Boulevard did so long ago that perhaps a lot of us do not remember, and one of the methods they are looking at is a proposal drawn up by the architectural students at UNCC, which included re-joining Elizabeth and Plaza-Midwood by running the widened Independence Boulevard under it, or by putting a cover over it that we could build on and for that reason she has to look at this as possibly a way to repair a lot of the damage that was done in the past.

She stated the convincing argument is even though it is going to be distressing while the road is being built; there will be a lot of complaints and she imagines whoever is serving on City Council then will get a lot of complaints because it is going to be a real headache, but what convinces her is that even if they do use another corridor, it is only going to force a lot of people to move out to the suburbs and then they will demand another road that they can ride on. That she can see in using this corridor, the potential for finally persuading people that there are very good reasons to move into the city instead of moving out as far as they can, therefore, she will support this proposal.

Councilmember Leeper stated he had not gone through the study but it is very difficult for him to continue to support continued expansion of pavement throughout our community. That Council talked sometime back about a public transit system and how we ought to encourage people to better utilize our public transit system. He stated he would like to put a little stronger message in the resolution that Council is very concerned about encouraging citizens to utilize our public transportation system and he would like to see Council put more emphasis on express lanes as future highways are being developed to make sure that not only do we encourage people to use the public transit system but for those people who are considering the car-pooling in having an express lane that they can be encouraged to use; maybe even cutting out some of the medians that we have and have the inside lane for that sole purpose of using it for public transit and car-pooling. That we are talking about six lanes and possibly two additional lanes for access and he would like Mr. Corbett to respond to this.

Mr. Corbett replied it is not at all improbable that this road could be so arranged that you could set up express transit on it. In fact, they attempted two years ago to work with a Federal Government Grant that set up this type of operation on the existing road, unfortunately, due to the cost, it fell through. He stated he would assure Council that in the future, this could very well be taken into consideration. That they, like Council, are hopeful they can get more people to ride transit but they have found it extremely difficult at this point in time. He stated they will make every effort to get them on it and continue to use it and set up one lane, two lanes, or whatever is necessary to accommodate those people that do ride mass transit.

Councilmember Leeper asked if something else could be put into the resolution to strength it to indicate their strong desire to express public transit. Councilmember Chafin replied the EIS clearly addresses that and states that this should be a major consideration and Alternate 2 probably offers the best opportunity to do this. That she would certainly be open to an amendment to the motion which would strengthen that emphasis.

Councilmember Leeper moved that Council include in the resolution that Council strongly urges the State to look at the possibility of express lanes for public transit.

June 26, 1978  
Minute Book 68 - Page 236

Councilmember Trosch stated it is her understanding that in recent court decisions in other cities there was some problems with express lanes because they caused heavy congestion and pollution. She asked Mr. Corbett for an opinion and he replied she was right in that some court decisions have been against this because of pollution problems and also because of the fact that being a road - paid for with public road funds - and denying part of it for use by the general public and there have been numerous cases in court about this already.

Councilmember Trosch stated she would prefer the resolution to read "explore the options for transit express lanes" and Councilmember Chafin stated that is the way the resolution now reads.

Councilmember Cox stated when we build this road, it is going to encourage exactly what these people have said - Council or their successors ought to have more to say about it than they have in the past.

Mayor Harris stated one thing we have to do in this area is to redirect by legislative process, in the fall or sometime, the direction of DOT. That in effect, DOT is mandated one way and that is to build roads, primarily in our rural area. He stated we are an urban area and we have urban problems and we ought to address some of that in the legislative package in the Fall.

The vote was taken on the resolution, as amended, and carried unanimously.

The amended resolution is as follows:

"RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE REGARDING THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION'S U.S. 74 CORRIDOR STUDY."

WHEREAS, it has been and continues to be the policy of the Charlotte City Council to preserve, protect and promote neighborhoods within the city; and

WHEREAS, the City Council desires to develop a transportation policy compatible with its policy of neighborhood preservation; and

WHEREAS, the City Council received a public preservation on the five alternate routes contained in the North Carolina Department of Transportation's U. S. 74 Transportation Corridor Study; and

WHEREAS, it appears from the presentation of the North Carolina Department of Transportation and representatives from various neighborhoods which would potentially be affected that the use of alternates 1, 3, 4, 5 would displace, at a minimum, hundreds of families, destroy between 285 and 800 homes, relocate residents from existing neighborhoods, so that the neighborhoods can no longer function as viable communities, create artificial barriers in presently cohesive neighborhoods, and destroy a significant number of large shade trees and public recreation areas.

THE CITY COUNCIL HEREBY reaffirms its earlier position and recommends that the North Carolina Department of Transportation consider Alternate 2 to include only those proposals having minimal impact on existing residential neighborhoods and businesses, and urges the Department of Transportation to reject all concepts using alternates 1, 3, 4 and 5 in its U. S. 74 Corridor Study as those alternates are destructive to neighborhood vitality in Charlotte.

FURTHER, the City Council urges the North Carolina Department of Transportation to explore options for transit express lanes in Alternate 2; and that the implementation of the project be expedited to the maximum degree possible to avoid greater traffic congestion during construction.

Adopted this 26th day of June, 1978 by Charlotte City Council."

The resolution is recorded in full in Resolutions Book 13, at Page 353.

MEETING RECESSED AND RECONVENED.

The meeting was recessed at 4:55 o'clock p.m. and reconvened at 5:00 o'clock p.m.

RESOLUTION DECLARING THE RESULTS OF THE SPECIAL BOND ELECTION AND AUTHORIZING THE CITY CLERK TO PUBLISH A STATEMENT OF THE RESULTS.

The City Clerk advised that an election had been held on Tuesday, June 20, 1978 on a \$47 million Airport Bond. That 131,967 voters were registered and qualified to vote; 16,898 votes were cast for the Order Authorizing the City of Charlotte to issue not exceed \$47 million Airport Bonds; 7,685 votes were cast against said order; the majority of the qualified voters have voted in favor of the approval of said Bonds; the Order is thereby approved and is in force and effect. That the resolution today is declaring the results of the Special Bond Election held on June 20, 1978, and authorizing the City Clerk to publish a statement of the results. Councilmember Dannelly introduced a resolution entitled: "RESOLUTION DECLARING THE RESULTS OF THE SPECIAL BOND REFERENDUM HELD ON JUNE 20, 1978.

Upon motion of Councilmember Dannelly, seconded by Councilmember Selden, the foregoing resolution entitled: Resolution Declaring the Results of the Special Bond Referendum held on June 20, 1978, was passed by the following vote:

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

NAYS: None.

The resolution is recorded in full in Resolutions Book 13, beginning at Page 354.

RESOLUTION AMENDING THE PAY PLAN, EMPLOYEE GROUP INSURANCE PLAN AND PERSONNEL RULES AND REGULATIONS FOR THE FISCAL YEAR 1979.

Councilmember Locke moved adoption of subject resolution amending the Pay Plan, Employee Group Insurance Plan and Personnel Rules and Regulations for the fiscal year 1979. The motion was seconded by Councilmember Selden.

Councilmember Carroll stated he has one concern and that is with regard to the adoption of those portions of the pay plan other than the pay increase. That as he remembers Mr. Selden's motion at the Informal Budget Session, it was that these reclassifications would come up throughout the year and that Council would not adopt those in the pay plan at this time. He stated he knows Mr. Gantt had a question about one in particular, and he shares that particular question and would like for Council to defer that portion of this

Councilmember Carroll made a substitute motion that Council not implement the reclassification at this time but that they be brought back to Council for further study. The substitute motion was seconded by Councilmember Leeper.

Mr. Burkhalter stated if there is just one that Council is concerned about, possibly they could just do that particular one.

Councilmember Selden stated his motion in the Informal Session was that they bring up those areas that need reclassification subsequently. At that time, he thought we would bring these up in the Informal Session, but Council did not. However, he would urge or recommend that Council approve any reclassifications at this particular time that were in the budget program - the non-controversial ones and the ones that would be controversial drop them out and let them come up with the reviews that come up throughout the year.

Councilmember Carroll stated these positions involve the Neighborhood Centers, so if they can just delete the Neighborhood Centers at this time, it would suit him. Mr. Burkhalter asked if this is the one position that was recommended to be downgraded? Councilmember Carroll replied yes.

Mayor Harris asked Councilmember Locke to amend her motion to exclude the Neighborhood Center's classification and Councilmember Locke was agreeable to the amendment.

The vote was taken on the motion to adopt a Resolution approving the Pay Plan, Employee Group Insurance Plan and Personnel Rules and Regulations for the fiscal year 1979, except for the Neighborhood Center's classification, and carried unanimously.

The resolution is recorded in full in Resolutions Book 13, beginning at Page 358.

COMMENTS BY MAYOR HARRIS RELATIVE TO MECKLENBURG DECLARATION OF INDEPENDENCE DAY.

Mayor Harris stated with regard to Meck-Dec Day in relationship to Councilmember Selden's comments during the Informal Session, that he would hope that the City Manager will delegate someone to plan some good activities on May 20, which is more than we have had in the past. That we have never done anything officially, from the City's point of view since his tenure of Council, it has always been initiated by other organizations outside; that he feels we ought to have something officially from the standpoint of the City and have the City take the initiative to designate someone to plan those activities.

Councilmember Selden stated he would be glad to work with anyone on this project.

ORDINANCE NO. 91-X SETTING FORTH APPROPRIATIONS FOR THE OPERATION OF CITY GOVERNMENT AND ITS ACTIVITIES FOR THE FISCAL YEAR 78-79; SETTING THE TAX RATE AT \$.88; AND SETTING FORTH APPROPRIATIONS AND REVENUES FOR THE MUNICIPAL SERVICE DISTRICT, SETTING THE 78-79 TAX RATE FOR THE DISTRICT AT A RATE OF \$0.025.

Councilmember Chafin moved adoption of subject ordinance setting forth appropriations for the operation of City Government and its activities for the fiscal year beginning July 1, 1978, and ending June 30, 1979. The motion was seconded by Councilmember Locke.

Councilmember Dannelly stated for the record he would like to make a statement because of his dissatisfaction of the parity between Police and Firemen and would certainly hope Council will give a serious look at this in the next year because he feels there could be better representation made as far as the firemen are concerned when it comes to salaries.

Councilmember Leeper stated he would like to respond to what Mr. Dannelly has said. That Council ought to ask Staff to come back sometime during the year and bring up some of those positions that might need to be brought up to compare with some other areas. He stated he would have to admit that he has been somewhat enlightened by the conversations they have had during the budget sessions; but he is still not too sure we are doing the best we can by our firemen, particularly the engineers and the firefighters. He would like to see some comparison with some other areas of the country, rather than North Carolina, sometime during the year.

Councilmember Carroll stated he would like to say one little remark along those same lines which involves those other park accounts that we closed out. That he would like to request the staff to consider the needs for those parks in terms of our general allocations for park improvements, specifically Cordelia Park and Allen Hills Park, where there are a couple of small accounts that we are consolidating; that we do not want them to get lost under the whole big sum but take a close look at what their needs are.

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

The ordinance is recorded in full in Ordinance Book 25, beginning on Page 482.

June 26, 1978  
Minute Book 68 - Page 239

COUNCIL AND STAFF COMMENDED FOR WORK ON THE BUDGET BY MAYOR: REQUEST WORK BEGIN ON PRODUCTIVITY STUDY.

Mayor Harris stated Council and staff should be commended as they have done a fine job on the budget in holding the line again this year, in the preparation that has been done over the past four or five months. It is about time to start on the Productivity Report; hopefully we are getting into that with great gusto in mid July. There are a lot of very important things in there that need to be looked into.

CONTRACTS AWARDED.

(a) Councilmember Locke moved award of contract to the low bidder, Donald C. Neal Construction Company, Inc., in the amount of \$9,634 for repairs to the Fire Department Maintenance Building. The motion was seconded by Councilmember Selden, and carried unanimously.

The following bids were received:

Donald C. Neal Constr. Co., Inc.	\$ 9,634.00
Laxton Const. Co.	12,500.00
R. H. Wheatley Co.	13,800.00
Blalock Const. Co.	19,465.00

(b) Councilmember Short moved award of contract to the only bidder, Kendrick Div. Boren Clay Products Co., in the amount of \$13,044 on a unit price basis, for clay brick. The motion was seconded by Councilmember Selden.

Councilmember Leeper stated he is concerned about one bid item. Mr. Brown, Purchasing Director, stated there are approximately ten other companies who are asked to bid; but they did not respond. That Kendrick is the one who has looked after our needs. He stated they have looked into possible substitutes. That he does know from a personal standpoint that we are low on this. Councilmember Leeper stated he just likes to hear that because he is concerned when there is only one bidder. Mr. Brown stated we are assured that we are getting a good price; and when he knows this for a fact, then he does not hesitate to bring it to Council.

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

CONTRACT WITH MCCALL BROTHERS, INC. TO PROVIDE TEST WELLS FOR DISCOVERY PLACE, AUTHORIZED.

Motion was made by Councilmember Locke, and seconded by Councilmember Dannelly to approve a professional services contract with McCall Brothers, Inc. to provide test wells for Discovery Place, in an amount not to exceed \$15,930.

Councilmember Selden asked that someone explain to him the \$620,000 or the \$650,000 for the heating and cooling system if the pump works? Mr. Hopson replied we went into all electric system for heating pump system, gas fired boilers, and they varied from about \$550,000 to \$650,000. They feel with the solar energy possibilities and pump possibilities here, they should try it in Discovery Place. Councilmember Selden stated he thinks it is an excellent means of heating; but he wanted to get some comparatives.

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

CHANGES IN CONSENT AGENDA REQUESTED.

Mr. Burkhalter, City Manager requested that a change be made in Item 16 (a) to change the Petition Numbers from 78-32 to 78-39 for zoning changes; and that Item 17(b) be deleted from consideration.

## CONSENT AGENDA, APPROVED.

Upon motion of Councilmember Frech, seconded by Councilmember Selden, and unanimously carried, the following Consent Agenda was approved.

## (1) Adoption of the following Resolutions setting date for public hearings:

- a) Resolution providing for public hearings on Monday, July 24, on Petition Nos. 78-32 through 78-39 for zoning changes.
- b) Resolution providing for public hearings on Monday, July 24, to consider changes to Section 8A - Floodway Regulations.
- c) Resolution providing for public hearings to consider changes to Section 18 - Subdivision Ordinance.
- d) Resolutions providing for Joint Public Hearings on Monday, July 24, to consider the designation of the Latta Arcade and Clubhouse of the Charlotte Woman's Club as Historic Properties.

The above resolutions are recorded in full in Resolutions Book 13, beginning on Page 360 and ending on Page 366.

## (2) Adoption of a resolution authorizing execution of an agreement with the North Carolina Department of Transportation for the construction of a new bridge over Sugar Creek on Nations Ford Road, with the City to pay 50% of the right of way and sanitary sewer improvement costs, at an estimated total of \$28,000.

The resolution is recorded in full in Resolutions Book 13, beginning a Page 367.

## (3) Approval of the following non-exclusive contracts for real estate broker's services in Community Development Target areas:

- a) Contract with Carson Realty Company
- b) Contract with James W. Borst.

## (4) Approval of the following contracts for water and sewer installations:

- a) Contract with William Trotter Development Company for construction of 2,085 linear feet of 8-inch, 6-inch and 2-inch water mains to Serve Sardis Forest III, Map 3, outside the city, at an estimated cost of \$15,900, all at not cost to the City.
- b) Contract with Westminster Company for the construction of 1,099 linear feet of 8-inch sanitary sewer main to serve Eastwoods, Section 4, outside the city, at an estimated cost of \$21,980, all at no cost to the City.

## (5) Adoption of the following ordinances ordering removal of trash, rubbish, junk, weeds and tree limbs:

- a) Ordinance No. 93-X ordering removal of weeds and grass from 1611 Newcastle Street.
- b) Ordinance No. 94-X ordering removal of weeds and grass from vacant lot adjacent to 1936 St. Mark Street.
- c) Ordinance No. 95-X ordering removal of weeds and grass from vacant lot at corner of Cummings Avenue and Newland Road.

(continued)



June 26, 1978  
Minute Book 68 - Page 241

- (d) Ordinance No. 96-X ordering removal of trash, rubbish and tree limbs at 2118 Gilbert Street.
- (e) Ordinance No. 97-X ordering removal of weeds and grass from vacant lot adjacent to 5509 Racine Avenue.
- (f) Ordinance No. 98-X ordering removal of weeds and grass from 2201 Milton Road.
- (g) Ordinance No. 99-X ordering removal of weeds and grass from lot behind 2245 Marbetta Lane.
- (h) Ordinance No. 100-X ordering removal of weeds, grass, trash and junk from vacant lot at 212 North Summit Avenue.
- (i) Ordinance No. 101-X ordering removal of weeds, grass, junk and trash from vacant lot at 214 North Summit Avenue.
- (j) Ordinance No. 102-X ordering removal of weeds and grass from vacant lot adjacent to 409 Wake Avenue.
- (k) Ordinance No. 103-X ordering removal of weeds and grass from vacant lot at 216 Mill Street.

The ordinances are recorded in full in Ordinance Book 26, beginning at Page 1.

(6) Property Transactions authorized:

- (a) Acquisition of 15' x 409.42' of easement off Idlewild Road at west end of Drifter Drive right of way, from John Crosland Company, at \$1.00 for sanitary sewer to serve Idlewild South - Section 2.
- (b) Acquisition of 40' x 1,809.47' at 10331 Nations Ford Road, plus construction easement, from Vulcan Materials Company, at \$1,800, for Big Sugar Creek Interceptor.
- (c) Acquisition of 15' x 1,747.96', plus construction easement, at 333 Jeremiah Boulevard, from Northside Baptist Church of Charlotte, N.C., Inc., at \$3,600, for Annexation Area I Sanitary Sewer.
- (d) Acquisition of 7.5' x 702.14' x 15' x 518.10', plus temporary construction easement, at 2626 North I-85 Service Road, from Pearl McCorkle Flowe, Edgar A. Flowe, Margaret B. Wilson, at \$1,738, for Annexation Area I Sanitary Sewer.
- (e) Acquisition of 15' x 301.50' of easement, plus construction easement, at 4633 North I-85 Access Road, from George R. Hoover, Dorothy N. Hoover, Virginia H. Johnson and Ila H. Everett, at \$651, for Annexation Area I Sanitary Sewer.
- (f) Acquisition of 15' x 181.74' of easement, plus construction easement, at 4517 North I-85 Access Road, from George R. Hoover and Dorothy H. Hoover, at \$362, for Annexation Area I Sanitary Sewer.
- (g) Acquisition of 35.51' x 5.24' x 32.97' of easement, plus temporary construction easement, at 6949 Virginia Circle, from Kathryn W. Beaty (widow), at \$36 for Annexation Area 8 Sanitary Sewer.
- (h) Acquisition of 15' x 106.86' of easement, plus temporary construction easement, at 3528 Friar Street, from Vernon M. Moore and wife, Virginia S., at \$107, for Annexation Area 8 Sanitary Sewer.
- (i) Acquisition of 15' x 68.27' of easement, plus temporary construction easement, at 4250 South I-85, from Robert E. McCatherine Jr., and Julian O. McCatherine, at \$69, for Annexation Area 8 Sanitary Sewer.
- (j) Acquisition of 15' x 185.01' x 20' x 162.90' of easement plus temporary construction easement, at 1334 Niagara Drive, from Franklin Richard Bryon and wife, Essie G., at \$399, for Annexation Area 8 Sanitary Sewer.
- (k) Acquisition of 15' x 342.04 feet of easement, plus temporary construction easement, at 3.39 Acres on McDonald Road, Paw Creek, N. C., from Gilbert Clyburn and wife, Ruby L., at \$343, for Annexation Area 8 Sanitary Sewer.
- (l) Acquisition of 15' x 230.27' of easement, plus temporary construction easement, at Thrift Road, from Willie A. Payseur and wife, Annie B., at \$230, for Annexation Area 8 Sanitary Sewer.

June 26, 1978  
Minute Book 68 - Page 242

- (m) Acquisition of 15' x 48.01' of easement, plus temporary construction easement, at RFD 14, Box 137 (Thrift Road) from Stephen H. Lockman and Sherry W. Lockman, at \$50, for Annexation Area 8 Sanitary Sewer.
- (n) Acquisition of 15' x 108.68' of easement, plus temporary construction easement, at 3132 Kendrick Drive, from Mary L. Crane, at \$109, for Annexation Area 8 Sanitary Sewer.
- (o) Acquisition of 15' x 177.24' of easement, plus temporary construction easement, at 2301 Laurelwood Circle, from James T. Pinkston and wife, Betty S., at \$178, for Annexation Area 8 Sanitary Sewer.
- (p) Acquisition of three parcels of property in Five Points Community Development Target Area:
  - 1.) 3,920 sq. ft., at 201 McCrorey Avenue, from Wells Construction, at \$1,100.
  - 2.) 4,225 sq. ft., at 203 McCrorey Avenue, from David Kinney, at \$1,300.
  - 3.) 3,223 sq. ft., at 209 McCrorey Avenue, from David Kinney, at \$1,000.

COMMENTS ON TEST WELL.

Mr. Burkhalter, City Manager, stated in connection with the test wells, he is looking into that very carefully; he is very concerned about this. Number one, he does not know if we should be setting the precedent of using underground water or not; he is not quite sure we should do this. If we do, we may encourage many large users, and he needs to know the effect on the water table and such. Second, the ones he has been involved with have not been the most satisfactory operations, and he thinks it should be looked at very carefully. The idea is excellent; there is no better way to get uniform heat than out of the ground.

MOTION TO PLACE NON-AGENDA ITEM ON AGENDA.

Councilmember Cox moved that Council place on the agenda the consideration of the extension of the Homemaker UpJohn Contract. The motion was seconded by Councilmember Locke, and carried unanimously.

CONTRACT WITH HOMEMAKER UPJOHN EXTENDED THROUGH JULY 31, 1978.

Councilmember Cox moved that the existing contract with Homemaker UpJohn be extended for one month, through July 31. The motion was seconded by Councilmember Locke.

Councilmember Cox stated the Homemaker UpJohn contract is to be upgraded this year to include screening for diabetes, heart disease, glaucoma and sickle cell anemia. That Ms. Peggy Beckwith has been before Council several times on sickle cell anemia; and Councilmember Gantt requested at the last meeting that consideration of the new contract be deferred until he returns on July 10. The existing contract with Homemaker UpJohn Chore Services expires on June 30, and we are asking the man to go through the month of July without a contract. So he came to him and asked that the existing contract, just the Chore Services part of the contract, be extended. Councilmember Cox stated he suggested the 30 days to allow us to consider the additional part of it - the medical services part, and do whatever we chose to do with that part of it.

He stated the addition to the contract is about \$17 to \$20 thousand dollars. That the extension would be 1/12 of the existing contract. Mr. Burkhalter stated the new contract will be more than the present contract; so there will be sufficient funds. Councilmember Cox stated the controversial part is not the Chore services part but the sickle cell part. The presumption on his part that Council would extend, regardless of what it did with the sickle cell part, the Chore services part. If that is a valid presumption, he thinks Council should act today.

June 26, 1978  
Minute Book 68 - Page 243

Mr. Burkhalter stated he feels he should share with them that the staff will probably not recommend that Ms. Beckwith get a \$52,000 contract. They probably will recommend, or could recommend, that she be designated to do a certain portion of the service that is being performed in the existing contract - the testing which she is qualified to do, etc., not the whole program that she talked with Council about.

Councilmember Locke stated that on Wednesday night at a meeting of COG they will do an A95 review, and the Association of Sickle Cell Disease for Charlotte/Mecklenburg is asking for federal grants totalling \$21,000 and the local in kind is \$10,000. She asked if Mr. Sawyer knows anything about that? He replied he knows nothing about this.

Ms. Locke stated she is curious about it; that she does not know whether it is City money or County money, but imagines that what they are asking in kind is City and County. She stated they may not be funded, but that is what they are asking.

Mr. Sawyer stated they have had a proposal from Ms. Beckwith in the past, in the amount of about \$52,000. That at the last Council meeting Councilmember Leeper asked him to pull out that portion of the present contract that represented the cost of the Sickle Cell screening and they have done that - it came to about \$4,500 to \$5,000. Since then, he thinks Ms. Beckwith has been out of town and will not be back until this Wednesday.

Ms. Locke advised Mr. Sawyer that the number of the COG application is 78135. She suggested he talk with Councilmember Gantt about it in order to get some more information.

The vote was taken on the motion to extend the present contract for one month and carried unanimously.

#### COUNCIL RULES SUSPENDED TO CONSIDER NON-AGENDA ITEM.

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

#### PERMISSION GRANTED MINT MUSEUM AUXILIARY TO SELL WINE AT PARK CENTER; CITY MANAGER TO BRING BACK TO COUNCIL AN OVERALL POLICY IN THIS AREA.

Mr. Burkhalter stated the Women's Auxiliary of the Mint Museum has requested permission to sell wine at the benefit Antique Show planned for Park Center from September 21 to October 1. They did that last year and it was very successful; it helped to supplement their funds.

Councilmember Leeper asked if there have been any other similar requests? Councilmembers recalled there was a request for beer to be sold at a bicycle race, the Oktoberfest, the International Festival in the park, and that this request by the Mint Museum Auxiliary was granted last year.

Mr. Burkhalter stated that probably what they ought to do somewhere down the line, since the Park and Recreation Department is now part of the City, is to remove that restriction. They cannot use these places without City permission to begin with and we can control that.

Councilmember Leeper stated he does not have any real objection to their selling wine, but he just wanted to make sure that we have a policy that applies equally to everyone.

Mayor Harris stated we ought to have a policy for the operation of those facilities; is there anything legally in the ABC rules that prohibits this?

Mr. Underhill, City Attorney, replied there is a provision in the City ordinance regarding conduct in public parks, and the definition of parks includes Memorial Stadium and Park Center. It states that no person shall bring alcoholic beverages, beer or wine into a park. But, again there is the

June 26, 1978  
Minute Book 68 - Page 244

exception which states that the provision shall not apply to the sale and dispensing of beer and wine in any park in connection with community-wide celebrations of national, state or city events on such occasions and upon such terms as are approved by the commission (this having been written prior to the commission becoming a department).

Councilmember Leeper asked Mr. Burkhalter to bring something back to Council on an overall policy. Mayor Harris added also at the Civic Center and the Auditorium. Mr. Underhill replied this ordinance only applies to the parks, it does not cover the other facilities. Mayor Harris asked if we have an ordinance prohibiting this at the other facilities, and Mr. Underhill replied no, unless there are State ABC regulations.

The motion to approve this request was made by Councilmember Selden, seconded by Councilmember Dannelly, and carried unanimously.

#### ANNOUNCEMENTS BY THE CITY MANAGER.

Mr. Burkhalter stated he recently sent to Councilmembers a report of the Public Monument Committee; that he has heard no objections and unless there are strong objections, they will start utilizing the recommendations which were made.

He also announced the following meetings and events:

- Park Towne Terrace Dedication - Wednesday, June 28, at 10:30 a. m.
- Planning and Public Works Committee - changed to Thursday, July 6, at 3 p. m.
- Council/Manager Luncheon - July 10; the Woodlawn Plan and SouthPark Plan will be discussed.

He advised that the Community Relations Committee meeting originally scheduled for Wednesday, June 28, has been cancelled.

#### COUNCILMEMBER COX'S RESOLUTION ON BALANCED GROWTH TO BE PLACED ON EARLY AGENDA FOR DISCUSSION.

Councilmember Cox stated he has sent Councilmembers copies of a resolution, and his comments regarding Balanced Growth and moved that this item be placed on the agenda at the earliest possible time for consideration and possible action. The motion was seconded by Councilmember Carroll.

Mayor Harris stated it is his belief that should be referred to the Planning and Public Works Committee since it is something that has to be looked at in depth. Mr. Cox replied he thinks it would be useful to have the discussion by Council and then decide if they would like to refer it to the committee, recognizing, of course, that the Planning and Public Works Committee has a tremendous backlog before it right now. Taking that into consideration, if the Council desires to do that, then that would be the proper time to ask for it.

Councilmember Selden stated the philosophy of growth control is a rather sound one. There are a great many pitfalls and the need for a great deal of fundamental education. That there has been a misconception of population growth, particularly as expressed in the news media, since liquor-by-the-drink was passed, and to get into a wide discussion in Council before it has been thoroughly evaluated in committee would be a mistake.

Councilmember Trosch stated at this point the Committee is delving so deeply into the Planning process that perhaps that is the place where this could continue. That she somewhat sees the cart before the horse in that she does not see this as a simple process. She sees it as one of the largest task we will probably undertake; and it is exactly a part of what Council has requested the Committee to do.

June 26, 1978  
Minute Book 68 - Page 245

Councilmember Short stated he believes this would be better addressed in the committee first.

Councilmember Cox stated he spent a lot of time in trying to describe his attitude on this matter. That he would suspect that each of the Councilmembers would suspect that he would want to approach this matter very, very cautiously and they would be 100 percent right. He realizes, and hopes each of them realizes, the tremendous primary and secondary kinds of implications that even discussing this policy will have on the community. In spite of that, and after discussing it with Mr. Fred Bryant who assured him that he already has much of the information which he was requesting, and thinking that the matter that he calls central is just the requesting of that information and the presentation of it before Council, he felt that was a cautious and responsible course to take.

He stated he does not want to jump into this thing rapidly at all; that Mr. Selden is exactly right; we need a lot of public discussion and a lot of public education. It was for that reason that he felt that the Planning Commission's presentation might be useful to Council and to the members of the public at large. That is why he did it. That it will take them several months to come back with that information. He really does not think they are jumping too rapidly into this "frying pan," but if Council desires to have it referred to the Planning and Public Works Committee, then he would suggest that they vote on his motion.

Mayor Harris stated he read Mr. Cox's memo very thoroughly, in fact three times; that he raises the questions but does not give any answers.

Mr. Cox replied he has never, never been able to effectively target a solution to a problem until he understood the problem. That, as those who read the newspaper article yesterday will know, the Mayor's comment is very common - it said they heard a lot of problems but did not hear any solutions. That is precisely what he wanted to do. He does not want to offer any solutions because he does not know, in his own mind, what the ultimate problem is. It does not make sense to him to start with a set of solutions and then go around looking for a problem. That is the whole message behind his attitude; that he thinks it reflects a very cautious and conservative point of view.

Mr. Burkhalter, City Manager, stated there is something here that might be well looked at. That he assumed Mr. Cox had talked with Mr. Bryant; but there are so many things that are already addressed. As late as today at lunch, he heard extreme concern about what is going to happen in this city in the next few months and years. He suggested they have the Planning Director to come over and tell them what has been done, and what is being done.

Councilmember Chafin stated she fully agrees; that this is something they have been talking about since this new Council took office; that Mr. Cox is right - until we have a presentation from the Planning Staff, she does not know what they would refer to the Planning and Public Works Committee. That they need the presentation before they begin to develop a set of specific policies, to better understand the problem and to better understand the impact of some of the decisions that are being made right now.

Councilmember Short stated he has the feeling that to take up this extremely broad and more and more critical question in the context of a Council meeting on a Monday afternoon at any time is out of order, or will not be as good and as productive as some other means. This is the reason that he suggested it should first go to the committee. It would be excellent, for example, if at Boone they had had a whole afternoon where they could just chew on this matter for a while. He thinks Mr. Burkhalter's comment is very appropriate; he does not know that they would ever come to grips with so broad and so critical a question during the context of an agenda. For that reason, he suggests that they try to either route it through a committee or at least divide it into compartments and that they then try to discuss it on some occasion that they are not dealing with a numbered agenda and trying to get a lot of other things done.

June 26, 1978

Minute Book 68 - Page 246

Councilmember Selden stated that before liquor-by-the-drink was passed in the State Legislature, there was a Planning Commission projection of population, and even some debate about whether this population projection was realistic, too high or too low - he will not go into that. But, since the legislation was passed in the Assembly we suddenly have a flurry of news accounts of the tremendous growth that is to be expected in Charlotte, and there has not even been a re-evaluation, if there needs to be one, insofar as the demographic response to this new law, or the other things that are impacting the area. That must come before they really get into dealing with how big is the problem and how are they going to address it. This is why he feels that it really needs to be dealt with in a small area - the Planning Commission, the Planning and Public Works Committee, or what have you. Some of these problems should be resolved before it even comes to the evaluation or the size of the problem.

Councilmember Dannelly stated he agrees with Councilmembers Selden and Short to the extent that a presentation to Council at a regular meeting would be a difficult thing to do because of the short length of time. But, he agrees with Councilmember Cox to the extent that he does not think he wants the committee to deal with it until that committee can hear some of his input at some presentation. He suggested that the Manager set up a luncheon presentation sometime in the near future when the Planning Commission could give them a presentation; then they can have some discussion and charge the committee.

Councilmember Trosch stated her problem is she is having trouble getting a handle on exactly what they are asking them to do.

Mayor Harris stated that he believes what they are saying here, and what he is hearing Mr. Burkhalter saying, is that they are not looking for solutions necessarily, but merely brainstorming to find out what are the alternatives and that kind of thing; what is happening.

Mr. Burkhalter stated he does not wish to embarrass anyone, but if he would ask for a show of hands of everybody on this Council who knows right now what the Planning Commission has done and is doing in this direction, they would see very few hands. He wants them to know first what is being done. Obviously, he does not want any debate or answers as to what to do, but he would just like for Councilmembers to know all of the things that are being done. It does not matter to him when they do it.

Councilmember Short stated what they need is an all-day session out at the University of North Carolina - a Saturday session. Mr. Burkhalter replied that does not come until after they, as Mr. Cox has said, have looked at this and first identified the problem. He stated the Planning Committee is going to do this whether they have asked them to or not; they are in the process of doing it.

Mayor Harris stated they have scheduled this Woodlawn thing on July 10th; that he would rather spend an hour with Bob Landers and members of the Planning Commission hearing them talk about this subject than in getting into a situation like that, because that is another indication of putting a bandaid on a problem.

Councilmember Short stated he does not see that this is related to Woodlawn at all.

Councilmember Locke stated Mr. Short's idea is the best suggestion, that they have a work session. This is what they need to do.

Councilmember Cox stated he would remind Council that the motion before them is to put it on the agenda, but they are already talking about it. That the motion he attached to his thoughts about it, had two parts to it. The second part said to do exactly what the City Manager said - to report, not take any action, but just to report on what the Planning Commission is doing about this "problem." The first part of his motion was what he thought would tie them up for a couple of months and would integrate the information they have right now and it can be done; that most of it Mr. Bryant said is already in the Comprehensive Plan; it is very simple to have the Planning Commission,

Mr. Burkhalter stated it is not necessary for Council to take action. He can let the bid tomorrow morning, but did not want to do it without giving Council this information; that they will need another \$10,000.

Mayor Harris asked a related question "What happened to our transit improvements on the square?" Mr. Burkhalter stated the last he heard was that it was just about to be approved. That he thinks the hurdle has been cleared nationally, but he does not believe it has been cleared regionally. He thinks they will want to hear that again before they make the final move.

#### RULES SUSPENDED TO CONSIDER RESOLUTION BY COUNCILMEMBER CARROLL.

Councilmember Carroll stated the Mecklenburg Legislative Delegation did an extraordinarily good job in that Charlotte got everything they requested. He moved that the rules be suspended in order to offer a resolution of thanks. The motion was seconded by Councilmember Short and carried unanimously.

#### RESOLUTION OF APPRECIATION TO THE MECKLENBURG LEGISLATIVE DELEGATION.

Councilmember Carroll stated he understands from talking with Mr. Underhill that Senator Craig Lawing at one point had to get the rules suspended in both houses just to get the bus weight limitation legislation considered; and that Senator Alexander went to one committee that he was not even a part of to get something done when it looked like it was about to die. He really thinks they have done a good job.


He moved that Charlotte City Council hereby extend its sincere thanks to the Mecklenburg County Delegation to the North Carolina General Assembly for their work, diligence and zeal in the last session on behalf of the citizens of Charlotte in promoting the legislation requested by the Charlotte City Council. The motion was seconded by Councilmember Chafin and carried unanimously.

#### CHANGE IN BY-LAWS FOR UPTOWN DEVELOPMENT CORPORATION.

Councilmember Carroll stated he talked with Mayor Harris this morning about the proposed Uptown Development Corporation by-laws. He suggested one change which was that the Mayor's appointments be with the approval of Council so that they could have some dialogue with him on the people to be appointed. The Mayor readily agreed that was a good idea.

#### ADJOURNMENT.

The motion for adjournment was made by Councilmember Locke, seconded by Councilmember Trosch, and carried unanimously.

  
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Ruth Armstrong, City Clerk