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The City Council of the City of Charlotte, met in regular session on Monday, April 17, 1972, at 3:00 o'clock p.m., in the Council Chamber, City Hall, with Mayor John M. Belk presiding, and Councilmembers Fred D. Alexander, Ruth M. Easterling, Sandy R. Jordan, Milton Short and Joe D. Withrow present.

ABSENT: Councilmembers James D. McDuffie and James B. Whittington.

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#### INVOCATION.

The invocation was given by Councilman Sandy R. Jordan.

#### APPROVAL OF MINUTES.

Upon motion of Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, the minutes of the last meeting, on April 10, 1972, were approved as submitted.

#### CITY OF CHARLOTTE EMPLOYEE PLAQUE PRESENTED TO SERGEANT JEROME WILLIAMS.

Mayor Belk recognized Police Sergeant Jerome Williams and presented him with the City of Charlotte Employee Plaque on his retirement from the Police Force. Sergeant Williams was employed on September 16, 1951 and retired April 1, 1972.

#### RESOLUTION CLOSING PORTION OF LYDIA STREET IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA.

The public hearing was held on petition of Bill Johnson and wife, Warren C. Elmore and wife, Willie J. Robeson and wife, and Laurene B. Harris to close a portion of Lydia Street, between Matheson Avenue and Leigh Avenue.

Mr. Cart Carmichael, Attorney for the petitioners, stated everyone connected with the street closing is a petitioner, and there would be no one who would have a basis for objections.

Mr. Bobo, Assistant City Manager, stated this is a one block section that connects 30th Street to Leigh Street, and it has been reviewed by the Planning Commission, Traffic Engineer, Public Works Department and Utility Department and each concurs that the city has no future need for the right of way.

Councilman Short stated this enlarges the yards of those on either side of the little turn in; that there have been a number of people interested in enlarging their yards in this way. They are now maintaining this strip. Mr. Bobo advised that 1/2 of the street would revert to the property owner on each side of the right of way.

No opposition was expressed to the street closing.

Councilman Jordan moved adoption of the resolution closing portion of Lydia Street in the City of Charlotte, Mecklenburg County, North Carolina. The motion was seconded by Councilman Alexander, and carried unanimously.

The resolution is recorded in full in Resolutions Book 8, beginning at Page 229.

#### PETITION NO. 72-20 BY KNARF INVESTMENTS, INC. FOR A CHANGE IN ZONING OF PROPERTY EXTENDING FROM MERRY OAKS ROAD TO FLYNNWOOD DRIVE, BEGINNING 200 FEET NORTH OF CENTRAL AVENUE, DEFERRED FOR ONE WEEK.

The subject petition was presented for Council's consideration for a change in zoning from R-9 to R-6MF.

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Councilman Short stated he has a note from Councilman McDuffie, who is in Europe, stating his opposition to placing R-6 density in this location, and this is a part of town Councilman McDuffie is familiar with.

Councilman Short stated he has not had a chance to look at this property, and he moved that consideration of the petition be deferred for one week. The motion was seconded by Councilman Jordan, and carried unanimously.

Councilman Withrow stated County Commissioner Harris told him that the County Commissioners are going to go over the zoning classifications and they have come to the conclusion that R-6MF is too dense to be placed anywhere in the county. Councilman Withrow stated he thinks Council should do the same. He stated with the amount of property we have available around the city, the R-6MF is too dense, and Council should take this into consideration.

Mayor Belk requested Assistant City Manager Bobo to pass these comments to the Planning Commission and ask for a report back to Council.

RESOLUTION PROVIDING FOR PUBLIC HEARINGS ON PETITIONS FOR ZONING CHANGES.

Upon motion of Councilman Alexander, seconded by Councilman Withrow, and unanimously carried, subject resolution was adopted providing for public hearings on Monday, May 15, on Petitions No. 72-21 through 72-23 for zoning changes.

The resolution is recorded in full in Resolutions Book 8, at Page 231.

RESOLUTIONS AUTHORIZING CONDEMNATION PROCEEDINGS.

Motion was made by Councilman Withrow, seconded by Councilman Short, and unanimously carried, adopting a resolution authorizing condemnation proceedings for the acquisition of property belonging to A. Lloyd Goode Contracting Company, located at 117 East Fifth Street, in the City of Charlotte, for the widening of East Fifth Street.

The resolution is recorded in full in Resolutions Book 7, at Page 232.

Councilman Jordan moved adoption of a resolution authorizing condemnation proceedings for the acquisition of property belonging to Henry G. Nash, Jr. and wife, Rosa S. Nash, located at southeastern intersection of Nations Ford Road and Hebron Street in the City of Charlotte for the Kings Branch Outfall Sanitary Sewer Construction. The motion was seconded by Councilman Short, and carried unanimously.

The resolution is recorded in full in Resolutions Book 8, at Page 233.

PROPERTY TRANSACTIONS AUTHORIZED.

Upon motion of Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, the following property transactions were authorized:

- (a) Acquisition of 79.35' x Arc 70.70' x Arc 16.54' x 19.13' at 725 Belmont Avenue, from Sallie Mae Slade (widow) Life Estate, Norma Jeanne S. Riddick and Robert G. Riddick, Louella B. Watson, Caesar Blake and Watson C. Blake, at \$617.00, for the Belmont Neighborhood Improvement Project, for Belmont Avenue Street realignment.
- (b) Acquisition of 5.22' x 83.41' x 83.03' of easement at 2200 Interstate 85, from State of North Carolina Highway Commission, at \$1.00, for Interstate 77 Sanitary Sewer Relocation.

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- (c) Acquisition of 25' x 807.40' of easement at 4700 Beatties Ford Road, from State of North Carolina Highway Commission, at \$1.00, for Interstate 77 Sanitary Sewer Relocation.
- (d) Acquisition of 25' x 491.09' of easement at 5933 Millhaven Lane, from State of North Carolina Highway Commission, at \$1.00, for Interstate 77 Sanitary Sewer Relocation.

CONSTRUCTION OF SANITARY SEWER TRUNK, APPROVED.

Motion was made by Councilman Withrow, seconded by Councilman Short, and unaimously carried, approving the request of Henry I. Flinn, Inc. for the extension of 950 lineal feet of 8-inch sanitary sewer trunk, to serve Hilo Lodge Apartments on North Tryon Street, inside the city, at an estimated cost of \$11,400.00 with all cost of construction to be borne by the applicant whose deposit in the full amount has been received and will be refunded as per terms of the agreement.

ORDINANCE NO. 439-X AUTHORIZING THE TRANSFER OF \$4.0 MILLION FROM THE SALE OF AIRPORT REVENUE BONDS TO VARIOUS ACCOUNTS.

Councilman Jordan moved adoption of subject ordinance authorizing the transfer of \$4.0 million from the sale of Airport Revenue Bonds, Series 7403 to the following accounts:

(a) Master Plan Land Acquisition	\$3,000,000
(b) Strengthen Terminal Building Aprons and Bypass Taxiways	775,000
(c) Plans - 1st Stage New North-South Runway	225,000

The motion was seconded by Councilman Withrow, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 19, at Page 51.

Mr. Josh Birmingham, Airport Manager, stated this will allow them to begin immediately to purchase the remaining 500 acres of land necessary to accommodate the Master Plan expansion which they hope to have completed in the latter part of this year.

Later in the meeting, Councilman Short asked Mr. Birmingham to give Council a little basic financial picture on the airport expansion. That the \$4.0 million is the authorized bond sale.

Mr. Birmingham stated back in November they presented to Council an interim financing period to cover through the year 1975. Of this total of approximately \$9.0 million, approximately \$5.0 million is ADAP funds, and the city's part is the \$4.0 million. This basically covers the completion of the Master Plan land acquisitions to accommodate the new runway, and to accommodate the new terminal building. That is estimated at approximately \$3.0 million. That does not include funds the airport has already expended in acquiring the presently owned 600 acres purchased since 1968 - that is some \$2.4 million. Mr. Birmingham stated they are applying for federal grants for all the land purchased to date. They owe the city about \$1.4 million in ADAP funds now, which the city has not been able to get because they have not satisfied all the criteria on the certification of the parcels presently owned.

Councilman Short asked how the proposed \$6.5 million self-liquidating G. O. Bonds fit into this? Mr. Birmingham replied there is some excolation in land costs that was never accounted for which is \$2.0 million and the other \$4.0 million is to repay the revenue bonds.

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Mr. Bobo, Assistant City Manager, stated the \$4.0 million in revenue bonds is only for interim financing, and is not to be a permanent solution to the financing.

Councilman Short asked if this is related to the fact we did not have bond margin in 1969, and had to use the revenue bonds where there is sufficient bond margin? Mr. Bobo replied that is right.

Mr. Birmingham stated we do have additional funds coming in from the ADAP funds on the master plan land acquisition and the terminal ramp overlay. These are 50 percent costs.

**RESOLUTION AUTHORIZING THE REFUND OF CERTAIN TAXES LEVIED AND COLLECTED THROUGH THROUGH ILLEGAL LEVY.**

Upon motion of Councilman Withrow, seconded by Councilman Short, and unanimously carried, the subject resolution was adopted authorizing the refund of \$50.00 which was levied and collected through illegal levy against Harven Associates.

The resolution is recorded in full in Resolutions Book 8, at Page 234.

**ORDINANCES AFFECTING HOUSING DECLARED UNFIT FOR HUMAN HABITATION.**

Motion was made by Councilman Withrow and seconded by Councilman Short to adopt the following ordinances affecting housing declared unfit for human habitation:

- (a) Ordinance No. 440-X ordering the demolition and removal of dwelling at 1008 West 1st Street.
- (b) Ordinance No. 441-X ordering the demolition and removal of dwelling at 407 Wake Street.
- (c) Ordinance No. 442-X ordering the demolition and removal of dwelling at 405 Wake Street.
- (d) Ordinance No. 443-X ordering the demolition and removal of dwelling at 403 Wake Street.
- (e) Ordinance No. 444-X ordering the dwelling at 2040 Gilbert Street to be closed.
- (f) Ordinance No. 445-X ordering the dwelling at 2116-18 Kinney Street to be closed.
- (g) Ordinance No. 446-X ordering the demolition and removal of the dwelling at 616 Oakland Avenue.

Photographs of the buildings were passed around for the councilmembers to view.

No one spoke in opposition to the orders.

The vote was taken on the motion and carried unanimously.

The ordinances are recorded in full in Ordinance Book 19, beginning at Page 52.

**SPECIAL OFFICER PERMITS AUTHORIZED.**

Councilman Withrow moved approval of the following Special Officer Permits for a period of one year, which motion was seconded by Councilman Jordan, and carried unanimously:

- (a) Renewal of permit to James K. Hamlet for use on the premises of Charlotte Park and Recreation Commission.
- (b) Renewal of permit to Daniel Hoyt Shealy for use on the premises of Kings College.

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CONTRACT AWARDED ECONOLITE, DIVISION OF TAMAR ELECTRIC FOR TRAFFIC SIGNAL CONTROLLERS, CABINETS AND ACCESSORIES.

Upon motion of Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, the subject contract was awarded the low bidder, meeting specifications, Econolite, Division of Tamar Electric, in the amount of \$35,910.30, on a unit price basis, for traffic signal controllers, cabinets and accessories.

The following bids were received:

Econolite, Div. of Tamar Elec.	\$35,910.30
Eagle Signal	36,854.52
Southeastern Safety Supplies	37,000.00
Rosenblatt & Associates	37,777.00

The following bid was received which did not meet specifications:

Traffic Engineers Supply Corp.	\$30,238.00
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CONTRACT AWARDED MILL POWER SUPPLY COMPANY FOR CONDUCTOR WIRE AND CABLES.

Motion was made by Councilman Jordan, seconded by Councilman Short, and unanimously carried, awarding contract to the low bidder, Mill Power Supply Company, in the amount of \$3,266.58, on a unit price basis, for conductor wire and cables.

The following bids were received:

Mill-Power Supply Company	\$3,266.58
Southeastern Safety Supplies	3,501.36

ASSISTANT CITY MANAGER REQUESTED TO HAVE THE PERSONS CHANGING STREET NAME SIGNS TO COORDINATE EFFORTS WITH PLANNING COMMISSION AND POST OFFICE.

Councilman Withrow stated he received a call from someone who lives on the Old Thrift Road. That at some time the Public Works office went out and changed the signs on Old Thrift Road to Freedom Drive, but they did not notify the Planning Commission, the Post Office nor anyone. The people have been receiving their mail on Freedom Drive, and no one else knows about it. There is no coordination.

He requested Mr. Bobo, Assistant City Manager, to see that this coordination is made, so the people can get their mail straightened out.

Mr. Bobo stated it is known as Freedom Drive inside the city. That the County Public Works Department is now putting up signs in the county, and they probably just picked up the name of Freedom Drive. He stated he will contact them about coordinating the changing of the street signs.

RESOLUTION ENDORSING EARTH WEEK BEGINNING APRIL 17, 1972.

Councilman Short stated the President of the Metrolina Environmental Concern Association says the Association would like for the City Council to approve Earth Week, by adopting the following resolution:

"WHEREAS, citizens across America who are concerned with maintaining a healthful and beautiful environment have set aside the week beginning April 17, 1972, as third annual Earth Week; and

WHEREAS, Charlotte City Council endorses Earth Week as a means of focusing nationwide attention to the care we must give our soil, water and air;

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THEREFORE, Charlotte City Council does commend to all citizens of the City the active observance of Earth Week, and expresses appreciation to Metrolina Environmental Concern Association for its leadership in sponsoring Earth Day Eve Rally, Earth Day Can Recycling Drive and Clean Water Bond Referendum Promotion."

Councilman Short moved adoption of the resolution. The motion was seconded by Councilwoman Easterling.

Mr. Wheeler, Public Information Director, stated Friday, at 5:00 o'clock at Freedom Park, is Earth Eve Rally. This whole rally is built around the water bond referencum. The people promoting this invite all the Councilmembers to come up and give their views on ecology and the state of the environment. This will be a big rally and there will probably be five to ten thousand people present.

Mr. Wheeler stated in connection with the Clean Water Bond, Mayor Belk last week named Dr. Michael Golden, Chairman of the promotion, and named Mr. Dick Pierce, as Vice Chairman.

Mayor Belk stated this is an excellent program. That he is glad Dr. Golden accepted the Chairmanship. These are two excellent men.

The vote was taken on the motion and carried unanimously.

Councilman Short advised that the Mayor has declared this Earth Week also.

PLANNING COMMISSION REQUESTED TO CONSIDER SITE PLAN APPROVAL FOR BUSINESS AND OFFICE AREAS IN CERTAIN SITUATIONS.

Councilman Short stated he has discussed with some of the Planning Staff whether we need site plan approval for a shopping center project and the larger type office type projects. We now have site plan approval for multi-family projects where more than one building is involved.

He stated from time to time some of the Councilmembers and some of the citizens in zoning matters have brought up some points with reference to offices and business areas which if it had been an apartment project would have been covered by the site plan approval that we now have.

He stated he is referring to things like deceleration lanes; proper placement of dumpsters; easy access for fire trucks; postal identification; better protection of nearby residential area; pedestrian safety on the private properties; use of bumper blocks; leaving of some green space in an office and business area; better handling of water runoff and storm drainage; saving of trees; and even such things as having a room for someone who gets sick at a shopping center.

Councilman Short stated in discussing this with some of the staff, and in particular Mr. Fred Bryant, he got the comment that this is done in some places. That we are now underway with this sort of thing in apartments, and should consider extending this to certain office and shopping center situations. That they would be glad to have and would want to have requests from Council to proceed with consideration of this. That in particular the matter of deceleration lanes was mentioned.

Councilman Short moved that Council request the Planning Commission to consider site plan approval for business and office areas in certain situations that they will detail. The motion was seconded by Councilman Withrow, and carried unanimously.

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NOMINATIONS FOR THE AUDITORIUM-COLISEUM-CIVIC CENTER AUTHORITY.

Councilman Alexander placed in nomination the name of Mr. Seedon Goode to serve on the Auditorium-Coliseum-Civic Center Authority.

Later in the meeting, Councilman Short placed in nomination the name of Mr. Jerry Tuttle.

COUNCIL ADVISED THAT REPRESENTATIVES FROM STATE HIGHWAY DEPARTMENT WILL BE IN CHARLOTTE ON TUESDAY, APRIL 18 TO WORK OUT PLANS FOR ALLEVIATING PROBLEMS AT INTERSTATE 85 INTERSECTIONS THROUGH CHARLOTTE.

Councilman Alexander stated he would like to talk about a problem he has been concerned with for months. This is the problem on Beatties Ford Road at I-85. That he has talked about this problem for some time and has asked that necessary contacts be made to see what could be done about the problems. He stated he was told that there were answers that he could not get because of the fact that some of it was in the city and some of it was in the county, and the State had certain jurisdictions. These efforts were continued, and finally answers were received from the State Department as to what would take place. He stated he cites this to say that all things to the contrary, prior things were moving as they had been promised.

Councilman Alexander stated in connection with the closing of the bridge on Beatties Ford Road, the traffic problem was a little different and a little more complex than at Sugar Creek Road. That as they heard Mr. McDuffie state, a traffic light was to be put and is being installed on Sugar Creek and I-85.

At the Beatties Ford Road, which requires a different type consideration, this bridge is to be completely closed and teams from the State Highway Department will be in Charlotte on Tuesday, April 18, 1972 to work out plans that will make it as convenient as possible for the flow of traffic at this point. Further, the State personnel will be looking over and studying all the problems at I-85 and Beatties Ford Road, and all other points along I-85 where problems are existing. On Beatties Ford Road they will look forward to and study the rerouting or officer control of traffic as necessary. Whatever is reasonably necessary will be implemented. Also on Tuesday, there will be a meeting of the Division Engineer, C. C. McBryde, and Colonel Nutt of the Highway Patrol to discuss and implement whatever is needed at any intersection along I-85. Finally, he feels these are definite answers regarding the problems of I-85. He stated they are given at this time so that no one will think whatever results come are spectacular from this point on.

Councilman Withrow asked if any of this was in the works prior to the big news releases? Councilman Alexander replied they were.

Mayor Belk stated if we are not careful we will mess ourselves up by not working with the State Highway Department as it is under their jurisdiction. He stated he knows the Highway Department has been working on this as they were in Charlotte about two weeks ago on this matter at the request of Councilman Alexander, and they took these other intersections in.

Mayor Belk stated the thing that worries him are the diamond intersections. There is another diamond intersection coming up at Sugar Creek, and he is afraid we will be back into the same thing. This will be the belt road that will go all the way around Charlotte, and with another diamond intersection there and the left turn, it will cause a problem. He stated he called the Highway Department about this, and they say you have enough to put a light up. The trouble is at Beatties Ford, Sugar Creek and at Freedom Drive there are not enough places for the left turn to do much good. The error has been in not buying enough land and not having enough money to build a cloverleaf so they use the diamond intersection. What they should have done on Sugar Creek intersection when it was under construction was to widen the diamond and make a left turn feasible.

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Councilman Short asked what type of interchange will be constructed at Eastway Drive and Independence Boulevard? Mr. Bobo, Assistant City Manager, replied that is a grade separation and cloverleaf. Eastway Drive will go over Independence with cloverleaf access ramps.

Councilman Short stated on the \$630 or \$640 thousand item on West Trade at I-77, does this get into the left turns? Mayor Belk replied it does; it does not get into it on the west side but it does on the east side as you head north going into West Trade Street back into Fifth Street.

TRAFFIC ENGINEER REQUESTED TO INVESTIGATE NEED FOR LEFT TURN LANE AT BILLINGSLEY AND RANDOLPH ROADS, AT RANDOLPH CLINIC.

Councilman Jordan requested the Assistant City Manger to have the Traffic Engineer to investigate Randolph Road and Billingsley at the Randolph Clinic. There is a real hangup on traffic there with people trying to get out and turning left and right. The traffic is so heavy in the morning. That he is sure there is enough room for the Traffic Engineer to put in another left turn so the people can get out.

REQUESTS THAT REGRETS BE EXPRESSED FOR NOT BEING ABLE TO ATTEND BOTH MEETINGS SCHEDULED FOR TONIGHT.

Councilman Jordan stated there is some conflict in engagements tonight. That some Councilmembers had already committed themselves to attend the meeting of the architects, and all were invited to the dinner honoring Dr. Bates of First Baptist Church. He stated he understands the Mayor and Mr. Short are going to attend the dinner for Dr. Bates. He asked them to express their regrets for not being there.

ADJOURNMENT.

Upon motion of Councilman Jordan, seconded by Councilman Alexander, and unanimously carried, the meeting was adjourned.

  
Ruth Armstrong, City Clerk