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The City Council of the City of Charlotte, North Carolina, met in regular session on Monday, February 9, 1976, in the Council Chamber, City Hall, at 3:00 o'clock p.m., with Mayor John M. Belk presiding, and Councilmembers Betty Chafin, Louis M. Davis, Pat Locke, James B. Whittington, Neil C. Williams and Joe D. Withrow present.

ABSENT: None.

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INVOCATION.

The invocation was given by Councilman Joe Withrow.

APPROVAL OF MINUTES.

Upon motion of Councilman Locke, seconded by Councilman Withrow, and unanimously carried, the minutes of the last meeting, on Monday, February 2, 1976, were approved as submitted.

HEARING ON THE COMMUNITY DEVELOPMENT PLAN AND THE REDEVELOPMENT PLAN FOR SOUTHSIDE PARK TARGET AREA.

The public hearing was held on the Community Development Plan and the Redevelopment Plan for the Southside Park Target Area.

Mr. Vernon Sawyer, Director of Community Development, stated the project is located approximately two miles southwest of the central business district and the central core area and is bounded on the west by Interstate 77, on the north by Tremont Avenue and a portion of Remount Road, on the east by a portion of South Tryon Street and the Southern Railroad which parallels South Boulevard, a block away, and on the south boundary by Clanton Road. This is an area of about 407 acres. The 1970 Census showed a total population of 3,581 in the entire area. The population is 99.6% black. It is significant that between the 1960 and 1970 Census this population declined better than 25%. At that time the primary decline was represented by an exodus of white population, or 99.2% of the white population did decline during that period. Located within the project area are two fairly large and significant housing projects. One is a privately owned project occupying the area generally north of Remount Road - Brookhill Village, a large rental project for those low and moderate income families. The other is the Southside Homes project owned by the Housing Authority, a fairly large project for low-rent public housing for the very lowest income families. Otherwise, there is a mixture of private housing, an industrial park, two schools - Kennedy High School and the Marie Davis Elementary School - and a mixture of commercial uses.

The classification of the area is one of rehabilitation, conservation, reconditioning and it is also a redevelopment area. It is predominately residential in character as determined by the Planning Commission study of September, 1975. A 30-acre area of the Target Area has been determined by the Planning Commission to be a blighted area. That is the area that is the subject of the redevelopment plan. The goals of the Community Development Plan and the Redevelopment Plan are to remove those conditions primarily within the area that have contributed to or caused the decline of the area, and to provide improvements that would insure long-term maintenance of a sound residential character.

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The types of community development and redevelopment actions proposed are principally acquisition, clearance and redevelopment of a selected area consisting of single family and duplex structures, and leave the structures in the residential portion that can be rehabilitated.

Councilman Whittington asked about the location of some of the houses? Mr. Sawyer replied they are along Baltimore Avenue, with two or three on Norfolk Avenue. Councilman Whittington asked about the ones on West Tremont. Mr. Sawyer replied there are no residential structures there in the project area. Councilman Whittington stated he is talking about the area between the old rock quarry down to Toomey Avenue and over to I-77. Mr. Sawyer replied there are none included in the project area. Councilman Whittington stated people who live there have been told this is in the boundary, and no one wants to do anything about their property. He requested that someone be sent out to this area and clear this up.

Mr. Sawyer stated the activities they propose with a budget of approximately \$2,796,000 is founded on a three-year program of physical activities. Of that sum \$728,000 is to be committed to the first program year. The first year will involve acquisition of property. Most of that has already been accomplished with the widening of Remount Road. Once the plan is approved and the money is available, they propose to acquire the remainder of those properties that were severed to provide the Remount Road widening and two other properties. There will be real estate acquisitions, Also, there is a vacant church at Lancaster and Southview Street they propose to purchase. There will be some improvements which are relating mostly to the improvements of Southside Park. Working in cooperation with the Park and Recreation Commission, they propose to improve Southside Park with possibly a ball field, tot lot, shelter, restrooms and parking. That is the first-year plan. In the subsequent years, during the years two and three, they propose additional acquisition of the blighted property in the Remount Road, South Tryon Street, property in Southside Homes, the vicinity of Bethlehem Center for future commercial development along Remount and residential rehabilitation. The clearance of this would provide additional industrial sites with no residential-related uses proposed in that portion of the project. There will be some realignment and the construction of streets with utilities and storm drainage in the area. Mr. Sawyer stated those are the physical developments that are proposed.

The financial plan involves the expenditure of \$728,000 for the first year, with the total for the three years being \$2,976,000. Of that first-year money, \$418,300 is proposed for real estate acquisition; \$50,000 for public improvements and site clearance; \$135,600 for relocation; \$10,000 for rehabilitation loans and grants; \$75,000 administration; and \$39,100 for contingency. That is the financing program that has been proposed and included in the plan.

The most important aspect of the plan is probably the relocation plan. All the relocation will be accomplished under the Uniform Relocation Assistance Act of 1970 which is applicable to the Community Development Program. HUD requires, and Federal regulations require, that the acquisition of any property for any particular program year requires the money for the eventual relocation be allocated during that year. That is why the relocation budget for this year is so high because they do have land acquisition scheduled and displacement anticipated in the year. In the entire three-year program for Southside Park, it is expected that 82 families and individuals, 22 businesses, and two churches will be relocated. The total relocation budget for the entire three-year program is \$408,800. There are housing resources they expect to be available for these families. They consist of the Housing Authority's program of scattered-site housing but does not include any of the Charlotte Housing Authority's existing Conventional public housing programs. They have excluded that and have

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counted only those units expected to become available through the scattered site program and have anticipated some turnover in that. Otherwise, there are private rentals that are expected to be available and housing that was available in a survey they made in November which indicated that at any given time there are a certain number of units vacant and available to families at a fair market rent. They do have available to these families who will be relocating, relocation payments depending upon the eligibility which includes moving expenses, payment for direct loss of property, fixed payments in lieu of actual moving expenses, replacing housing payments to both home owners and tenants. For businesses they have moving expenses and payments in lieu of moving expenses which are expenses for the small businesses that elect to take this in lieu of payment rather than actual moving expenses.

Ms. Annie Lee Byrd spoke in behalf of Mr. W. J. Douglas, stating they have looked at the preliminary program for the Southside Park Target Area and they will be monitoring the program very carefully. She stated there are some things in the proposal the residents did not have actual say in, but they are pleased this will come off.

Councilman Gantt questioned the relocation and the ratio of funds for the acquisition of property as opposed to public improvements that would be developed in the Southside area. In view of other rulings they have, are they going to be able to move the program with the relocation program they have now, giving a new definition to the word "relocation"?

Mr. Sawyer replied they changed some of their procedures and while they have anticipated a schedule in the number of both families and individuals who will be displaced and the housing sources that will be available, if those two do not match, then they will just not relocate. The schedule is tentative, the estimates of housing resources are tentative because they know they are there today and they can anticipate they will be there when needed in the future. If they are not, then their program stops at that point.

Councilman Gantt asked how much damage would be done to the program if they cannot relocate? Are they able to carry out any other parts of the program if they cannot meet that one-to-one match?

Mr. Sawyer replied they intend to concentrate in the area which has a residential future. He believed that with the few displacements necessary there they could accomplish it. They have a good buffer between that and South Tryon Street and the area which is scheduled to become a use other than residential. If they have difficulty with this, then they can simply slow down or maybe even curtail their operations in the area. The primary concern is the elimination of the blighted housing and getting the people living there into standard housing. Many people lose sight of the fact that blight is still the serious concern of the City and of this Council. The opportunity for better housing is Staff's main concern as it is that of Council.

Councilman Gantt stated he is never satisfied they are doing enough or sufficiently supplying the inventory to move ahead with the kind of relocation they would like to see. Apparently, they will not be able to resolve the wait-and-see attitude on relocation in every one of these target areas. He asked the location of the first year's acquisitions.

Mr. Sawyer stated in the first year that acquisition has already occurred along Remount Road and in the process these properties were severed. They will acquire the remainder that Public Works purchased for the widening. In that acquisition most of the relocation has already been accomplished in connection with the acquisition for the widening of Remount. They still have some problems with commercial relocation between Baltimore and Tryon

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and this is being treated as a special problem by the Public Works Department and the letting of the contract at Remount.

Councilwoman Chafin asked Mr. Sawyer to elaborate on the matter as a followup on their meeting several weeks ago.

Mr. Hopson, Director of Public Works, advised Council they intend to let a contract sometime in late March or April. What they are going to do is tell the contractor he cannot have this for his availability until July 1. He stated the Community Development people have assured him all the relocation will have taken place by this time. This will give him an additional ninety days to get his problems worked out. He believes there is a small store there and a barber shop. Mr. Hopson stated he sees no problem and, in fact, the project is going to be so lengthy that we could probably stand another few days if he gets into a real jam. They are taking that into consideration and are ready for his contracts on Remount.

Councilman Gantt asked Mr. Sawyer if he were in a full sense to sum up what the improvements to Southside Park would be in three years, would he say they had added anything substantial to the housing inventory?

Mr. Sawyer replied there would be a net loss in that area. Councilman Gantt stated they would actually lose housing in that general vicinity. They would improve the park area for the people who live in the two large projects above and below Remount Road. They would improve storm drainage and some streets in that area. In terms of housing conditions, they are not going to do much but in terms of commercial development they are setting aside the land for someone to possibly develop commercially. Mr. Sawyer stated there will be rehabilitation in the area of housing so there will be an improvement of housing conditions although there will not be an addition to the housing inventory. However, if some of those structures are vacant because they are below standards of occupancy and are brought up to standards and reoccupied then they could be considered an addition.

Councilman Gantt inquired as to whether anyone looked into the alternative of improving or granting some of these funds to Southside Homes for some necessary internal improvements, having the authority to do this? He stated they continually hear problems about inadequacy of public housing and we are dealing with \$2.9 million in this very community. It seems to him if they are not going to add any housing to the stock, then maybe they ought to look at the potential of improving that which they do have so the people there might be relieved.

Mr. Sawyer stated he did not believe Community Development Funds can be offered to the Housing Authority. The two programs are parallel in that they do have common goals of providing funds for better housing.

Councilman Gantt questioned if some of those funds could be used for landscaping, for improvements in security lighting or for other things.

Mr. Sawyer indicated he did not believe this could be done in an existing housing project but would investigate it. It is his understanding that in all other instances the monies are separate. The Housing Authority has its source of funds and certain programs, and this money is separate from that. They cannot spend it directly to create housing, new housing, or new construction.

Councilwoman Chafin moved that decision on the plans be deferred for two weeks. The motion was seconded by Councilman Gantt, and carried unanimously.

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COUNCIL REAFFIRMS THE POSITION OF PRIOR COUNCILS AND REQUESTS THE STATE TO PROCEED TO COMPLETE THE INNER BELT ROUTE AS QUICKLY AS POSSIBLE.

Councilman Whittington stated in Council's desire to serve the entire population of the City, many decisions have been made which have a direct effect on many of our citizens' individual lives. It is in this light he would like to review the Wendover Road section of the Belt Road prior to making a motion on the subject.

He stated he was elected to the Council for the first time in 1959 and the Master Highway Transportation Plan for the Charlotte Metropolitan Area was begun in 1958 at a cost he believes of \$175,000. The plan was done by Wilbur Smith and Associates. These dates are important because there have been statements made that the road was being built to serve SouthPark which was not begun until late 1968. The record should state the 1960 Thoroughfare Plan called for that segment of Wendover Road between Providence Road and Sharon Road be built in the period between 1960 and 1965.

The proposed route is questioned because of its alignment. The first road was to come down Briar Creek to Providence Road and then turn eastward on Providence to Wendover and then out Wendover across Sharon Road and through the school complex to tie back into Woodlawn Road. The School Board objected to this route. Because of this objection, the consultants suggested the alternate plan which passes south of Myers Park High School and Alexander Graham School. The school officials concurred in the view that the Runnymede route skirting the school property would provide a higher level of safety for the children and allow engineering to concentrate the points of control and protection of children on foot.

Further objections of the creek route to Providence Road and then eastward to Wendover were given by the State that this route would not be continuous and that by superimposing circumferential traffic on fast growing Providence Road, traffic operation difficulties would arise. The State therefore, recommended an alignment that would have extended easterly across Providence Road along Wendover Road and would have worked back to the original alignment near the junction of Ellington and Beal Streets.

Much has been said about why Council did not direct the consultant to continue on Briar Creek and through the golf course. The State and the Bureau of Roads objected to this because of the great increase in cost. Council still liked or favored this route but finally changed due to the high cost of right-of-way which we were informed the City would be required to pay. It would require condemning the Myers Park Golf Course and relocating thirteen families.

Claims have been made that the 1960 Thoroughfare Plan and the projects therein were developed to serve special interests. The truth is the Thoroughfare Plan was developed with the cooperation of the North Carolina Highway Department and the Federal Bureau of Roads because we simply had outgrown our street system. The plan gave us such projects as the Northwest Freeway, Interstate 77, Kenilworth and Scott Avenues, Eastway Drive widening, Woodlawn Road, Sharon Road, Sharon Amity Road and The Plaza.

Charlotte was a growing community in 1960. Our needs then and now are quite clearly indicated by several barometers. Since 1960 our population has almost doubled with approximately one-third living in the sector served by Wendover Road. Motor vehicle registration increased approximately threefold in the same period. He stated he can recall several years ago when the bridge carrying Eastway traffic over Independence Boulevard was planned, the actual traffic volumes had already exceeded those established for 1980.

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Councilman Whittington stated because of these and many other circumstances, we must act now to protect our future. The Councils in the past have acted wisely in preparing for our future. We must see that the tax money spent on this project is not wasted, but used properly. The belt road cannot prove to be effective unless built as a unit.

He stated in his viewpoint, there are two alternatives today. We can stop the road now. This would say to the people on Eastway, Sugar Creek Road, Sharon Road, Sharon Amity, Sharon Lane, Park Road, Randolph Road, Selwyn Avenue and many others that it is all right for you to put up with this inconvenience, but not others.

The second alternative is to complete the project as planned all these years and do it as quickly as possible so that the pressing need for traffic and human safety can be served.

Councilman Whittington stated in the interest of all of the City of Charlotte to improve transportation, conserve energy and promote safety, he moved that this Council reaffirm the position of prior Council and request the State to proceed to complete the inner belt route as quickly as possible. The motion was seconded by Councilman Gantt.

Councilman Williams offered an amendment to the motion by the adoption of the following resolution:

"WHEREAS, in 1960, the consulting firm of Wilbur Smith & Associates prepared a Master Thoroughfare Plan for the City of Charlotte which was adopted by the City Council and which included a recommendation to construct a circumferential route from the area of Woodlawn Road on the south to the area of Eastway Drive to the northeast; and

WHEREAS, in 1965, the City Council, after considering the feasibility and costs of alternate routes, decided that the middle link of the said route would extend along the existing right-of-way of Wendover Road, from Sharon Road to Randolph Road and then to Monroe Road along new right-of-way; and

WHEREAS, between 1960 and 1975, the population of Mecklenburg County increased 47% and is expected to reach approximately 750,000 by 1995, and between 1960 and 1970, the number of automobiles increased 121% with two-car families having increased from 28% to 47% far in excess of 1960 predictions; and

WHEREAS, major streets in the southeastern quadrant of Charlotte such as Park Road, Providence Road, Randolph Road, Monroe Road and Sharon Amity Road were all carrying at least 20,000 vehicles per day according to 1975 studies, and neighborhood streets in the southeastern quadrant such as Ferncliff Road, Colony Road, Fairfax Drive and McAlway Road are also increasing in traffic volume; and

WHEREAS, the configuration of the intersection of Brookhurst Drive, Monroe Road and McAlway Road is producing intolerable traffic congestion; and

WHEREAS, the portions of the inner loop along Eastway Drive and Woodlawn Road have been completed; and

WHEREAS, the North Carolina Department of Transportation stands ready to complete the middle link at an estimated expenditure of six million dollars in State and Federal funds, and has acquired 58 of the 155 right-of-way parcels as of February 1, 1976; and

WHEREAS, strenuous opposition to the completion of the middle link has arisen from persons concerned about the adverse impact of the road upon homeowners along and near the route; and

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WHEREAS, the City Council is concerned about the negative impact on neighborhoods and the environment which can result from an over-dependence upon automobiles.

NOW, THEREFORE, BE IT RESOLVED, by the Charlotte City Council this the 9th day of February, 1976, that:

1. The middle link of the inner belt loop between Monroe Road and Park Road should be completed as soon as possible along the presently planned route which has existed since 1965; and
2. Wherever possible, and particularly between Randolph Road and Sharon Road, a park strip or planting strip 8 to 12 feet wide be installed between the curb and sidewalk; and
3. The segment of the roadway between Randolph Road and Sharon Road be constructed with four lanes each 11 feet wide; curb and gutter, the planting strip hereinabove described; and sidewalk; and
4. In the future, the City of Charlotte will encourage the use of public transportation, and will strive to bring about a better balance between public transportation and private automobiles, and in this regard, the Charlotte City Council thanks and commends the North Carolina Department of Transportation for the recent grant of \$354,500.00 to assist public transportation in the City of Charlotte; and
5. A copy of this resolution be sent to the North Carolina Department of Transportation."

The amendment was seconded by Councilwoman Locke.

Councilman Williams stated he feels this resolution will be helpful and beneficial because it is designed, of course, to ameliorate or lessen the impact of this road on the neighborhood. There is no question in his mind but that the neighborhoods along the right-of-way will be adversely affected. He thinks everyone on this Council knows that, and is very much concerned about minimizing the effect to whatever extent possible the widening will bring. He would like to publicly thank Jim Johnson for bringing his proposal to Council about making the roadway narrower. He stated if Mr. Johnson and others listen closely to the amendment they will recognize it is not the straight 44 foot face-to-face roadway Mr. Johnson recommended to save the trees. It is instead a 48-foot face-to-face roadway which is four feet less than the present plan of 52 feet face to face. He came to this conclusion because all the advice Council has had so far tells them the trees will be jeopardized even by a 44 foot face-to-face road.

He called attention to an attachment to a memorandum received from the City Manager. The attachment is from J. A. Saunders, Head of the Landscape Division of the North Carolina Department of Transportation. That Mr. Saunders is very concerned about aesthetics, and he examined the possibility of saving the trees, and concluded the 44-foot section will not save the trees, but recommends it to allow for a 12-foot planting strip for the planting of new trees.

That he believes the residents who are opposed to this are opposed more for traffic reasons than they are for tree reasons. But much talk has been heard about the trees. He thinks in accordance to what this man from the Landscaping Department says that other trees can be planted if the room is there to plant the trees; if the planting strip is wide enough to do it. He says you need almost twelve feet in order to have room for the roots of the trees to flourish. Someone asked earlier where the support for the road is coming from. In the last 30 to 60 days he has

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not had very much mail on this subject. His mail has run about 50-50, and he has had several phone calls from people who live along the proposed route, in opposition, and the people along the route where it already exists, in favor. He then read several excerpts from letters from the people who have written to him who do not live on the road and have given their reasons why the road should be built.

Councilman Williams stated it is tough not to become polarized in this debate. It would be easy for someone sitting on this Council to say it is going to be all or nothing; but he is trying not to do that and he is trying to give the reasons why he favors going ahead and doing it. At the same time, he is trying to lessen the impact and make it as easy as possible on these people who will be adversely affected.

Councilman Davis stated in the two months he has been on Council his biggest single file is on Wendover Road. For that reason he would like to make a statement before voting on the matter.

He stated he has reviewed the information presented in the public review as well as the numerous calls and letters he has received. He has been very much impressed with the intensity and sincerity of the opposition to the completion of the inner belt loop. He can see that arguments against completion of the Wendover portion have validity. He can see there are certain design deficiencies and also certain location deficiencies in the route as proposed. Many intermediate decisions have been made, and while we might differ with those judgments, find our present circumstances strongly influenced by the past course of those decisions. Although he will vote to complete the inner belt loop as planned, he will respond to the citizens who oppose the loop.

If we members of the public support positive programs, we can prevent further Wendovers, Woodlawn, Sharon Lanes, Eastway Drives; the choice is the public's. Thus far, he admits population trends, automobile ownership, individual travels, life styles, the voting down by the public of tax funds to support the transit system, the operation of the transit system - all these things in a sense are public decisions to bring on the chain saws and bulldozers. Those opposed say we should not continue to build roads to accommodate more and more cars. That he will respond to this by urging that we proceed with all deliberate speed to improve our transit system to make it a competitive alternative to the private automobile. Such plans are underway now, and he is satisfied with the progress that is being made on it.

Those opposed say many new roads are acquired just to serve new shopping centers, and the central business district, and in effect support business with tax-paid benefits or facilities. That he will respond to this by asking our Planning Commission to suggest how we might tax these enterprises or districts that draw extra traffic, and use this revenue to support a transit system that would offset the increased traffic.

Those opposed say that the City practice of providing on-site employee parking as part of the overall compensation program tends to encourage the use of private automobiles at the expense of the bus system. He will respond to this by asking the City Staff to review this policy and present recommendations to this Council as to whether or not this policy should be continued. Perhaps the entire compensation for City employees should be made available to them, and give them the free choice as other members of the public have to use part of their compensation to buy parking space and use their private automobile or to utilize the bus system. That he thinks it would be more appropriate to encourage mass transit.

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Those opposed say that the City regulations that require a certain amount of on-site parking to be included with each new structure built in the central business district and in shopping centers that these new constructions include a certain amount of on-site parking. He will respond to this by asking the Planning Commission to review these zoning and construction regulations to determine if they should be continued in their present form, modified or completely eliminated. Construction of these on-site facilities as a requirement tends to increase the supply of parking spaces available in the district in which they are constructed; tends to artificially depress the price we have to pay for parking, and tends to encourage use of private automobiles at the expense of mass transit.

He stated he will further promote the master plan with particular emphasis on the development of planned unit development that will reduce the requirement for inner-city travel. He personally favors proposals such as those he has just mentioned and he hopes that sufficient public support will develop to enable Council to act favorably on these plans.

Councilman Gantt stated he understands that today he finally became a "fink," for deciding to vote in favor of the Wendover route. There was probably no decision that could be made on this that would be popular with anybody who happened to lie along that route. His feeling is that the alternatives Council was faced with allowed only the position that we should affirm the route that was originally planned. It is tough because it is a public interest question. It is tough because it is a question in which the neighbors who live along the route are going to necessarily have very selfish concerns. If he lived along Wendover, or if he lived along Woodlawn, or if he lived along Eastway, he would be concerned about the traffic that would be generated along that route. The policy of building roads is not ultimately determined by this Council. It is really determined by the people. He thinks there is a relationship between, and these people should understand there is a relationship between, the two cars they have parked in their garage, the preservation of their neighborhood, and the way they move in and about a growing city.

The measures that Mr. Williams spoke of earlier of planting some trees, developing buffer zones are fine, but they are palliative, and we know they are palliative. We know they do not resolve the problem or the psychological impact of what has happened to the neighborhood. It does suggest to him that we need to look for the longer range solutions, and the people have heard others on this Council discuss them. Public transportation. How does one examine the question, or how does one develop the analysis that last year this community was asked to support public transportation out of tax funds. It was turned down. It may be that the issue should be raised again. We are buying a bus system, and he thinks there are a number of things we can do to allow the flexibility to look at transportation as a reasonable alternative; although he disagrees with Councilman Davis that he does not think it will ever be competitive in the sense of being an equal alternative to the automobile. He thinks it can alleviate the traffic; he thinks this Council can set about the business of trying to develop policy by which we use some of these streets, thoroughfares, urban arterials for bus lanes. The question is how much does this community want those things? How many are willing to forego two cars? How many are willing to look at the other alternative? The Council has to make decisions that speak to the public interest. They have to make decisions that are equitable. On the question of equity, he thinks we can begin immediately to discuss a means by which we can compensate those individuals, those property owners who have to bear some of the burden for all of us in terms of developing a better city. That goes for urban arterials in southeast Charlotte or expressways in northwest Charlotte, or airports in western Charlotte. As someone said the other day, and he agrees, we cannot expect to find the Waxhaws, Salisburys and all their other places if we come to this area looking for information,

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looking for jobs and looking for all the other kinds of benefits that a city gives. We can try to create a quality atmosphere. But it takes all the citizens wanting to contribute to the city, and he thinks the city will want to give back. You have to bear your fair share of the load. It was a difficult decision.

He stated he does not know that he has a great deal of sympathy for those people who, knowing about this controversy for the past fifteen or sixteen years, bought houses within the last two years, and then speak of ignorance of the fact this road was planned. That is a very selfish attitude. What he is saying is that the decision is difficult. But in the interest of a growing Charlotte one has to make tough decisions because he thinks they are equitable, and we can look at immediate alternatives of the transit, the question of equity, the question of land use, and zoning along these routes. All of these can be examined. He wants to recommend to Council that now that we have this Committee system in operation we turn over to the Public Works and Planning Committee, working in conjunction with the Staff, the questions of how we immediately proceed with other transportation alternatives in this community. That is an update on the transportation program that we have for the buses, an update on those future capital improvement projects that we are going to be dealing with in the very near future. That we coordinate that with land use planning; we coordinate that with the possibility of tax incentive compensation and what have you to lighten the load. We are never going to alleviate the entire load. Everybody has to carry their fair share.

The City Manager stated in all that Council has done in the resolution or the amendment, the only thing Council is designing itself is Item 3 of the amendment which says, "they shall construct four lanes, each 11 feet wide, etc." That Council is directing them to design a road a specific way. That he has great concern about this. He thinks it would be much better for Council to ask them if this could be done and if it would be advisable to do so, and then report back to Council on it, rather than telling them this is the way the road should be built. Councilman Williams asked if Council has the legal authority to dictate how the road will be built? Mr. Burkhalter replied he doubts it. Councilman Williams stated that is what he thought and that is the reason he presented it this way. Mr. Burkhalter stated he thinks they respect Council enough that they will try to do exactly what is asked. Councilman Gantt asked if this is not a 44-foot wide section on Runnymede? Mr. Burkhalter replied, yes, but they anticipate widening it in the future. His whole concern is that he thinks it will probably work; but he would hate for them to say this is not the way to build the road. Why not ask them to bring this section of the road to Council with their preliminary design. That he does not know how far along the design is but he believes it would probably be back within a month or two.

Mr. Johnson stated he thinks the comment to the State should be to consider a narrower road and just leave it there without telling them what the lane width and all should be. That is a creative suggestion and the State should take the responsibility for the width of the road.

Mr. Burkhalter stated his main concern is not that a narrower road be built. His concern is that they build a safe road, and Council's concern is that it be made beautiful, and he thinks the two can be done together.

Councilman Gantt asked if they are talking about only the section between Randolph Road and Sharon Road - the park strip? Councilman Williams replied the park strip is for the entire road, and the narrower roadway

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for the area between Randolph and Sharon as that is the populated area. The remainder, for the most part, goes across new right-of-way and open country. There are some bad exceptions, but not very many.

Councilman Williams stated he would agree to what the City Manager is saying; it sounds reasonable and he would amend Paragraph 3 of his resolution to read as follows: "The segment of the roadway between Randolph and Sharon Road be constructed with narrower lanes where possible to conform with safety and traffic designs." Councilwoman Locke stated they would all like to save the trees and also like to have the sidewalks and greenway. Councilman Gantt stated his second to the amendment still stands with the amendment.

Councilwoman Chafin presented the following amendments to Councilman Williams amendments which were accepted:

"That the Charlotte City Council request a review of the Eastway Drive and Woodlawn Road segments of the inner belt road to determine what improvements can be made to correct the environmental and safety mistakes made in the original design;" and

"That the Charlotte City Council initiate a review of the City's thoroughfare plan in the context of our transit plan to insure the formulation and implementation of policies which will reduce dependency on the private automobile."

Councilwoman Chafin stated she needs these commitments before she can go along with this.

Councilman Withrow stated he lives in the valley below Wendover. If this Council votes a median along Wendover and a median along Randolph, he does not believe they can get out of their houses in that area. If they go to Randolph they cannot get out and they have to go to the right if there is a median. If they come up to Wendover they would have to go to the right in order to get out. That he is concerned as much as these people about the road because he was hoping it would go behind his house along the creek. That he is going to vote for the motion as presented today, reluctantly.

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

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

Later in the meeting, Ms. Brenda Brown stated this is not the end of the Neighborhood Action Committee. That they say they speak from ignorance that this has been going on; this is not true. Their group has been formed for years. Because they are a group of these people they asked for a hearing and were willing to go the right judicial process. The only thing she cannot understand is why they are tearing up three other neighborhoods just because they have already made three mistakes. That she has never seen one of these projects better the City of Charlotte that moved any of the people off the street or put their children on a sidewalk 12 inches from a 45-mile-an-hour zone. She does not understand why they do not suffer the adversity, but they are expected to bear the full load. She stated they will be back.

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ORDINANCE NO. 32-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE AMENDING THE ZONING MAP BY CHANGING THE ZONING FROM R-6MF TO O-6 (CD) OF PROPERTY ON THE WEST SIDE OF PINOCA STREET, 190 FEET ON THE NORTHEAST SIDE OF THE INTERSECTION OF PINOCA STREET AND HOVIS ROAD ON PETITION OF GEORGE ROBINSON.

Councilman Whittington moved that the petition by George Robinson for a change in zoning from R-6MF to O-6 (CD) be approved. The motion was seconded by Councilman Withrow.

Councilman Davis stated he is reluctant to go against the recommendation of the Planning Commission.

Councilman Whittington stated this property is at 630 Pinoca Street, and the development of this property has inspired the other property owners on Pinoca Street to improve their property. Between the time Mr. Robinson asked for the first change in zoning from R-6MF to O-6 until this request, they have mortgaged their property in order to make these improvements. They did things such as improving the outside, paved the parking lot, and this type of thing. Pinoca Street runs off Hovis Road one or two blocks to the northwest of Thomasboro Presbyterian Church. As you turn right on this corner today, across the street from it is some kind of nonconforming business that has been there all this time. On down Pinoca Street is a garage and an area that covers over a city block with dilapidated or abandoned automobiles which he has tried to get something done about for the 16 years he has been on Council. This is nonconforming. He stated he is voting for this change as it is an improvement to the street and it is conditional, and it is an improvement to the neighborhood. It is a facility that is needed in the area.

Councilman Gantt stated he agrees and is going to support the motion. But he thinks Council should take some care that this is highly unusual. He agrees with the Planning Commission's contention that this is not the intent of the parallel zoning because it can easily become a political kind of thing where we will make decisions and decide one way or the other depending on who the petitioner is. The reason he supports this is simply that there are nonconforming uses already in the area, and the land use map does not look as pretty as it does on paper when you go out and see the area. In this case where this citizen has spent a substantial amount of time and investment preparing his petition by investing funds on the faith that we might act - he is not basing his decision simply on the fact he spent some money, but he had the kind of faith to believe that he was improving the neighborhood by putting his business there. He will vote for it, but warns Council we may find ourselves in tough situations later on if we use the parallel zoning in that manner.

The vote was taken on the motion and carried unanimously.

The ordinance is recorded in full in Ordinance Book 23, at Page 41.

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ORDINANCE NO. 33 AMENDING CHAPTER 23 OF THE CITY CODE OF THE CITY OF CHARLOTTE AMENDING THE TEXT OF THE ZONING ORDINANCE IN REGARD TO HEIGHT REQUIREMENTS FOR RADIO AND TELEVISION MASTS AND A PROVISION FOR THESE STATIONS, AS PETITIONED BY CHARLOTTE-MECKLENBURG PLANNING COMMISSION.

Councilwoman Locke moved adoption of the subject ordinance to amend the zoning ordinance in regard to height requirements for radio and television masts and a provision for these stations, as recommended by the Planning Commission. The motion was seconded by Councilman Withrow, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 23, at Page 42.

ORDINANCE NO. 34-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE OF THE CITY OF CHARLOTTE AMENDING THE ZONING MAP BY ALLOWING CONDITIONAL USE OF PROPERTY ON THE WEST SIDE OF PARK ROAD AT THE INTERSECTION OF PARK ROAD AND TOWNES ROAD, AS PETITIONED BY YOUNG WOMEN'S CHRISTIAN ASSOCIATION.

Upon motion of Councilman Gantt, seconded by Councilman Withrow, and unanimously carried, the subject ordinance was adopted for conditional approval for additional construction to a YWCA facility in an R-9 facility, 9.65 acres fronting 349.6 feet on the west side of Park Road at the intersection of Park Road and Townes Road.

The ordinance is recorded in full in Ordinance Book 23, at Page 43.

ORDINANCE NO. 35-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE OF THE CITY OF CHARLOTTE AMENDING THE ZONING MAP BY CHANGING THE ZONING FROM O-6 TO I-1 (CD) OF PROPERTY FRONTING 55 FEET ON ATHERTON STREET AND ABOUT 380 FEET EAST OF THE INTERSECTION OF ATHERTON STREET AND SOUTH BOULEVARD, AS PETITIONED BY SIGNAL SALES AND SERVICES.

Motion was made by Councilman Whittington, seconded by Councilwoman Locke, and unanimously carried, adopting the subject ordinance as recommended by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 23, at Page 44.

RESOLUTION AMENDING SETBACK REQUIREMENTS FOR EIGHTH STREET BETWEEN GRAHAM AND CHURCH STREETS.

Councilman Whittington moved adoption of subject resolution amending setback requirements for Eighth Street between Graham and Church Streets as recommended by the Community Development Department. The motion was seconded by Councilwoman Chafin, and unanimously carried.

The resolution is recorded in full in Resolutions Book 11, at Page 289.

ORDINANCE NO. 36-X TRANSFERRING FUNDS WITHIN THE GENERAL REVENUE SHARING TRUST FUND TO PROVIDE AN APPROPRIATION FOR THE INSTALLATION OF TRAFFIC CONTROL SIGNALS AT SIX FIRE STATIONS.

Upon motion of Councilman Whittington, seconded by Councilman Davis, and unanimously carried, subject ordinance was adopted, transferring \$14,400.00 for the installation of traffic control signals at six (6) Fire Stations, as recommended by Chief J. E. Lee.

The ordinance is recorded in full in Ordinance Book 23, at Page 45.

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CHANGE ORDER NO. 1 IN CONTRACT WITH BILLY SHARAR CONSTRUCTION COMPANY, APPROVED.

Motion was made by Councilman Gantt, seconded by Councilman Williams, and unanimously carried, approving Change Order No. 1, in contract with Billy Sharar Construction Company for the installation of sanitary sewer in the Greenville Urban Renewal Project to increase the total contract amount of \$15,316.00, by \$3,802.40, for a new total of \$19,118.40.

LEASE AGREEMENT WITH EDMOND R. JOHNSTON FOR COMMUNITY DEVELOPMENT TARGET AREA SITE OFFICE.

Councilman Gantt moved approval of the subject lease agreement for 936 square feet of office space at 916 West Fifth Street, Winston Mutual Building, at \$5.25 per square foot or a monthly rental of \$409.50. The motion was seconded by Councilman Williams.

Councilwoman Locke stated this seems like a lot of money, and asked how much we are paying in the Cameron Brown Building? Councilman Withrow stated we are paying the same amount. He asked if there is not office space available similar to the office on West Boulevard in the church where the space would be cheaper than this? Mr. Sawyer, Director of Community Development, replied this site office is designed to serve the Third Ward area and The Five Points area. That they have looked in the project area, and elsewhere for a site. That the Greenville Center is rather far removed from the target areas, and it would be across a railroad and across cemeteries, and across the expressway. The Right of Way Section of Public Works looked for them, and their people also have looked. This is the recommendation they have come up with. Nothing else is reasonably well located or available in the project area.

Councilman Davis made a substitute motion to defer this a week to give Mr. Sawyer an opportunity to find more reasonable rates. The motion did not receive a second.

After further discussion, the vote was taken on the motion, and carried as follows:

YEAS: Councilmembers Gantt, Williams, Chafin, Locke, Whittington and Withrow.
NAYS: Councilman Davis.

LEASE WITH DOVER WILKES FOR OFFICE SPACE AT 3215 NORTH DAVIDSON STREET FOR COMMUNITY DEVELOPMENT TARGET AREA SITE OFFICE, APPROVED.

Upon motion of Councilman Gantt, seconded by Councilwoman Locke, and unanimously carried, the subject lease was approved for 1,223 square feet of office space at 3215 North Davidson Street, at \$2.70 per square foot, or a monthly rental of \$275.00, for target area site office.

CONTRACT BETWEEN MANPOWER DEPARTMENT AND CHARLOTTE AREA FUND, DEFERRED.

Councilman Gantt moved approval of the subject contract for a Year Round Out of School/In School Borderline Work Experience Program for 150 high school dropouts and junior high school borderline students. The motion was seconded by Councilwoman Chafin.

Following was a discussion and explanation by Mr. Person, Manpower Director, and Mr. Korneygay, Director of the Charlotte Area Fund.

Councilman Withrow made a substitute motion to defer this contract until Council can hear from Dr. Jones, Superintendent of the School Board or his representative. The motion was seconded by Councilwoman Locke, and carried as follows:

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YEAS: Councilmembers Withrow, Locke, Davis, Whittington and Williams.
NAYS: Councilmembers Chafin and Gantt.

Councilman Davis requested that the school system's comments include addressing the cost of this program, \$238,000, if that same amount of money were used to hire new teachers; that would hire almost 30 teachers, and this program is to help 115 students. This is almost one for every four persons involved. That would be enough to significantly affect the drop out rate. Councilman Whittington stated the motion did not ask for comments; it is asking for them to come to Council and discuss this. Mayor Belk stated the City Manager will contact the School Board to have them come to Council.

ENCROACHMENT AGREEMENT WITH NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, APPROVED.

Councilman Whittington moved approval of an Encroachment Agreement with the North Carolina Department of Transportation permitting the City to construct an 8-inch sanitary sewer line within the right of way of I-77 for sanitary sewer to serve Gilbert Street. The motion was seconded by Councilwoman Locke, and unanimously carried.

RESOLUTION APPROVING A MUNICIPAL AGREEMENT BETWEEN THE CITY AND THE NORTH CAROLINA BOARD OF TRANSPORTATION, OUTLINING THE RESPONSIBILITY FOR WIDENING AND IMPROVING ALBEMARLE ROAD.

Upon motion of Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, subject resolution was adopted outlining cost responsibility for the widening and improving of Albemarle Road from Reddman Road to Lawyers Road.

The resolution is recorded in full in Resolutions Book 11, at Page 290.

RESOLUTION AUTHORIZING THE REFUND OF CERTAIN TAXES WHICH WERE COLLECTED THROUGH CLERICAL ERROR AND ILLEGAL LEVY.

Motion was made by Councilwoman Locke, seconded by Councilman Whittington, and unanimously carried, adopting subject resolution authorizing the refund of certain taxes which were collected through clerical error and illegal levy from twenty-four (24) accounts, in the amount of \$4,141.06.

The resolution is recorded in full in Resolutions Book 11, at Page 292.

ORDINANCES AFFECTING HOUSING DECLARED "UNFIT" FOR HUMAN HABITATION UNDER THE PROVISIONS OF THE CITY'S HOUSING CODE.

Councilman Whittington moved adoption of the following ordinances affecting housing declared "unfit" for human habitation under the provisions of the City's Housing Code, which motion was seconded by Councilwoman Locke, and unanimously carried:

- (a) Ordinance No. 37-X ordering the dwelling at 810-12 East 17th Street to be closed.
- (b) Ordinance No. 38-X ordering the dwelling at 2713 Craddock Avenue to be demolished and removed.

The ordinances are recorded in full in Ordinance Book 23, at Pages 46 and 47.

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CONTRACT WITH JOHN CROSLAND COMPANY FOR WATER MAINS, APPROVED.

Upon motion of Councilman Withrow, seconded by Councilwoman Chafin, and unanimously carried, subject contract was approved with John Crosland Company, for the installation of approximately 2,320 linear feet of 6" and 2" water mains and three (3) fire hydrants to serve Huntingtowne Farms, Section 8, inside the city, at an estimated cost of \$18,200.00.

RESOLUTIONS OF CONDEMNATION.

Councilwoman Locke moved adoption of a resolution authorizing condemnation proceedings for the acquisition of property belonging to Joseph E. Johnston and wife, Frances Johnston; George A. Johnson and wife, Ezelle Johnston; Dema J. Armstrong; Dema Johnston Newberry and husband, Edward B. Newberry; David Johnson and wife, Cecelia Johnston; and Samuel Davis Johnston, Jr., located at 620 East 18th Street, in the City of Charlotte, for the Irwin-Sugar Creek Park-Phase II Project. The motion was seconded by Councilman Withrow, and carried unanimously.

The resolution is recorded in full in Resolutions Book 12, at Page 294.

Motion was made by Councilwoman Locke, seconded by Councilman Withrow, and unanimously carried, adopting a resolution authorizing condemnation proceedings for the acquisition of property belonging to Elmer Carlin Whittaker and wife, Mary Hartson Whittaker, located at 3700 Wendwood Lane (Corner of Randolph Road and Wendwood Lane), in the City of Charlotte, for the Randolph Road Widening Project.

The resolution is recorded in full in Resolutions Book 12, at Page 295.

Upon motion of Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, a resolution was adopted authorizing condemnation proceedings for the acquisition of property belonging to Janie Stewart, located at 1625 McDonald Street (off Beatties Ford Road), in the City of Charlotte, for the Northwest Junior High School Area Park Site Project.

The resolution is recorded in full in Resolutions Book 12, at Page 296.

PROPERTY TRANSACTIONS AUTHORIZED.

Upon motion of Councilman Whittington, seconded by Councilwoman Chafin, and unanimously carried, the following property transactions were authorized:

- (a) Acquisition of 61.14' x 413.88' x 342.50' of right-of-way at 5814 Park Road, from Housing Authority of the City of Charlotte, North Carolina, at \$1.00, for the proposed right-of-way for turn lane for Housing Authority Site on Park Road Project.
- (b) Option on 155.21' x 268' x 150.0' x 228.11' of property at 2700 Estelle Street (off Beatties Ford Road), from First Union National Bank of N. C. Trustees under Will of Edmonia Peterson, at \$2,650.00, for Northwest Junior High School Area Park Site Project.

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- (c) Option on 133' x 233.37' x 133.15' x 234.9' of property at 2701 Estelle Street (off Beatties Ford Road), from \$1,425.00, for Northwest Junior High School Area Park Site Project.
- (d) Option on 141.71' x 152.46' x 140.0' x 174.40' of property at 2530 Elsie Street (off Beatties Ford Road) from Myrtle Gore (widow), at \$3,800.00, for Northwest Junior High School Area Park Site Project.
- (e) Acquisition of 15' x 426.39' of easement at 3701 I-85 South, from James Carroll Brookshire, at \$425.00, for Sanitary Sewer Trunk to serve Withrow Road and I-85.
- (f) Acquisition of 15' x 211.66' of easement at 7301 Wilkinson Boulevard, from Maude E. Ritts, c/o Edna P. Wilson, at \$212.00, for sanitary sewer trunk to serve Ticer Branch Church of God Campground.
- (g) Acquisition of 40' x 1,413' of right-of-way at 901 Hawfield Road (off Moores Chapel Road), from Thomas S. Shull and wife, Agnes M., at \$3,500.00, for Long Creek Pump Station Road Project.
- (h) Acquisition of 40' x 2,637.93' of right-of-way at 900 block of Hawfield Road, SR 1604, (off Moores Chapel Road), from James M. Robinson, at \$4,000.00, for the Long Creek Pump Station Road Project.

TREASURER OF FIREMEN'S RETIREMENT SYSTEM AUTHORIZED TO REFUND A SUM EQUAL TO 10.1 PERCENT PREVIOUSLY DEDUCTED FROM ACCRUED LEAVE PAYMENT CHECKS TO FIREMEN AND TO THE CITY.

Councilman Whittington moved approval of the resolution of the Firemen's Retirement System Board of Trustees recommending to the City Council changes in the benefit structure and method of financing the retirement system. The motion was seconded by Councilman Gantt.

Speaking for the approval of the resolution was Mr. Floyd Martin, a retired fireman.

During the discussion, Councilman Davis proposed an amendment to delete the City's contribution to the compensation question and not create a problem with the other retirement system. This would in no way effect the amount of money the firemen will get; it would prevent it from coming up on every retirement system dealt with. He stated the motion is to refund the firemen's contribution to this accrued sick leave they had at the time of retirement. That he is agreeable to that; this puts the City in the position of contributing 10.1 percent of this accrued sick leave pay to the firemen's retirement system without a matching contribution from the firemen. This is unprecedented in our city retirement programs which means next week the policemen will be up here and other city employees, wanting a similar change in their retirement program.

Mr. Josephs, Chairman of the Firemen's Retirement Board of Trustees, stated he would suggest that it read there be a refund to both the firemen and the city. That he believes the other members of the Board would go along with this. He would suggest that 10.1% to the firemen and 10.1% to the City both be refunded.

After further discussion, Councilman Whittington withdrew his original motion and moved that the City Council authorize the Treasurer of the retirement system to refund a sum equal to 10.1% previously deducted from accrued leave payment checks to all firemen who have retired since July 1, 1971, who have not previously received such a refund, and that a like amount be made to the City for its matching 10.1% contribution; and further, that such a policy continue for future retiring firemen. The motion was seconded by Councilwoman Locke, and carried unanimously.

Councilman Withrow reminded the City Manager that he is to still work on the idea of all future employees being under one retirement system.

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NOMINATION OF FRANK STEPHENS TO INSURANCE ADVISORY COMMITTEE WITHDRAWN BY COUNCILWOMAN LOCKE.

Councilwoman Locke stated she would like to withdraw her nomination of Frank D. Stephens to the Insurance Advisory Committee. That she talked with them during the week and they had not realized that Rosa Compton has served only one term.

NOMINATIONS TO INSURANCE ADVISORY COMMITTEE.

Councilwoman Locke placed in nomination the name of Rosa Compton for re-appointment to the Insurance Advisory Committee.

Councilman Davis stated the Insurance Advisory Committee first introduced the name of Frank Stephens, Jr. and he subsequently met with him. That he was very much impressed by his interest in the Committee and in his qualifications, and he would like to see his name remain in nomination. Councilman Davis placed in nomination the name of Frank D. Stephens, Jr. for appointment to the Insurance Advisory Committee.

APPOINTMENTS TO THE ZONING BOARD OF ADJUSTMENT.

Councilman Davis moved the reappointment of Mrs. Margaret Claiborne to the Zoning Board of Adjustment to succeed herself for a three year term. The motion was seconded by Councilwoman Locke, and carried unanimously.

Councilman Whittington moved the appointment of Mrs. Randy Escott to the Zoning Board of Adjustment for a three year term. The motion was seconded by Councilman Davis, and carried unanimously.

Councilwoman Chafin moved the appointment of Dr. William McCoy to the Zoning Board of Adjustment as an alternate member for a three year term. The motion was seconded by Councilwoman Locke, and carried as follows:

YEAS: Councilmembers Chafin, Locke, Gantt, Whittington, Williams and Withrow.
NAYS: Councilman Davis.

Councilman Davis moved the appointment of Mrs. Sally Cobb to the Zoning Board of Adjustment as an alternate member for a three year term. The motion was seconded by Councilman Withrow, and carried unanimously.

MONTH OF FEBRUARY PROCLAIMED AS AFRO-AMERICAN LIFE AND HISTORY MONTH.

At the request of Councilman Gantt, the following proclamation is made a part of the minutes:

"WHEREAS, the Association for The Study of Afro-American Life and History was founded in 1915 by Carter G. Woodson, a Ph.D. Graduate of Harvard University; and

WHEREAS, the purpose over these years has been to call attention to the contribution of black people to the advancement of all America, and in so doing, it has been our hope to foster better understanding between people and to encourage a keener appreciation of the heritage of all American Citizens; and

WHEREAS, 1976 is the Bicentennial of the American Nation and because of these pertinent milestones, the theme for the 1976 National Black History Celebration is America For All Americans;

NOW, THEREFORE, I, John M. Belk, Mayor of Charlotte, do hereby proclaim the month of February, 1976 as

AFRO-AMERICAN LIFE AND HISTORY MONTH

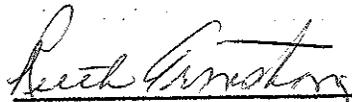
in Charlotte, and ask all our citizens to honor this observation.

WITNESS MY HAND and the official seal of the City of Charlotte, this 9th day of February, 1976."

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ADJOURNMENT.

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



Ruth Armstrong, City Clerk