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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Monday, March 22, 1971, with Mayor John M. Belk presiding, and Councilmen Fred D. Alexander, Sandy R. Jordan, Milton Short, John H. Thrower, Jerry Tuttle, James B. Whittington and Joe D. Withrow present.

ABSENT: None.

The Charlotte-Mecklenburg Planning Commission sat with the City Council, and, as a separate body, held its public hearings on Petitions for changes in zoning classifications, concurrently with the City Council, with the following members present: Chairman Tate, and Commissioners Albea, Blanton, Godley, Moss, Sibley and Turner.

ABSENT: Commissioners Ross, Stone and Toy.

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#### INVOCATION.

The invocation was given by Reverend Ray Swink, Minister of Commonwealth United Methodist Church.

#### MINUTES APPROVED.

Motion was made by Councilman Thrower, seconded by Councilman Jordan, and unanimously carried, approving the Minutes of the last meeting, on Monday, March 15, 1971, as submitted.

#### KAYS GARY WELCOMED BACK TO CHARLOTTE.

Mayor Belk recognized Mr. Kays Gary with the Charlotte Observer and stated it is always a pleasure to welcome him back to Charlotte.

Mr. Gary stated Councilman Tuttle informed him yesterday that if he could catch him today, he would contribute \$50.00 cash to the March of Dimes. He stated he knew where to find Councilman Tuttle and he is here to collect the \$50.00. He stated there was one other requirement and that was a plug for the Sugar Creek Canal. Mr. Gary stated after walking that creek all the way in, he will be glad to give him the plug.

Councilman Tuttle presented Mr. Gary with a \$50.00 bill for the March of Dimes.

#### CITY OF CHARLOTTE EMPLOYMENT PLAQUE PRESENTED TO HARVEY A DAVIS.

Mayor Belk recognized Mr. Harvey A. Davis and stated he has been employed in the City of Charlotte Sanitation Department as an Equipment Operator No. 1 since January 7, 1947 and is retiring as of March 23, 1971. Mayor Belk presented Mr. Davis with the City of Charlotte Employee Plaque and wishes him well in his retirement.

#### HEARING ON PETITION NO. 71-24 BY WRISTON T. YANDLE FOR A CHANGE IN ZONING FROM R-9 TO O-6 OF 72' x 180' AT 621 VINEWOOD PLACE.

The public hearing was held on the subject petition on which a general protest petition has been filed and contains approximately 29 signatures.

Mr. Fred Bryant, Assistant Planning Director, stated this is a single lot on Vinewood Place; that Vinewood Place is a short deadend street that leads to the northeast off Monroe Road. The lot is vacant; it has single family

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residential structures on just about all sides; there is predominately single family uses down Vinewood on both sides; on Monroe Road there are a variety of business activities located throughout the area; both lots at the intersection of Vinewood and Monroe Road are used for business purposes; then there is some industrial uses on the other side of Monroe Road.

He stated there is B-2 zoning along Monroe Road; coming down Vinewood, the lot on either side of Vinewood is zoned O-6 and from that point on the remainder of Vinewood and most of the area around it is zoned R-9.

Mr. Jack Beall, Agent for the petitioner, stated he has the four lots on the corner of Vinewood which are zoned B-2 and the one lot behind it is zoned O-6. They plan an office building in the future and hope to help improve the neighborhood and what is developing on the road. That with any building they will need additional parking space. That this is the reason for the petition as the subject lot is vacant and is available. Mr. Beall stated his office is located in his present building.

Mr. Beall stated they plan an office building; that they have the area to build the building and if the subject lot is rezoned, then they will be able to build a larger building and have the necessary parking on the subject lot. He stated this is located one block from where the Belt Road will come through and the area is developing for business and office use.

Mrs. Pauline L. Snell stated her house and lot is zoned O-6 and it was zoned without her knowledge. That she lives on the first piece of property on the left side going into the street. She stated there is a business beside her and within the last month a building has been put in out of gray block and she cannot even see the road. She stated if she gets hemmed in on the other side with this rezoning, it will be rough. Mrs. Snell stated all the neighbors and some of their friends have signed a petition opposing the change in zoning. She stated their big concern is the traffic. This is a deadend street and has eleven homes on it; at present, there are only four vacant lots and one of those is planted in shrubs and a garden. She stated the one business on the corner almost fills the lot and there are three trucks and three automobiles there all the time and they have to use the street for parking. She stated they have a nice neighborhood and she has lived there for 32 years and would like to continue living there.

Mr. Beall stated the building next to Mrs. Snell is not their property as they are located on the opposite corner.

Council decision was deferred until its next meeting.

HEARING ON PETITION NO. 71-23 BY THE ERVIN COMPANY FOR A CHANGE IN ZONING FROM O-15 TO B-1 OF A PARCEL OF LAND 100' x 150' AT THE SOUTHEAST CORNER OF ARCHDALE DRIVE AND HIGH MEADOWS LANE.

The scheduled hearing was held on the subject petition.

The Assistant Planning Director stated this is a small area located on Archdale Drive; that Archdale Drive has been extended through the Montclair South Subdivision recently, and ties in with the Interchange at Nations Ford and I-77. The subject property is on the newly extended portion of Archdale near the interchange with I-77. The property is vacant as is all the property immediately around it; there is an office building under construction on Archdale Drive; the new Alpine Lodge Apartments have been built recently by the Ervin Company and then the Montclair Subdivision is in the area.

Mr. Bryant stated the zoning is predominately O-15. There is B-2 zoning and B-1 zoning at the interchange of Nations Ford Road and I-77; then back in the other direction there is single family zoning for the Montclair South area and multi-family zoning for the apartment area.

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Mr. Ben Horack, Attorney for the Ervin Company, stated the property in question is in an oasis of O-15 zoning; it has 100 foot frontage on Archdale Drive and is 150 feet back and has a total of 115,000 square feet. He stated they are asking for B-1 zoning to accommodate a neighborhood convenience store. At present Ervin has not evolved the complete plan for the 90 acres. That they have programmed about 280 apartments in the area expanding out to Archdale which will be known as Tree Top Apartments; 136 units are under preliminary development and the area is being graded. The remainder of the property on the I-77 side of Archdale is programmed primarily for office use. The office building under construction has about 70,000 square feet and Ervin has programmed about 400,000 square feet of office ultimately. The purpose of the food store is designed to serve the pick up needs of the approximate 280 apartment units that will be constructed together with the same type of pick up needs in the existing Alpine Village Apartments and the Montclair South Subdivision.

He stated the property is programmed to be entirely surrounded with office use. The property is 100% vacant with the only thing being mobile constructions

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until its next meeting.

HEARING ON PETITION NO. 71-25 BY D. L. PHILLIPS INVESTMENT BUILDERS, INC. ET AL, FOR A CHANGE IN ZONING FROM R-6MF TO I-2 OF A TRACT OF LAND BOUNDED BY BARRINGER DRIVE, THE SOUTHERLY BOUNDARY OF B-1 DISTRICT ALONG CLANTON ROAD, INTERSTATE 77, AND A LINE ABOUT 1,050 FEET SOUTH OF BLAIRHILL ROAD.

The public hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, stated the subject property lies between Barringer Drive and the Interstate-77. The property is vacant; it is surrounded predominately by vacant property. On the Clanton Road side there is a convenience food store and service station near the corner of Barringer and Clanton; otherwise it is all vacant along Clanton; there is some residential development between Interstate-77 and South Tryon Street along Stegall Road, Bowman Road, Sarah Drive and Cama Street West.

He stated the subject property is zoned for multi-family purposes; there is multi-family zoning on the west side of Barringer Drive; to the southwest there is a larger area of I-2 zoning that lies from Barringer Drive over to I-77; north of the property along Clanton Road there is business zoning; then the residential areas are all zoned for single family residential purposes; across I-77 from the subject property, it is predominately multi-family zoning between I-77 and South Tryon Street.

Mr. Tom Cox, Engineer, stated he represents the owners, Mrs. Frank Eller, Mrs. Bell Clanton King, Renfrow Realty Company and D. L. Phillips Investment Builders. He stated Mrs. Eller owns a little corner; two lots along the street are owned by Renfrow Realty Company and five lots along that street are owned by Mrs. King, with the remainder being owned by D. L. Phillips Investment Builders. He stated Phillips also owns all the property to the south which is zoned industrial. He stated they have sold some of the property in the I-2 zone recently for a new industry coming into the city for warehouse and office space. With the opening of General Younts Expressway soon, there has been considerable interest from one of our larger homegrown industries for the subject area.

Councilman Short asked if the land is related to the Roseland Project? Mr. Cox replied it is not.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until its next meeting.

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PETITION NO. 71-13 BY JAMES HUGH MILL TO CONSIDER CONDITIONAL APPROVAL FOR OFF-STREET PARKING UNDER SECTION 23-39 ON PROPERTY NOW ZONED R-6MF AT 2030 VAIL AVENUE, DENIED.

Councilman Tuttle moved that the subject petition for conditional off-street parking on property zoned R-6MF at 2030 Vail Avenue, on which a protest petition has been filed to invoke the 3/4 Rule, be denied as recommended by the Planning Commission. The motion was seconded by Councilman Withrow, and carried unanimously.

PETITION NO. 71-15 BY DON'S INC. AND ALICE DEW COMPANY, INC. FOR A CHANGE IN ZONING OF PROPERTY FRONTING APPROXIMATELY 105 FEET ON THE NORTH SIDE OF HUNTLEY PLACE, BEGINNING 250 FEET EAST OF PROVIDENCE ROAD, DENIED.

Motion was made by Councilman Tuttle, and seconded by Councilman Jordan, to deny the subject petition for a change in zoning from R-9 to O-6 and B-1, on which a protest petition has been filed to invoke the 3/4 Rule, as recommended by the Planning Commission.

The vote was taken on the motion and carried unanimously.

PETITION NO. 71-18 BY LEWIS H. PARHAM, JR. FOR A CHANGE IN ZONING OF 43.9 ACRES OF LAND ON THE NORTH SIDE OF ARROWOOD ROAD, WEST OF IRWIN CREEK, DEFERRED.

Councilman Whittington moved that Council take no action on the subject petition today and give him an opportunity to look at it. The motion was seconded by Councilman Thrower.

Councilman Short suggested that Mr. Bryant, Assistant Planning Director, discuss with the petitioners, and let Council have his feelings and the Planning Commission's feelings, about the possibility of making this a R-6 clustered development. He stated we have never had one of these, but it seems with all this flood plain, it lends itself rather well to that.

Councilman Whittington stated he is confused because they are suggesting that the R-12 stay buffered against industrial zoning with the flood plain through the middle of it.

Councilman Short stated requiring this land by law to be only 12,000 square foot single family lots, as it is now, does not appear to be a good thing to do. He asked that the Planning Commission confer with the petitioners and let Council know if the clustered development, under Section 23-42 is not a possibility here.

The vote was taken on the motion and carried unanimously.

ORDINANCE NO. 51-X AMENDING ORDINANCE NO. 732-X, THE 1970-71 BUDGET ORDINANCE, AUTHORIZING THE TRANSFER OF PORTION OF THE UNAPPROPRIATED BALANCE OF THE STREET WIDENING EXTENSION AND IMPROVEMENT BOND FUNDS, SERIES B, TO CAPITAL PROJECT ACCOUNT.

Upon motion of Councilman Whittington, seconded by Councilman Tuttle, and unanimously carried, the subject ordinance was adopted authorizing the transfer of \$118,294.00 to the Civic Center Street Improvements, to be used for design, construction and purchase of property for improvements carried out in the area surrounding the Civic Center.

The ordinance is recorded in full in Ordinance Book 18, at Page 117.

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ORDINANCE NO. 52-X AMENDING ORDINANCE NO. 732-X, THE 1970-71 BUDGET ORDINANCE AUTHORIZING THE TRANSFER OF PORTION OF UNAPPROPRIATED BALANCE OF THE AIRPORT FUND.

Councilman Thrower moved adoption of the subject ordinance authorizing the transfer of \$10,000 from the unappropriated balance of the Airport fund for unanticipated repairs to the main instrument runway at Douglas Municipal Airport. The motion was seconded by Councilman Withrow, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 18, at Page 118.

DEED CONVEYING VETERANS RECREATION CENTER PROPERTY ON EAST MOREHEAD STREET TO THE CITY OF CHARLOTTE, AUTHORIZED.

Councilman Withrow moved approval of the deed conveying the veterans recreation center property on East Morehead Street to the City of Charlotte. The motion was seconded by Councilman Thrower.

Councilman Whittington stated something of the work of the Veterans Recreation Authority in this particular area should be noted. He stated they are turning this deed back to the city government because the facility apparently is no longer in use by the majority of the veterans or the veterans organizations in the county. He urged the Mayor, as the one who appoints the Authority, to keep the Authority intact as he is sure there will be another service they can render in the future.

Mayor Belk stated it ended up better coming back to the city than it did going out. He asked the Acting City Manager to write the Authority and thank them for their work.

Councilman Short stated just a few years ago they were asking for assistance and Council gave them assistance more than once. That in the last three or four years, they have turned the situation around completely and have had a real good operation.

The vote was taken on the motion and carried unanimously.

RESOLUTION RESCINDING COUNCIL AUTHORIZATION ON FEBRUARY 22, 1971 TO INSTITUTE CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO CLINTON WESTBROOK AND WIFE, BOBBY P. WESTBROOK, LOCATED AT 3726 EASTWAY DRIVE FOR THE EASTWAY DRIVE WIDENING.

Motion was made by Councilman Tuttle, seconded by Councilman Withrow, and unanimously carried, adopting the subject resolution rescinding council authorization of February 22, 1971.

The resolution is recorded in full in Resolutions Book 7, at Page 275.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO CLINTON WESTBROOK AND WIFE, BOBBY P. WESTBROOK, LOCATED AT 3726 EASTWAY DRIVE FOR THE EASTWAY DRIVE WIDENING PROJECT.

Upon motion of Councilman Short, seconded by Councilman Whittington, and unanimously carried, the subject resolution was adopted and is recorded in full in Resolutions Book 7, at Page 276.

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**CONTRACT BETWEEN THE CITY OF CHARLOTTE/MODEL CITIES DEPARTMENT AND PUBLIC SYSTEMS, INC. FOR PROFESSIONAL TECHNICAL ASSISTANCE.**

Councilman Whittington moved approval of the subject contract in the amount of \$84,936 to provide professional technical assistance in the following four areas: (1) the process and methods of planning comprehensive urban programs; (2) the department's management information and reporting system; (3) the development of a system and mechanism for conclusively assessing program progress and impact; and (4) the development of a system for project management. The motion was seconded by Councilman Alexander, and carried unanimously.

**SANITARY SEWER CONSTRUCTION AUTHORIZED.**

Motion was made by Councilman Thrower, seconded by Councilman Whittington, and unanimously carried, approving the request of Alta Enterprises to construct 2,010 lineal feet of 8-inch sanitary sewer main and 1,900 lineal feet of 8-inch sanitary sewer trunk to serve Foxcroft East Subdivision Phase II, outside the city, at an estimated cost of \$32,503.36, with all cost of construction to be borne by the applicant whose deposit has been received and will be refunded as per terms of the agreement.

**RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO JAMES H. CANUPP AND WIFE, AT 3501 EAST INDEPENDENCE BOULEVARD FOR THE EASTWAY DRIVE PROJECT.**

Councilman Whittington moved adoption of the subject resolution authorizing condemnation proceedings for the acquisition of 7,982.46 square feet of property at a condemnation price of \$24,000.00. The motion was seconded by Councilman Short, and carried unanimously.

The resolution is recorded in full in Resolutions Book 7, at Page 277.

**PROPERTY TRANSACTIONS AUTHORIZED.**

Motion was made by Councilman Thrower, seconded by Councilman Whittington, and unanimously carried, approving the following property transactions:

- (a) Acquisition of 14.71' x 31.40' of easement at 3511 Mountainbrook Road, from Charles J. Frate and wife, Kathleen E., at \$30.00, for the McMullen Creek Outfall.
- (b) Acquisition of 30' x 219.28' of easement at 3423 Johnny Cake Lane, from Edward C. Arnold and wife, Irene M., at \$320.00, for the McMullen Creek Outfall.
- (c) Acquisition of 8.92' x 60.03' x 9.13' x 60.00' at 3804 Commonwealth Avenue, from Warner Enterprises, Inc., at \$1,250.00, for the Eastway Drive Project.
- (d) Acquisition of 75' x 194.34' x 75' x 194.49' at 3829 Eastway Drive, from James H. Canupp and wife, Ethel Wiggins Canupp, at \$45,900.00, for the Eastway Drive Project.
- (e) Acquisition of 50,521.60 square feet at 3421 Independence Boulevard, from Canupp Realty Company, Inc., at \$243,000 for the Eastway Drive Project.
- (f) Acquisition of 183.74' x 158.17' x 135.50' x 201.02' at 3401 Independence Boulevard from James H. Canupp and wife, Ethel Wiggins Canupp, at \$149,000, for the Eastway Drive Project.

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- (g) Acquisition of 23.33' x 28.31' x 25.48' behind 3421 East Independence Boulevard, from James H. Canupp and wife, Ethel Wiggins Canupp, at \$600.00 for the Eastway Drive Project.
- (h) Acquisition of 9.13' x 63.02' x 9.81' x 60' at 3802 Commonwealth Avenue, from Gertrude Dellinger (widow), at \$2,200.00 for the Eastway Drive Project.
- (i) Acquisition of 10' x 158' at 725 Seigle Avenue from Charlotte Housing Authority, at \$1.00, for sanitary sewer to serve Seigle Avenue and Otts Street.

SPECIAL OFFICER PERMITS AUTHORIZED.

Upon motion of Councilman Jordan, seconded by Councilman Tuttle, and unanimously carried, the following Special Officer Permits were approved for a term of one year each:

- (a) Issuance of permit to James E. Kivett for use on the premises of J. B. Ivey & Company at SouthPark.
- (b) Issuance of permit to Dorothy Lamour Stevens for use on the premises of J. B. Ivey & Company.

TRANSFER OF CEMETERY LOTS.

Motion was made by Councilman Tuttle, seconded by Councilman Alexander, and unanimously carried, authorizing the Mayor and City Clerk to execute deeds for the transfer of cemetery lots, as follows:

- (a) Deed with Mrs. Frances Blakeney for Lot No. 131, Section 2, Oaklawn Cemetery, transferred from Mrs. L. W. Driscoll, at \$3.00, for transfer deed.
- (b) Deed with Mrs. Helen M. Shermetta for Graves No. 4, 5 and 6, in Lot No. 932, Section 6, Evergreen Cemetery, at \$300.00.
- (c) Deed with Mr. Clarence Malcolm Collins, Jr. and wife, for Lot No. 348, Section 6, Evergreen Cemetery, at \$480.00.
- (d) Deed with William A. Hart, for Graves No. 3 and 4, in Lot No. 749, Section 6, Evergreen Cemetery, at \$220.00.

CONTRACT AWARDED PUMP & LIGHTING COMPANY, INC. FOR CORPORATION STOPS AND COUPLINGS.

Councilman Jordan moved award of contract to the low bidder, Pump & Lighting Company, Inc., in the amount of \$3,788.40, on a unit price basis, for 1,590 corporation stops and couplings. The motion was seconded by Councilman Withrow, and carried unanimously.

The following bids were received:

Pump & Lighting Co., Inc.	\$3,788.40
Farnan Brass Works Co.	4,302.40
Grinnell Company, Inc.	4,384.52
Mueller Company	4,478.50
Southern Meter & Supply Co.	4,636.38
Hays Mfg. Company	4,639.52

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**CONTRACT AWARDED THE FORD METER BOX COMPANY, INC. FOR CURB STOPS.**

Upon motion of Councilman Withrow, seconded by Councilman Short, and unanimously carried, contract was awarded the low bidder, The Ford Meter Box Company, Inc., in the amount of \$7,012.00, on a unit price basis, for 2,100 curb stops.

The following bids were received:

The Ford Meter Box Co., Inc.	\$7,012.00
Grinnell Company, Inc.	7,864.50
Mueller Company	8,047.00

**APPOINTMENT OF COUNCILMAN TUTTLE AS CHAIRMAN AND COUNCILMAN WITHROW AS MEMBER OF COUNCIL LITTER COMMITTEE.**

Councilman Jordan stated he will not be on the Council after May, and he has been very fortunate and honored to serve as Chairman of the Council's Litter Committee. That the Committee has not really started; a lot is in plan and he is sure it will be a most important committee and one that the majority of people in the City are interested in.

He stated as Councilman Tuttle is on the Committee and has been very interested in the program, he would suggest that Mayor Belk appoint him as Chairman of the Committee to take his place and that another member of Council be selected to serve on the Committee.

Mayor Belk thanked Councilman Jordan for the fine services he has rendered, not only as Chairman of this Committee, but for the City in general and the community. He stated he knows that this Committee has a special meaning to Councilman Jordan as he has expressed his feelings a number of times.

Mayor Belk appointed Councilman Jerry Tuttle as Chairman of the Council Litter Committee and Councilman Joe Withrow to serve as a Committee Member.

Councilman Jordan stated what is in the plans is very important, and he is sure that it will be very important to the citizens of Charlotte and he would like very much to see it continue.

Councilman Tuttle stated he appreciates Councilman Jordan's confidence by asking him to Chair the Committee, but he is being too modest; that the Committee is well on the road to a real program.

**PROGRESS REPORT REQUESTED ON PEDESTRIAN WALKWAY, LAKE AND BEAUTIFICATION OF THE GOVERNMENTAL PLAZA AND MARSHALL PARK.**

Councilman Whittington requested a progress report from the Acting City Manager on the pedestrian walkway in the governmental plaza and when the lake will be completed and the beautification program as it relates to the governmental plaza and Marshall Park.

**PUBLIC WORKS DIRECTOR REQUESTED TO CONSIDER A MONTH IN THE SPRING AND FALL FOR PICKUP OF HEDGEROW CUTTINGS AND SUCH AT THE CURB WITHOUT NECESSITY OF TYING AND BAGGING.**

Councilman Whittington requested the Acting City Manager, Mr. Bobo, to get some reaction from Mr. Hopson, Public Works Director, about a suggestion on picking up leaves and shrubbery. He stated there is a special time of the year where the city picks up all the leaves from the curb. That he suggests

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that Mr. Hopson consider giving a month in the Fall and a month in the Spring - like March - where people would not be required to tie up and go to the trouble of bagging their hedgrow, peach tree trimmings and tree limbs that they have to go through following the winter. He stated this is only a suggestion. That the City encourages the citizens to clean up and then when you go along Queens Road and many other streets, the cuttings are out. That the citizens either do not understand the ordinance or they are not concerning themselves with the ordinance. That he thinks this suggestion of pick up as is done with the leaves might be helpful.

TRAFFIC ENGINEERING REQUESTED TO ASK STATE HIGHWAY COMMISSION TO INSTALL TRAFFIC SIGNAL AT EITHER BENNETT LANE AND NORTH 29 OR WELLINGFORD AND NORTH 29.

Councilman Whittington stated the Hidden Valley-Sugar Creek Road area keeps coming to his attention almost on a daily basis, sometimes from the merchants and at other times by the residents. That they are requesting the Traffic Engineering Department to ask the State Highway Department to put a traffic signal at either Bennett Lane and North 29, or at Wellingford and North 29. He stated most of the Hidden Valley residents are having to use these intersections to get into Tryon Street to get to work.

CITY MANAGER REQUESTED TO HAVE SOME NOTICE SENT OUT REGARDING PLACING TRASH, LEAVES AND LIMBS ON MEDIAN STRIPS.

Councilman Jordan stated on the streets where the median runs down the middle of the street, the residents are continually putting their trash, limbs and leaves on the median. The trash and garbage collectors are not picking it up as it is not wrapped, bundled or anything, and it lays there for weeks at a time. He requested Mr. Bobo, Acting City Manager, to get some notice out to the people through the news media or some other way not to put the trash, leaves and limbs in the median as it looks bad. He stated there is some out on Providence Road right now. That if they are going to rake their yards and cut limbs, then it should be left in their own yards.

CITY ATTORNEY REQUESTED TO DRAW LEGISLATION TO BE PRESENTED TO DELEGATION ON PROBLEM OF LEWDNESS, OBSCENITY AND PORNOGRAPHY.

Councilman Whittington asked if anything is being planned for Wednesday to talk to the Legislature about the problem of lewdness, obscenity and pornography as far as legislation is concerned? He asked if this is part of the City's legislative package?

Mayor Belk replied if anyone has anything they would like to talk about, they are welcome to do so. That Council will be together on the way down and will have an opportunity to discuss anything they would like.

Councilman Whittington requested the City Attorney to draw legislation between now and Wednesday to present to the Delegation on a state-wide basis where the problem can be attacked and something can be done about it.

Councilman Withrow stated he asked the City Attorney to write a letter to the Delegation giving the Council's endorsement of any legislation on the problem. Mr. Underhill replied he did write the letter.

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**WATER MAIN CONSTRUCTION TO SERVE PORTION OF DALTON VILLAGE, PHASE I, DEFERRED.**

Councilman Jordan moved that contract be authorized with Summers Development Company for the construction of 3,000 feet of water main and three fire hydrants to serve a portion of Dalton Village, Phase I, inside the city, at an estimated cost of \$12,700.00, with the applicant to advance the full cost for all mains and to be reimbursed for the two inch and six inch mains to the extent of 50% and for the eight inch main to the extent of 100% at the rate of 35% quarterly of the revenue derived until full reimbursement has been made or until the end of fifteen years, whichever comes first, all in accordance with the Partnership Plan. The motion was seconded by Councilman Whittington.

Councilman Withrow asked if this means there are no fire hydrants in the portion of Dalton Village that is occupied. He asked what Phase I means? Does it mean there is another Phase of low income housing going in?

Later in the meeting, Mr. Bobo, Acting City Manager, advised there are fire hydrants in the original portion of Dalton Village; this is a new section being developed in which they plan additional mains and fire hydrants.

Councilman Withrow stated he would like to know what is being constructed in there now? Mr. Bobo replied he will contact the Housing Authority. Councilman Withrow stated no information he has received from the Housing Authority has ever mentioned any more of Dalton Village in first phase, second phase or third phase and yet this has the first phase, and he would like to know what is being done.

Councilman Whittington suggested that the item be postponed for one week.

Councilman Jordan withdrew the motion to approve the contract which met with the approval of Councilman Whittington, who had seconded the motion.

Councilman Jordan moved that the item be deferred for one week so that Mr. Bobo can give Councilman Withrow an answer. The motion was seconded by Councilman Withrow.

Councilman Short stated it has been indicated to him that the next phase of this project is a shopping area, and he thinks this is what Phase I refers to.

Councilman Withrow stated he does not object to a shopping center.

The vote was taken on the motion and carried unanimously.

**APPOINTMENT OF ELLIOTT P. TAYLOR FOR UNEXPIRED TERM ON AIRPORT ADVISORY COMMITTEE.**

Councilman Tuttle stated Charlotte continues to be blessed with qualified people ready to serve; that there is an opening on the Airport Advisory Committee, and Council has the promise to serve by Mr. Elliott P. Taylor, who is Vice Chairman of the NCNB Corporation, and Executive Vice-President of North Carolina National Bank.

Councilman Tuttle placed in nomination the name of Mr. Elliott P. Taylor. No other nominations were made.

Councilman Tuttle moved the appointment of Mr. Elliott P. Taylor to the Airport Advisory Committee for an unexpired term to expire July 31, 1975. The motion was seconded by Councilman Jordan, and carried unanimously.

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ACTING CITY MANAGER REQUESTED TO CHECK WITH NORFOLK-SOUTHERN RAILROAD ABOUT CLEARING THE LAND ALONG THE TRACKS IN NORTH CHARLOTTE AS THE DEAD LINE IS APPROACHING.

Councilman Tuttle stated Council has received a letter from Mrs. Herman Pigg of the North Charlotte Action Committee. That Council extended the dead line on the clearing of the Norfolk-Southern tracks, from North Davidson Street to Card Street, to April 1. That Mrs. Pigg says there is no evidence of any work going on.

He stated if this work is not done by April 1, he is sure the attitude of the Council will be to go ahead and do it as was considered before, and send the bills to Norfolk-Southern. He requested the Acting City Manager to follow up on this problem.

ACTING CITY MANAGER REQUESTED TO CONSIDER IDEAS OF PICKING UP TRASH EVEN TO EXTENT OF CHARGING A FEE.

Councilman Tuttle stated he has discussed with Mr. Bobo, Acting City Manager, the possibility of doing something about the trash pick up service even to the extent of considering a fee. That we have almost the same situation this time of year when everyone is trimming shrubs as we have when leaves come down and something is going to have to be done.

ACTING CITY MANAGER ADVISES REPORT ON MIS WILL BE PRESENTED TO COUNCIL AT A CONFERENCE SESSION IN NEXT FEW WEEKS.

Councilman Tuttle stated several weeks ago he asked for a report on MIS. He asked if the report is forthcoming? Mr. Bobo, Acting City Manager, replied this is scheduled for a conference session in the next few weeks.

COUNCIL ADVISED THAT WORKABLE PROGRAM IS STILL IN REVIEW STAGE BY HUD.

Councilman Short asked if the workable program, as approved by Council several weeks ago has now been accepted and approved by HUD? Mr. Bobo replied the City has not received any objections to it; no questions or comments have been made about it. Mr. Underhill, City Attorney, stated it is still in the review stage as Mr. Bobo has indicated.

Councilman Short stated the matter of appointing the Housing Appeal Board probably would not be in order until after this is accepted by HUD? Mr. Bobo replied he would think so; that Council should be thinking about some people to appoint but there is still some time to make the appointments.

TRAFFIC PROBLEM AT BEATTIES FORD ROAD & I-85 REQUESTED INVESTIGATED WITH REPORT BACK TO COUNCIL.

Councilman Alexander requested the Acting City Manager to contact whoever needs to be contacted about the traffic situation on Beatties Ford Road at I-85 during the peak hours in the mornings and in the afternoons. That traffic backs up to where a car can stand there fifteen or twenty minutes in the morning; you just have to guess if you are going to come through there; there is no other outlet for traffic in the area coming to town as there is no other way for them to go, going to that point. He asked that a report be brought back to Council.

Mayor Belk stated this is one of the bottlenecks; also Freedom Drive has the same problem; there is not a good egress and ingress to it.

Councilman Alexander stated the Beatties Ford Road and I-85 was in the same shape before the construction was going on.

Mr. Bobo stated the Traffic Engineer is aware of this and he has been studying it and is concerned about it, and he will ask him to take another look at it.

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COMMENTS ON FOUNTAIN IN FRONT OF OVENS AUDITORIUM.

Councilman Alexander stated he is pleased to see that the water flow in front of Ovens Auditorium has been changed; that it is an improvement but he would like for the Beautification Office to continue looking at it. That he thinks they can still do a little better.

CITY STREET TREE PROGRAM AUTHORIZED.

Councilman Withrow stated he has passed to each Council a copy of the City Street Tree Program which is as follows:

"Over the past few weeks, we have witnessed the expression of deep and sincere concern by a large number of our citizens over the destruction of the trees on Sharon Lane. In recent years, the demands of progress and the expansion of the City's street and expressway systems have made it necessary to remove trees in a number of locations throughout the City. Fortunately, Charlotte has been blessed with a heritage of street trees in nearly all sections of our community. Growth and progress, however, have been eating away at this rich heritage at an increasingly faster pace within the last few years.

The expansion of our streets and highways is necessary and important. I believe that it is also necessary and important to preserve and perpetuate our City's heritage of beautiful trees. Our citizens who have had the opportunity to travel both in this country and abroad frequently express their admiration for the tree lined boulevards and thoroughfares of great cities throughout the world. In most of these communities, local government has accepted the responsibility for the design of public streets to accommodate street trees and for the planning and maintenance of these trees. I believe it is time now for Charlotte to undertake this type of street tree program.

I would therefore like to present to Council, in the form of a resolution, a proposal that the City of Charlotte begin immediately to develop and implement a street tree planting and replacement program. Special attention should be given to those streets where recent widening and improvements have required the elimination of existing trees, and to all major thoroughfares leading into our City. The program should include not only the replacement of trees and the planting of new trees, but the maintenance of street trees as well. The program should also include a study of our existing street right of way requirements and if necessary, a revision of those right of way requirements in order to accommodate street trees within the public planting strip on all future street construction projects.

Finally, the resolution would request the Charlotte-Mecklenburg Planning Commission to review its subdivision requirements and study the possibility of making the planting of street trees a responsibility of subdivision developers.

I believe the new Landscaping Division of the City's Public Works Department represents a beginning toward providing the manpower and financial resources required to carry out such a program. I also understand that the Federal government's urban beautification program makes available grants to local governments for the purpose of street tree planting. In fact, I believe we are already carrying out some projects of this type. I think they should be continued and expanded.

Personally, I know nothing which requires as small an initial investment and as little maintenance expense that has as lasting and positive effect on the aesthetics and general environment of our community as a tree. I think it is time that Charlotte recognizes the good investment that street trees represent. The City has a rich heritage of street trees to preserve and I think we have the responsibility to transmit to our future citizens a legacy of beautiful trees and beautiful streets."

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Councilman Alexander asked if the City did not have a Tree Commission at one time? Councilman Jordan stated there was a Committee and Mr. Claude Albea chaired the Committee for years; he asked Councilman Withrow to give Mr. Albea a copy of the program.

Councilman Withrow stated after hearing about the trees on Sharon Lane, he thinks the City should have a program of tree planting along all these widened streets, and also replacing the trees that are dying. That Charlotte is noted for its trees.

Councilman Withrow moved approval of the program as proposed. The motion was seconded by Councilman Tuttle.

Councilman Short stated he thinks this is a great idea. Particularly, he thinks the City should have the policy of replacing, at least on a one-for-one basis, anything that is removed; that Mr. Birmingham, of the Public Works Department, has indicated that they remove 400 to 500 a year, and certainly the City could replace those and more.

The vote was taken on the motion and carried unanimously.

Councilman Alexander stated when he was a little boy, there was an Arbor Day and everyone planted trees on Arbor Day; that he planted a tree in front of Myers Street School; that every year the school children planted a tree on Arbor Day.

Councilman Short stated the Tree Commission was created in 1956 and had seven members and all the terms expired in 1958 and no one was ever re-appointed.

ACTING CITY MANAGER REQUESTED TO INVESTIGATE THE PROBLEM AT SUGAR CREEK ROAD AND CRAIGHEAD ROAD.

Councilman Short stated Councilman Whittington has mentioned Bennett Lane and Wellingford in the Sugar Creek Road area. That Sugar Creek Road at the other end is creating a very considerable traffic problem at Craighead. He asked the Acting City Manager to look into this also.

HOUSING REPORT TO BE MADE TO MAYOR AND COUNCIL AT NEXT MEETING BY HOUSING AUTHORITY, MR. GEORGE SELDEN AND REDEVELOPMENT COMMISSION.

Councilman Withrow stated in Saturday's paper there was an article by Mr. George Selden. He stated he thinks Mr. Selden should be asked to explain that article. That he has received a number of calls on this and the citizens are upset over this article on low income housing. He requested Mr. Bobo, Acting City Manager, to have Mr. Selden reply to Council on this article.

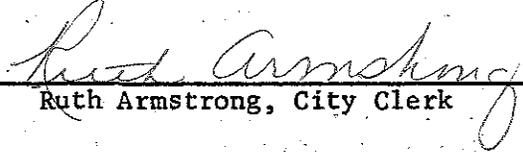
Mr. Bobo stated a report will be made to the Mayor and Council next week on the housing program. The Housing Authority, Mr. Selden and the Redevelopment Commission will be present. That he is sure Mr. Selden will be glad to comment on the article. He stated Council approved the workable program and in the program, under HUD guidelines, a committee is required to be responsible for the overall housing program, and Mr. Selden's Committee was appointed to be responsible for the overall program. Councilman Withrow stated it is only for coordinating and recommending, and not come out with an article such as the one in the paper.

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Councilman Alexander asked if the report to be given to Council next week will be the report he asked for sometime ago where it will be a complete status report of housing in the City of Charlotte. Mr. Bobo replied it will.

ADJOURNMENT.

Upon motion of Councilman Thrower, seconded by Councilman Whittington, and unanimously carried, the meeting was adjourned.

  
Ruth Armstrong, City Clerk