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The City Council of the City of Charlotte, North Carolina, met in regular session on Monday, November 6, 1972, at 3:00 o'clock p.m., in the Council Chamber, City Hall, with Mayor John M. Belk presiding, and Councilmembers Fred D. Alexander, Ruth M. Easterling, Sandy R. Jordan, James D. McDuffie, Milton Short, James B. Whittington and Joe D. Withrow present.

ABSENT: None.

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INVOCATION.

The invocation was given by Councilman Fred D. Alexander.

MINUTES APPROVED.

Upon motion of Councilman Whittington, seconded by Councilman Short, and unanimously carried, the minutes of the regular Council Meeting on Tuesday, October 24, and the Recessed Meeting on Friday, October 27, 1972 were approved as submitted.

CITY OF CHARLOTTE MERIT AWARD PRESENTED FIREFIGHTER ENGINEER CHARLES W. LONG.

Fire Chief Jack Lee stated it gives him pleasure to describe the circumstances around which an act of heroism and courage occurred for which we are honoring Firefighter Engineer Charles W. Long.

On September 23, having just completed his tour of duty with the Charlotte Fire Department, Firefighter Long observed smoke coming from an apartment in the Park-Fairfax Apartments, while on his way home. He hurried to the apartment and instructed someone passing by to call the fire department, and he proceeded to attack the fire with a fire extinguisher through the living room window. The management unlocked the door to find the safety chain in place. The presence of the chain indicated the apartment was occupied and Fireman Long forced the door, breaking the chain and proceeded to inspect the apartment. After a preliminary search when he had to return to the outside for fresh air, forcible entry was made through a bedroom window. The visibility was practically zero, and Fireman Long felt his way about the room and upon returning to the window for fresh air heard a noise from within and caught a glimpse of someone about to roll off the bed. He caught the victim and passed him outside to safety. The victim was saved from serious consequences as a result of Fireman Long's presence of mind in the face of a serious situation, and his willingness to be of assistance in spite of personal risk involved.

Chief Lee stated it is with considerable pride that he presents Firefighter Engineer Charles Long to the Mayor and Council.

Mayor Belk stated there is no greater service one can do for mankind than forgetting oneself and a willingness to be sacrificed for the life of a fellow human being. In behalf of the City, he presented Firefighter Engineer Long with the City of Charlotte Merit Award in acknowledgement and appreciation of outstanding, meritorious services.

STUDENTS FROM CARMEL JUNIOR HIGH SCHOOL RECOGNIZED BY MAYOR AND COUNCIL.

Mayor Belk stated present today are students from Carmel Junior High School, and he requested the four students to come forward and be recognized. He stated these four young men are celebrating "Student Appreciation Week" by learning more about the Charlotte City Government. Mayor Belk presented each with a pencil and introduced them to the members of City Council. They were Scott Carwell, Bruce Cole, David Kelly and David Anderson.

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ORDINANCE NO. 654-Z AMENDING CHAPTER 23, SECTION 23-39 FOR CONDITIONAL PARKING APPROVAL OF A LOT AT THE NORTHEAST CORNER OF DRIFTWOOD DRIVE AND BURNER DRIVE, ON PETITION OF J. KEN POWELL AND W. P. HERBERT.

Councilman Whittington moved adoption of the subject ordinance approving conditional parking of a lot now zoned R-6MF at the northeast corner of Driftwood Drive and Burner Drive, 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 19, at Page 341.

PETITION NO. 72-50 BY J. P. HACKNEY, ET AL, FOR A CHANGE IN ZONING FROM R-6MF TO O-6 OF ALL PROPERTY IN THE 2300 BLOCK OF RANDOLPH ROAD, EXTENDING FROM VAN NESS STREET TO LAUREL AVENUE, DEFERRED FOR ONE WEEK.

Councilman Alexander moved approval of the subject petition for a change in zoning from R-6MF to O-6 as recommended by the Planning Commission. The motion was seconded by Councilman Jordan.

Councilman Short stated Council should hear from Mr. Hopson, Public Works Director, and Mr. Hoose, Traffic Engineer, on this matter. This intersection at Laurel Avenue is about as fouled up traffic-wise, with busses coming from two directions trying to make turns, as any intersection in the city. He stated he understands that Mr. Hoose is working on this intersection. That he does not know what building plans the petitioners have, but he thinks Council should withhold on this until we hear from Mr. Hoose. In addition this is a major traffic carrier and it is a two lane street and very curvy. That he feels in the public interest Council should hear from Mr. Hopson about what might be in the wind for these streets before running this zoning right up against this two lane street.

Councilman Short made a substitute motion to defer the petition and to ask both Mr. Hopson and Mr. Hoose to speak to Council about this next week; that he does not want to vote on this until we hear from them. The motion was seconded by Councilman Whittington later in the meeting.

Councilman Jordan stated the houses on the corner of Laurel Avenue and Randolph Road are being torn down now, and this is where the bus has such a time turning to the right into Laurel and turning left off Laurel into Randolph Road. He asked what is being planned for this property? Mr. N. W. Black, representing the petitioners, stated he does not know other than he has heard they are planning some improvement on the two-lane road; but Randolph Road is four lane and the city owns enough property between Randolph Road and the sidewalk to make two more lanes; that he can not see how waiting on this would affect it.

Councilman Jordan stated the main problem is to straighten out the curve at Laurel where the bus has to turn. If Mr. Hoose is working on this, then it would solve this problem. Mr. Black stated he understands that is to be straightened out, but he does not know when, and he cannot see why it should delay the zoning.

Councilman Short stated he sympathizes with the petitioners; but in their own best interest and in the best interest of those who live there as well as the travelers, it should be done the right way. Mr. Hoose stated there is a project at the corner of Laurel, Randolph Road, Colville and Vail Avenue under TOPICS. That he does not know what bearing the zoning would have on the project. That he thinks we will have to get some right of way for the intersection. The plans are being drawn up by an engineer now. Councilman Withrow asked if he anticipates anything down Randolph Road other than at the corner, and Mr. Hoose replied no.

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Councilman McDuffie stated unless Laurel Avenue is widened to four lanes, it would appear there is plenty of room on that intersection. In all due respects to the objections raised today, no one objected at the hearing. This same property was up for rezoning less than three years ago, and the road was bad then, and it is bad now. As Mr. Black says there is right of way on the right hand side of Randolph Road, and to change from apartments to office is not that much difference in the value of property. If a man is going to build apartment houses there and wants to be (x) number of feet from the street, he is going to claim as much damage as he would if he built an office building (x) number of feet close to the street.

Councilman Short stated he does not know what Mr. Black and the other petitioners want to build, but he knows the setback is much more favorable in the 0-15 district and this is just practically a wagon road through there, and it is trying to accommodate thousands and thousands of automobiles. It may be that what the petitioners want to build could be built in the 0-15 district. In any event he thinks Council should hear from Mr. Hoose and Mr. Hopson.

Councilman McDuffie stated the "V" on the southside of the road is where the intersection should be widened, and they could not build anything there, and he would move that the zoning be approved as requested.

Councilman Withrow asked how far away the intersection plan is? Mr. Hoose replied he does not have any objections to the zoning at all; but he thinks some thought should be given to what is being considered for the intersection before developing the property.

Councilman Whittington asked the plans for Laurel Avenue? Mr. Hoose replied Laurel Avenue will be widened to accommodate a left turn slot; there will be one more lane built on Randolph Road, and Colville Road will be widened for a flair at the intersection as will Vail Avenue. He stated they do not have any plans on straightening Laurel Avenue; that their plans are just for the intersection; they will run back some 300 feet.

Councilman Whittington asked what is planned for Laurel Avenue to eliminate the curve as you approach Randolph Road from the fire station? Mr. Hoose replied all they are doing is at the intersection approximately 300 feet back; they are building just one additional lane to widen the intersection. Councilman Whittington stated the only property that would be affected on Randolph is the house that sits in the intersection; so what they will need is some right of way there to widen the street. Councilman Whittington asked how long will it take to get this engineering plan; can it be done by next week? Mr. Hoose replied the consultants are doing that intersection along with some other intersections; that they received it several weeks ago and sent it back for some corrections; that he thinks it is due back this week.

During the discussion Mr. Hopson stated they would be happy to do the engineering study and it can be done in two or three days. Councilman Withrow asked about zoning the one lot in the "V" as 0-15 and the remainder as 0-6; that would give the setback for the two roads? That 0-15 would give a setback that would not hurt the building. Mr. Black replied he could not answer that question without asking the property owner; that he thinks he would object to being left out of the 0-6 zone. He stated they would like to have it all zoned for 0-6.

Councilman Alexander stated in these type matters if Council needs further information, why is it not available when these matters come to Council. Councilman Withrow asked if the Planning Commission ever checks with Mr. Hoose on this type zoning request, and Mr. Hoose replied they did not check with him on this. Councilman Short stated they should have on this one as this is a terrible intersection. Councilman Alexander stated that is his question. Why does Council have to come and by piece-meal initiate what it should have had in the beginning? Councilman Whittington stated he has voted for this rezoning every time it has come up; but he thinks it is fair and reasonable for the engineering department to give Council some information.

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Councilman Short stated one of the most frequent traffic moves in Charlotte is from approximately the Myers Park area over to the Coliseum and the Independence Boulevard; we either should connect up Dotger and Bascom by running on through there about a block, or we should take this curve out of Laurel Avenue. One or the other should be done. Taking this curve out of Laurel Avenue and extending it on over across the railroad tracks and connecting it into the Plaza would be an exceedingly valuable thing.

After further discussion, the vote was taken on the substitute motion, and carried unanimously.

RESOLUTION APPROVING THE REPORT OF PLANS TO PROVIDE SERVICES TO THE ALBEMARLE-YORK ROAD AREA BEING CONSIDERED FOR ANNEXATION.

Upon motion of Councilman Whittington, seconded by Councilman Alexander, and unanimously carried, the subject resolution was adopted approving the report of plans to provide services to the Albemarle-York Road area being considered for annexation under resolution recorded in Resolutions Book 8, Pages 428 through 441, adopted October 24, 1972.

The resolution is recorded in full in Resolutions Book 8, at Page 464.

RESOLUTION APPROVING THE REPORT OF PLANS TO PROVIDE SERVICES TO THE STATESVILLE-DERITA ROAD AREA BEING CONSIDERED FOR ANNEXATION.

Motion was made by Councilman Alexander, seconded by Councilman Whittington, and unanimously carried, adopting the subject resolution approving the report of plans to provide services to the Statesville-Derita Road area being considered for annexation under resolution recorded in Resolutions Book 8, Pages 447 through 450, adopted October 24, 1972.

The resolution is recorded in full in Resolutions Book 8, at Page 465.

RESOLUTION APPROVING THE REPORT OF PLANS TO PROVIDE SERVICES TO THE HICKORY GROVE AREA BEING CONSIDERED FOR ANNEXATION.

Councilman Whittington moved adoption of subject resolution approving the report of plans to provide services to the Hickory Grove Area being considered for annexation under resolution recorded in Resolutions Book 8, Pages 442 through 446, adopted October 24, 1972. The motion was seconded by Councilman Withrow, and carried unanimously.

The resolution is recorded in full in Resolutions Book 8, at Pages 466.

ACQUISITION OF THREE PARK SITES BY THE PARK AND RECREATION COMMISSION, AUTHORIZED.

Council was advised that the Park and Recreation Commission recommends the acquisition of three park sites as follows:

1. Methodist Home Park, 0.9 acres at \$14,500.00.
2. Hidden Valley Park, 30.95 acres at \$124,000.00.
3. Northeast Community Park (Plaza Road Ext.), 148.6 acres at \$304,000.00.
4. Project administration cost \$10,000.00, making the total cost of the land acquisition \$452,500.00.

Councilman Alexander moved approval of the request as recommended. The motion was seconded by Councilman Short.

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Councilman Whittington asked if the Hidden Valley Park property is between Sugar Creek Road and Tryon Hills? Mr. Chet Whelchel of the Park and Recreation Commission, replied he believes that is right; that it is on Sugar Creek Road. Councilman Whittington asked if there was any consideration of backing off Plaza Road Extension rather than having all the property fronting on the Road realizing this will be an artery to the College - a four lane highway? Mr. Whelchel replied in the surveying it was felt that part of the property could not be acquired because it was tied up.

Mayor Belk requested Mr. Whelchel to have the Board consider bicycle trails in these parks. Mr. Whelchel replied they are giving serious considerations to trying to work out details for some of the existing parks. Mayor Belk stated he is talking about the whole park system.

Councilman McDuffie asked if there are any statistics on the use of Shamrock Park; that he lives across the street and knows it has more use than any of the so-called neighborhood parks, and that is primarily because it is the only one in the north end of the city at present. When Shamrock is widened, parking probably should be prohibited because it has to be angle parking and you have to back out into the street; there is a bad curve and there are apartment houses across the street. The one acre they are buying is not adequate now for the use of the park. Mr. Whelchel replied this will be used primarily for parking; 1/4 of it along the property line will be used for playground equipment. Councilman McDuffie asked the Park and Recreation Commission to report back on the two older houses that are next door to this one; he asked if they have any cost estimates on them now. He was advised the owners have been approached and there is no desire on their part to sell. Councilman McDuffie stated he would like a recommendation from the Commission concerning these two houses on the basis of need. That when Council has another bus tour to view the new park and the civic center, he would like to ride through these areas to see where the park sites are located. Mr. Whelchel replied they will check it out and report back to Council, hopefully by next Monday.

Councilman Withrow stated he asked sometime ago about community parks, and the City Manager was going to write several cities for information; he asked if he has any information on this? Mr. Burkhalter, City Manager, replied the last report came in last week, and the Planning Commission will have the report ready within two weeks.

The vote was taken on the motion and carried unanimously.

COUNCILMAN ALEXANDER LEAVES MEETING.

Councilman Alexander left the meeting at this time, and was absent for the remainder of the session.

RESOLUTION APPROVING A MUNICIPAL AGREEMENT WITH THE STATE HIGHWAY COMMISSION TO PERFORM MAINTENANCE TYPE CONSTRUCTION IMPROVEMENTS AT VARIOUS INTERSECTIONS.

Motion was made by Councilman Jordan and seconded by Councilman Whittington, to adopt the subject resolution approving a municipal agreement between the City and the State Highway Commission to perform maintenance type construction improvements to 15 intersections, at a total project cost not to exceed \$70,000.

Councilman Withrow asked why Remount Road and Wilkinson Boulevard are not included in this project? The Traffic Engineer replied that is under the TOPICS project and contract will be awarded in January.

The vote was taken on the motion and carried unanimously.

The resolution is recorded in full in Resolutions Book 8, beginning at Page 467.

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ORDINANCES ORDERING THE REMOVAL OF WEEDS AND GRASS PURSUANT TO SECTION 6.103 AND 6.104 OF THE CITY CHARTER, CHAPTER 10, ARTICLE I, SECTION 10-9 OF THE CITY CODE.

Upon motion of Councilman Jordan, seconded by Councilman Short, and unanimously carried, the following ordinances ordering the removal of weeds and grass were adopted:

- (a) Ordinance No. 655-X ordering the removal of weeds and grass at the corner of Hilderbrand and Maribel Streets.
- (b) Ordinance No. 656-X ordering the removal of weeds and grass at 4320 South Tryon Street.
- (c) Ordinance No. 657-X ordering the removal of weeds and grass adjacent to 3117 Ross Avenue.
- (d) Ordinance No. 658-X ordering the removal of weeds and grass at the corner of East Morehead and Myrtle Avenue.
- (e) Ordinance No. 659-X ordering the removal of weeds and grass adjacent to 5430 Addison Drive.

The ordinances are recorded in full in Ordinance Book 19, beginning at Page 342.

CITY MANAGER REQUESTED TO WRITE LETTERS OF APPRECIATION TO CHARLES MAXWELL AND LAUCH FAIRCLOTH FOR FIVE CITY PRIORITIES.

Mayor Belk stated he would like to congratulate Mr. Charles Maxwell, Highway Commissioner, for getting the five priorities. He requested the City Manager to write Mr. Maxwell and thank him for doing this; these are the five priorities of the city at Plaza, Tyvola Road, Statesville Road, Central Avenue and Fairview Road, which have come to the City under this Governor, and this is something we should congratulate and thank him for. He requested that a letter also be sent to Mr. Lauch Faircloth.

CONTRACT-AGREEMENT BETWEEN THE CITY AND PITOMETER ASSOCIATES FOR HYDRAULIC STUDIES IN AREAS OF MECKLENBURG COUNTY.

Councilman Whittington moved approval of a contract-agreement between the City and the Pitometer Associates, to conduct hydraulic studies in areas of Mecklenburg County where additional water systems must be installed, on a per-diem basis fee of \$160.00, with the total contract not to exceed \$12,000.00. The motion was seconded by Councilman Jordan, and carried unanimously.

CONTRACT WITH J. N. PEASE ASSOCIATES FOR ENGINEERING SERVICES FOR CHARLOTTE-MECKLENBURG UTILITY DEPARTMENT, RENEWED FOR TWO YEARS.

Motion was made by Councilman Short, seconded by Councilman Withrow, and unanimously carried, approving the renewal of contract for an additional two years with J. N. Pease Associates for engineering services for the Charlotte-Mecklenburg Utility Department.

CONTRACTS FOR THE CONSTRUCTION OF WATER MAINS AND SANITARY SEWER TRUNKS, AUTHORIZED.

Upon motion of Councilman Jordan, seconded by Councilman Short, and unanimously carried, the following contracts for the construction of water mains and sanitary sewer trunks, were approved:

- (a) Contract with Peterbilt Southern, Inc. for the construction of 1,450 feet of 6-inch c. i. water main and one fire hydrant to serve the corporation's property located along the Service Road of Interstate Highway 85, outside the city, at an estimated cost of \$6,800.00. Funds will be advanced by the applicant and will be reimbursed in accordance with existing city policies.

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- (b) Contract with Charlotte Elks Lodge No. 392 for the construction of 1,600 feet of 8-inch c. i. water main and one fire hydrant to serve the property of the Charlotte Elks Lodge No. 392, located in Arrowood Road, outside the city limits, at an estimated cost of \$9,200.00. Funds will be advanced by the applicant and will be reimbursed in accordance with existing city policies.
- (c) Contract with Ponderosa Steak House for the construction of 70 linear feet of 8-inch sanitary sewer trunk to serve 4445 E. Independence Boulevard, inside the city, at an estimated cost of \$1,181.00, with the applicant to deposit the full amount of the cost and to be refunded as per the agreement.

ENCROACHMENT AGREEMENTS WITH STATE HIGHWAY COMMISSION, AUTHORIZED.

Motion was made by Councilman Withrow, seconded by Councilman Short, and unanimously carried, authorizing the following encroachment agreements:

- (a) Agreement with the State Highway Commission permitting the city to construct a 24-inch water main in US 21, Starbrook Drive, Sharon Road and Park Road.
- (b) Agreement with the State Highway Commission permitting the city to construct a 6-inch c. i. water main in I-85 Service Road, beginning 1,000 feet from SR 2540 (Derita Road) and five feet from the edge of the pavement along the southerly margin of Service Road of I-85 to Sugar Creek Road.

PROPERTY TRANSACTIONS APPROVED.

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

- (a) Acquisition of 10' x 235' of easement at 4234 Pineville Road, from White Stores, Inc., at \$1.00, for sanitary sewer to serve White Stores, Inc. (5130 South Boulevard).
- (b) Acquisition of 10' x 335.34' of easement at 5306 South Boulevard, from Frank Edwards, at \$335.00 for sanitary sewer to serve White Stores, Inc. (5130 South Boulevard).
- (c) Acquisition of 16' x 50' triangle at 127 Wakefield Drive, from Selwyn Village, Inc., at \$66.00 for a 24-inch water line, Woodlawn Road, Selwyn Avenue and Barclay Downs Road area.

CHANGE ORDER NO. 1 IN CONTRACT WITH HICKORY CONSTRUCTION COMPANY, AUTHORIZED.

Councilman Withrow moved approval of Change Order No. 1 in contract with Hickory Construction Company for a credit of \$270.00 for the construction and removal of a steel sheet pile retaining wall for the protection of the Southern Railway switching lead track during construction of the Civic Center. The motion was seconded by Councilman Jordan, and carried unanimously.

RESOLUTION AUTHORIZING REFUND OF CERTAIN TAXES, ADOPTED.

Councilman Jordan moved adoption of a resolution authorizing the refund of certain taxes in the total amount of \$160.12, which were levied and collected through clerical error against three tax accounts. The motion was seconded by Councilman Withrow, and carried unanimously.

The resolution is recorded in full in Resolutions Book 8, at Page 470.

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APPOINTMENTS TO BUILDING STANDARDS BOARD, APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, the following appointments were approved to the Building Standards Board as recommended by the City Manager:

1. Mr. C. F. Halfhill, Engineer, appointed for a three year term.
2. Mr. W. H. Trotter, Home Builder, appointed for a three year term.
3. Mr. John R. Ross, Electrical Contractor, appointed for a three year term.

SPECIAL OFFICER PERMITS APPROVED FOR PERIOD OF ONE YEAR EACH.

Motion was made by Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, approving the issuance of special officer permits for a period of one year each, as follows:

- (a) Issuance of permit to James Leslie Bell for use on the premises of Charlotte Park and Recreation Commission.
- (b) Renewal of permits for use on the premises of Charlotte Rehabilitation Hospital, 1610 Brunswick Avenue, as follows: (1) Frank N. Kale; (2) Glad H. Browning; and (3) James L. Warren.
- (c) Issuance of permit to Troy D. Lewis for use on the premises of K-Mart, 4101 North Tryon Street.
- (d) Issuance of permits for use on the premises of Jefferson Standard Life Insurance Company and First Union National Bank, 308 South Tryon Street, as follows: (1) George H. Terrell; (2) Jimmie W. Bookout; (3) Garland M. Renegar.
- (e) Renewal of permits for use on the premises of Charlotte Branch Federal Reserve Bank of Richmond, as follows: (1) James R. Wall; (2) W. Paul Watson; (3) Donald R. Barrett; (4) Ralph J. Beatty; (5) Hugh E. Dickey; (6) Earl A. Frady; (7) Earl P. Gunther; (8) Paul E. Haefling; (9) David S. Harllee; (10) W. Frank Helderman; (11) W. Y. Henderson; (12) Robert H. Horne; (13) Jack H. Jacobus; (14) Samuel W. Jordan; (15) Willie Earl Lynn; (16) Conder L. McCoy; (17) John H. Miller; (18) George W. Morgan; (19) Johnnie C. Mumford; (20) Donald R. Oshinski; (21) J. Wesley Parks; (22) Oliver W. Parks; (23) James E. Porter; (24) Joe L. Puckett, Jr.; (25) Barry L. Reid; (26) William S. Rhodes, Jr.; (27) Milton P. Therrell; and (28) Jackie Lee Thomas.

VARIOUS CONTRACTS AWARDED.

Councilman Jordan moved award of contract on Section I, in the amount of \$35,506.50, and Section III, in the amount of \$58,402.50 to the low bidder, Crowder Construction Company, for curb improvements to various streets within the city, and that Sections II, IV and V be deleted. The motion was seconded by Councilman Whittington, and carried unanimously.

The following bids were received:

Crowder Construction Company	Section I	\$35,506.60
	Section II	3,307.50
	Section III	58,402.50
	Section IV	1,550.00
	Section V	4,750.00
Blythe Brothers Co.	Section I	36,869.25
	Section II	3,493.75
	Section III	58,402.50
	Section IV	1,860.00
	Section V	5,700.00

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T. A. Sherrill Constr. Co., Inc.	Section I	\$37,147.80
	Section II	3,461.00
	Section III	61,122.20
	Section IV	1,658.50
	Section V	5,082.50

Motion was made by Councilman Withrow, seconded by Councilman Jordan, and unanimously carried, awarding contract to the low bidder, Industrial and Textile Supply Company, in the amount of \$3,338.00, on a unit price basis, for steel lockers for the police department.

The following bids were received:

Industrial & Textile Supply Company	\$ 3,338.00
Kale Office Outfitters, Ltd.	3,533.13

Upon motion of Councilman Jordan, seconded by Councilman Withrow, and un-animously carried, contract was awarded the low bidder, Rollins Services, in the amount of \$13,192.92, for janitorial services for Alexander Street Center.

The following bids were received:

Rollins Services	\$13,192.92
G & L Janitor Supply	16,416.00
Columbus Services International	21,804.00

Councilman Whittington asked if any of these trucks being awarded today are air conditioned, and Mr. Brown, Purchasing Agent, replied none of them are air conditioned.

Motion was made by Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, awarding contract to the low bidder, Dodge Country Inc., in the amount of \$2,967.73, on a unit price basis, for one 5,100 GVW closed van type truck.

The following bids were received:

Dodge Country, Inc.	\$2,967.73
Town & Country Ford, Inc.	3,015.39
LaPointe Chevrolet Co.	3,131.21

Councilman Withrow moved award of contract to the low bidder, International Harvester Company, in the amount of \$3,289.76, on a unit price basis, for one 1/2 ton carryall vehicle. The motion was seconded by Councilman Jordan, and carried unanimously.

The following bids were received:

International Harvester Co.	\$3,289.76
GMC Truck & Coach Div.	3,425.00
LaPointe Chevrolet Company	3,521.49

Upon motion of Councilman Jordan, seconded by Councilman Withrow, and un-animously carried, contract was awarded the low bidder, Town & Country Ford, Inc., in the amount of \$4,199.46, on a unit price basis, for one 3/4 ton 12-passenger sportvan wagon.

The following bids were received:

Town & Country Ford, Inc.	\$4,199.46
Dodge Country, Inc.	4,214.61
LaPointe Chevrolet Co.	4,509.73
GMC Truck & Coach, Inc.	4,559.00

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Councilman Jordan moved award of contract to the only bidder, GMC Truck and Coach Division, in the amount of \$6,990.00, on a unit price basis, for one 1-ton step van truck. The motion was seconded by Councilwoman Easterling, and carried unanimously.

Motion was made by Councilman Withrow awarding contract to the low bidder, International Harvester Company, in the amount of \$28,465.66, on a unit price basis, for eleven 1/2 ton pick-up trucks. The motion was seconded by Councilman Whittington, and carried unanimously.

The following bids were received:

International Harvester Co.	\$28,465.66
Town & Country Ford, Inc.	29,528.67
GMC Truck & Coach Div.	29,530.00
LaPointe Chevrolet Co.	31,015.11
Dodge Country, Inc.	31,563.37

Upon motion of Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, contract was awarded the low bidder, International Harvester Company, in the amount of \$2,472.32, on a unit price basis, for one 5,200 GVW truck cab and chassis.

The following bids were received:

International Harvester Co.	\$2,472.32
Town & Country Ford, Inc.	2,514.94
GMC Truck & Coach Div.	2,520.00
LaPointe Chevrolet Co.	2,655.67
Dodge Country, Inc.	2,773.20

Councilman Whittington moved award of contract to the low bidder, Dodge Country, Inc. in the amount of \$18,375.75, on a unit price basis, for six 8,000 GVW pick-up trucks. The motion was seconded by Councilman Jordan, and carried unanimously.

The following bids were received:

Dodge Country, Inc.	\$18,375.75
International Harvester Co.	18,715.47
Town & Country, Inc.	19,283.22
GMC Truck & Coach, Inc.	20,175.00

Motion was made by Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, awarding contract to the low bidder, International Harvester Company, in the amount of \$2,972.51, on a unit price basis, for one 1-ton pick-up truck.

The following bids were received:

International Harvester Co.	\$2,972.51
Dodge Country, Inc.	2,975.89
Town & Country, Inc.	3,284.37

Motion was made by Councilman Whittington to award contract to the low bidder, International Harvester Company, in the amount of \$2,910.76, on a unit price basis, for one 10,000 GVW truck cab and chassis. The motion was seconded by Councilman Withrow, and carried unanimously.

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The following bids were received:

International Harvester Co.	\$2,910.76
Dodge Country, Inc.	2,970.72
Town & Country Ford, Inc.	2,984.45
GMC Truck & Coach, Inc.	3,120.00
LaPointe Chevrolet Co.	3,171.83

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unaimously carried, contract was awarded the low bidder, Town & Country Ford, Inc., in the amount of \$39,945.96, on a unit price basis, for nine 19,500 GVW truck cab and chassis.

The following bids were received:

Town & Country Ford, Inc.	\$39,945.96
Dodge Country, Inc.	40,080.33
International Harvester Co.	40,593.06
LaPointe Chevrolet Co.	46,184.59
GMC Truck & Coach Div	48,645.00

Councilman Withrow moved that all bids be rejected which were received for 22,000 GVW truck cab and chassis and that specifications be revised and readvertsied. The motion was seconded by Councilman Jordan, and carried unaimously.

Motion was made by Councilman Jordan, seconded by Councilman Withrow, and unaimously carried, awarding contract to the low bidder, International Harvester Company, in the amount of \$6,446.48, on a unit price basis for one 25,000 GVW truck cab and chassis.

The following bids were received:

International Harvester Co.	\$6,446.48
Town & Country Ford, Inc.	6,818.13
GMC Truck & Coach Div.	6,948.00

Motion was made by Councilman Jordan awarding contract to the low bidder, Town & Country Ford, Inc., in the amount of \$23,969.96, on a unit price basis, for two 43,000 GVW tandem truck cab and chassis. The motion was seconded by Councilman Whittington, and carried unaimously.

The following bids were received:

Town & Country Ford, Inc.	\$23,969.96
International Harvester Co.	24,894.62
Mack Trucks, Inc.	31,041.60

Upon motion of Councilman Whittington, seconded by Councilman Withrow, and unaimously carried, contract was awarded the low bidder, Worth Keeter, Inc., in the amount of \$645.00, on a unit price basis, for one special service utility body.

The following bids were received:

Worth Keeter, Inc.	\$ 645.00
Cook Body Company	720.40

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Councilman Withrow moved award of contract to the low bidder, Worth Keeter, Inc., in the amount of \$10,360.00, on a unit price basis, for eight steel dump bodies, 10 and 12 feet. The motion was seconded by Councilman Whittington, and carried unanimously.

The following bids were received:

Worth Keeter, Inc.	\$10,360.00
Quality Eqpt. & Supply Co.	11,570.00
Cook Body Company	12,586.80

Motion was made by Councilman Withrow, seconded by Councilman Whittington, and unanimously carried, awarding contract to the low bidder, Worth Keeter, Inc., in the amount of \$2,484.00 on a unit price basis, for two 9 feet steel dump trucks.

The following bids were received:

Worth Keeter, Inc.	\$2,484.00
Quality Eqpt. & Supply Co.	2,870.00
Cook Body Company	3,026.40

Councilman Whittington moved award of contract to the only bidder, Contractors Service and Rentals, Inc., in the amount of \$13,956.60 on a unit price basis, for two mounted materials units. The motion was seconded by Councilman Withrow, and carried unanimously.

Upon motion of Councilman Withrow, seconded by Councilman Jordan, and unanimously carried, contract was awarded the low bidder, Mitchell Distributing Company, in the amount of \$6,470.00, on a unit price basis, for one street flusher.

The following bids were received:

Mitchell Distributing Co.	\$6,470.00
A. E. Finley & Associates, Inc.	6,490.00

Motion was made by Councilman Whittington awarding contract to the low bidder, Worth Keeter, Inc., in the amount of \$4,160.00, on a unit price basis, for two 13 feet steel dump bodies. The motion was seconded by Councilman Withrow, and carried unanimously.

The following bids were received:

Worth Keeter, Inc.	\$4,160.00
Quality Eqpt. & Supply Co.	4,220.00
Cook Body Company	4,238.00

Motion was made by Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, awarding contract to Miller Hardware Company, on their low alternate bid, in the amount of \$6,984.20, on a unit price basis, for space heaters for emergency heating project.

The following bids were received:

Miller Hardware Company	base bid	\$7,948.24
	Alternate bid	6,984.20
Lowder Coal & Oil Company	base bid	9,254.00
	alternate bid	8,754.00

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PETITION NO. 72-44 BY ASHLEY PARK, WESTERLY HILLS IMPROVEMENT COMMITTEE FOR A CHANGE IN ZONING OF PROPERTY ON THE EAST SIDE OF ASHLEY ROAD AND NORTH OF THE REAR OF LOTS ON KEMPTON PLACE, MANTEO COURT, MARLBOROUGH ROAD AND ROYSTON ROAD TO BE PLACED ON AGENDA FOR NEXT MEETING.

Councilman Withrow stated the subject petition can be placed on the agenda for the next council meeting. He requested that all parties involved be notified that the petition will be before Council for consideration.

CITY STAFF REQUESTED TO STUDY CHANGING PRIVILEGE LICENSE ORDINANCE TO CHANGE "EXHIBITORS" TO "PROMOTERS".

Councilman Short stated Mr. Bill Underwood, Attorney, has requested Council to consider an ordinance which the City Attorney has been asked to prepare which will change the tax the city levies under the privilege license schedule from "exhibitors" to "promoters". This has some effect on the income tax provisions. He stated at Mr. Underwood's request he is asking the city staff to study this matter and bring it up next week.

CITY MANAGER AND STAFF REQUESTED TO PRESENT COUNCIL WITH SOME PLAN FOR HANDLING ENVIRONMENTAL IMPACT STATEMENTS ON CAPITAL IMPROVEMENT PROJECTS.

Councilman Short stated the capital improvements program Council adopted last summer has \$366.0 million in projects listed, of which about \$90.0 million are already under way leaving \$276.0 million worth of projects. These items will have various impacts on the environment of this community. We have a solid waste disposal area; 15 urban renewal projects; 75 street projects; three expressway projects; five public works yards; one canal; 18 parks; 44 sewer projects; 31 water lines projects and one airport enlargement, for a total of 191 projects which will require various amounts of bulldozing, clearing and construction and inserting new things into neighborhoods. That he knows the environmental impact of these projects has been considered by our staff over the years as the list has been put together. But it has been mostly at the staff level, and he does not think this has ever been done in a concentrated program which extracts this factor from each of the various projects on our capital improvement program.

Councilman Short stated he thinks we should make environmental evaluations of the capital improvements projects on our capital improvement programs. One reason the FEDS are seeking to impose these regulations from Washington, such as the noise regulations, is they do not think local government is adequately attending to this matter.

Councilman Short moved that the City Manager and his staff present to Council some plan for handling this which he sees as a problem that Council should handle. It may require some financing; it may be possible that this can be an in-house job and will not require extensive financing. That the City Manager present Council with a plan for studying the environmental impact of all the items in our capital improvement program. The motion was seconded by Councilman McDuffie.

Councilman McDuffie requested the City Manager to have the Planning staff to come to a conference session and advise Council on the desirability of considering the state law requiring environmental impact statements on land developed over three acres, which would expand what Mr. Short is trying to do for the city projects, to make it necessary for the apartment complex, such as on Shamrock Drive which has changed the course of the creek.

Mr. Burkhalter, City Manager, stated Mr. Short is not asking the staff to make environmental impact statements on all these projects. That he is asking for a plan to be developed for impact statements. Councilman Short stated he does not know if it is even possible for us to do this; the cost of it could be unbelievable. That he is asking the City Manager and staff to consider the matter and see if they can devise a plan where Council could make environmental impact studies of our own projects in our capital improvement program.

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Councilman McDuffie stated he does not think we can require it of private enterprise if we do not do it ourselves in the projects the city undertakes.

Councilman Whittington stated he commends Mr. Short and Mr. McDuffie for what they have said. But should we not try to put first things first. That he asked three or four months ago about an environmental impact program for the City of Charlotte and he was told that Mr. George Selden's committee was working on this, and was to come with a program for the city. That we are held up on housing; we are held up on the belt road, and we are talking about Laurel Avenue today; and yet we are doing this piece meal when it seems to him that we should have an environmental impact program so that when we come with a project we have the program to go with the project.

Mr. Burkhalter stated we are probably talking about two different things. That he understood what Mr. Whittington wanted was to set up some criteria for these things. The only thing we have now was set up by the federal government. Councilman Whittington stated if we had our own criteria would the environmental impact not be a mute question when the project came up. Mr. Burkhalter stated we have hesitated to make any regulations or rules concerning this matter for two reasons. That is the reason he wanted it made clear that we are not going to make environmental impact statements on all these projects unless Council asks for them. That staff can get Council information; but as a document for use for this purpose it is sometimes totally worthless because if we are doing it the people who are opposed to the city doing it will not accept anything. So you would have to get someone else to do it separately.

Councilman Whittington stated for 12 years and three governors, we have had the belt road. The state finally started buying right of way and doing the engineering on the center section; then it was stopped because of an environmental impact influence. If we had the impact statement, would we have been ahead of the game?

Councilman Short stated he understood Mr. Whittington was suggesting that we set up some sort of standards by which we could test projects in the future. That he also understood that the committee appointed by the Mayor and the Chairman of the County Commissioners was to consider whether we would require these from private parties. What he is suggesting today he sees as a different thing from both of these; that is that we look over the projects we already have scheduled for doing. We should see if it is not possible to look into these and isolate from all of them the environmental impact factor. If it is possible to do this it will be a reassurance to the citizens and will be a good point when the city attempts to put some of these projects into a bond issue.

Councilman McDuffie stated he would like to get to the middle and be able to do a job that protects the overall environment and yet does not go to the nit-picking.

Mr. Burkhalter stated we always consider the environment impact on every project. In the Sharon Lane project, we were carried to court on the fact that we had to have one because we had done studies with federal funds. The state court said we do not have to have one; but the truth of the matter is the city had an environmental impact statement. Sharon Lane was planned; it was developed with the whole environmental impact from the word go. When it is completed every condition will have been met.

Councilman McDuffie stated he would like to have the Planning Commission or whoever it would fall under to come and explain the state law.

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Councilman Withrow stated the Tree Committee is coming to Council shortly with an ordinance. That if anyone would like to get an insight into that ordinance they can call the Chairman and he will be glad to go over it with them individually. He stated this will cure a lot of the ills Mr. McDuffie was talking about.

Councilman Jordan stated Council has received a letter from the City Manager regarding the incineration program and field inspection made by Mr. Hopson. He stated he has gone over this and he asked if it is possible to have this group to come in for a conference session and go over the tour that was made. That he would like very much to hear from Mr. Hopson in a conference session.

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

ORDINANCE NO. 660 AMENDING THE EFFECTIVE DATE OF ORDINANCE NO. 629, CHAPTER 13, REGULATING THE LOCATION OF NIGHT CLUBS, CABARETS, TAVERNS AND OTHER SIMILAR ESTABLISHMENTS.

Councilman Short stated the ordinance providing for lounges to be 200 feet from occupied residential units in a residential zone becomes effective November 15. That preparing to enforce this takes a lot of study and preparatory work, and it is hard to get this done by November 15. That he has an ordinance which would set this date back to December 15.

Councilman Short moved adoption of the subject ordinance which will change the date from November 15, 1972 to December 15, 1972. The motion was seconded by Councilman Whittington.

Mayor Belk stated he thinks we should be very cautious before closing these places down; that it is a very serious thing.

The vote was taken on the motion and carried unanimously.

Councilman Jordan stated he voted for the motion as it is only postponing the closing of the clubs until a later date.

The ordinance is recorded in full in Ordinance Book 19, at Page 347.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE RELATIVE TO THE ISSUANCE OF BUILDING PERMITS AND PRIVILEGE LICENSES TO NIGHT CLUBS, CABARETS, TAVERNS AND OTHER SIMILAR ESTABLISHMENTS.

Councilman Short stated Council has ahead a hearing scheduled on zoning as it relates to providing separation of a certain number of feet between occupied homes in residential zones and certain beer lounges to be December 4 and after that this matter would be with the Planning Commission.

That he has a resolution which prohibits the issuance of a privilege license to any group or corporation or people who want to go into this business between now and that time when we could implement our zoning ordinance following the hearing.

Councilman Short moved adoption of the subject resolution, which was seconded by Councilman Whittington, and carried unanimously.

The resolution is recorded in full in Resolutions Book 8, at Page 471.

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CITY MANAGER REQUESTED TO SET A CONFERENCE SESSION TO DISCUSS POWELL BILL FUND.

Councilman Whittington requested the City Manager to set up a conference session for the powell bill fund.

ORDINANCE NO. 661-X AMENDING ORDINANCE NO. 520-X, THE 1972-73 BUDGET ORDINANCE, TRANSFERRING FUNDS FROM THE GENERAL FUND-CONTINGENCY TO PAY FOR THE CITY'S SHARE OF A FENCE AT GARINGER HIGH SCHOOL.

Councilman Whittington stated last year City Council and County Commissioners jointly appropriated money, along with the PTA and other organizations related to Harding High School, to help erect a backstop and dugouts. That he has an ordinance to do the same thing at Garinger High School, with the city appropriating \$1,500 and the County \$1,500 and the school will appropriate the remainder.

Councilman Whittington moved adoption of the subject ordinance transferring \$1,500.00 to pay for the city's share of a fence at Garinger High School. The motion was seconded by Councilman Short, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 19, at Page 348.

Councilman Whittington stated we are trying to get some lighted baseball fields and athletic fields where our children do not have to go into other counties to play baseball. That this is a small way we can work with the school system in their athletic program to have better play areas.

REQUEST THAT POLICE OFFICERS BE STATIONED AT WENDOVER ROAD AND PROVIDENCE ROAD DURING PEAK HOURS; ALSO CITY MANAGER REQUESTED TO CONTACT STATE HIGHWAY DEPARTMENT ABOUT THE DIFFICULTIES THAT WILL OCCUR AT I-85 AND HIGHWAY 16, AND HAWTHORNE LANE, AND NORTHWEST EXPRESSWAY.

Councilman McDuffie stated Council has received a letter from a man who lives in the Foxcroft area and he says it is impossible to get in and out of their streets. That he has received several calls from people about the traffic backing up on Wendover Road all the way from Sharon Road to Providence Road. He stated with this bottleneck, it would appear that we should place some police officers out there during the peak hours to direct the traffic. That he is in favor of appropriating whatever extra money is needed to put the police out there even if it is overtime. That he knows this happens all over the city, but in this area, Providence Road is the only road going in that direction and it is impossible.

Mayor Belk stated he went over the Northwest Expressway Friday, and it is very difficult to get off I-85 into Highway 16, which will go into the Northwest Expressway; that this is true at Hawthorne Lane also. That Hawthorne Lane backs up all the way to 7th Street. He stated he would like to have this sent to the Public Works Department and to the State Department also. He stated he is just recommending that these are two difficult intersections and he thinks the City Manager should handle it. When the Northwest Expressway is opened, it will really be a mess.

Councilman McDuffie asked if we cannot suggest to the State that they change Belhaven Boulevard to right turns only, and go down two blocks and make a "U" turn? That this was done in the Norfolk area of Virginia. That you go two blocks down the road and there is a "U" turn area with a traffic signal.

Councilman McDuffie stated he would like to get some police officers out at Providence Road on a temporary basis until Sharon Lane is opened.

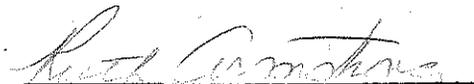
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HUGH CASEY NOT PRESENT WHEN MAYOR RECOGNIZED AUDIENCE.

Mayor Belk asked that the record show that he called for statements from the audience and Mr. Hugh Casey was not present as he had asked to be heard.

ADJOURNMENT.

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

  
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Ruth Armstrong, City Clerk