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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber in the City Hall, on Monday, May 13, 1968, at 2:00 o'clock p.m., with Mayor Stan R. Brookshire presiding, and Councilmen Fred D. Alexander, Sandy R. Jordan, Milton Short, Gibson L. Smith, James B. Stegall, Jerry Tuttle and James B. Whittington 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 Toy, and Commissioners Albea, Ashcraft, Godley, Sibley, Stone, Tate, Turner and Wilmer.

ABSENT: Commissioner Gamble.

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INVOCATION.

The invocation was given by Dr. James S. Potter, Minister of Pritchard Memorial Baptist Church.

MINUTES APPROVED.

Upon motion of Councilman Short, seconded by Councilman Whittington, and unanimously carried, the minutes of the last meeting, on Monday, May 6th, were approved as submitted.

HEARING ON PETITION NO. 68-29 BY DR. THOMAS L. DULIN FOR A CHANGE IN ZONING FROM R-9 TO R-9MF OF A 26.243 ACRE TRACT OF LAND SOUTH OF ORR ROAD, ACROSS FROM WICA COMPANY PROPERTY, BEGINNING APPROXIMATELY 1,100 FEET SOUTH OF ORR ROAD.

The public hearing was held on the subject petition on which a protest petition has been filed but found insufficient to invoke the 20% Rule requiring the three-fourths majority vote of City Council because only one owner of the property has signed the petition.

Mr. Fred Bryant, Assistant Planning Director, stated this is a request for multi-family zoning in an area that is a little difficult to describe because it is far from a major road. The property is located about 1,000 feet south of Orr Road and is near the residential community developing off The Plaza. He stated Covacreek Drive is the closest street to the subject property. That this area is all developed with single family residential homes, and the area on Frank Drive is a portion of the Briarwood Subdivision and is developed with single family residential structures. The subject property is completely vacant as is most of the property immediately adjacent to it on all sides.

There is industrial zoning north of the property along Orr Road - light industrial and extends back 1,000 feet from Orr Road, and is adjacent to the subject property. Other than that the entire area is zoned for single family development.

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Dr. Dulin, the Petitioner, stated the property represents 24.24 acres and the remaining part of his property represents 24.95 acres and he is asking no change in zoning from R-9 on that portion. The purpose of his request is to enhance the value of the total property by establishing an apartment buffer between industrial and residential zoning. He stated his family has owned this property for approximately 20 years and he has met and heard from neighbors he never knew they had. That a high quality apartment development can be built next to industry rather than a residential structure. If they do not have an apartment development, the housing development will be of a lower quality than with the apartment buffer. He stated his request can work to the mutual advantage of both his family and the surrounding property owners.

Dr. Dulin stated he has no desire and does not intend to do anything with the 26 acres under question that would jeopardize the value of the remaining 24 acres or the surrounding property. That he does not know personally many of the people who signed the petitions, but he does know, through family ties, the property owners of the large surrounding undeveloped tracts. That he has talked with the Orrs, Mr. Trotter and Mr. Eric Parker of the Hunter Family and he has assured them he does not intend to do anything to decrease the value of their property. He stated no one in the Hunter Family, who owns the largest undeveloped tract adjacent to his, has felt compelled to sign the petition against this. That he is told there are eight members of the Orr Family who own the other adjacent piece of property and only one member of that family has signed the petition.

Dr. Dulin stated the closest residential developed property will be some 600 feet away from the proposed change. He stated he realizes the neighbors are concerned about the possibility of a trailer park - he stated this would destroy the value of the remaining property, and he does not intend to carry out such use of his property. That they are concerned about traffic flow from multi-family units and this is a legitimate concern and quite obviously Covecreek Drive will have more traffic than when it was a dead-end street. That his property will not be the first property to increase the traffic flow, since Mr. Trotter has purchased and started developing the property at the end of Covecreek Drive with plans to open the street to Orr Road. He stated he has assured Mr. Patterson, who has been selected as spokesman of the opposing neighbors, that it would not serve his best interest to have direct streets through his property. That most of the traffic would be oriented towards North 29 and I-85.

Dr. Dulin stated he has his family investment and savings tied up in this property just as the Hunters, Orrs and Trotters, and to no lesser degree than the home owners in the surrounding area. That he does feel the requested change from R-9 to R-9MF can work to the mutual advantage of his family and the surrounding property owners.

Councilman Short asked Dr. Dulin if he said he did not want through streets through the property, and Dr. Dulin replied streets would necessarily start at one end and go all the way through to the other side, but not as direct access. Councilman Short asked if this property is not in the right of way of a belt road? Dr. Dulin replied that is very difficult to tie down - the belt road is to take off at Barringer Drive; but if you ask the Planning Commission about it, they really do not know about the feasibility of it; and he cannot really bank on that road. That he does not think the development of the total

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area can be held up on the possibility of a belt road coming through ten years from now. That the way it is proposed now is to come off Barrington from Hampshire Hills and the Crosland Developments, it would not hit the proposed tract; it would take the industrial park further on. Dr. Dulin stated he is requesting this change long before usage as he has no desire nor need to develop it at this time.

Councilman Smith stated until the Belt Roads are laid out, the City is in a very precarious position to hold up property owners; that he is in favor of getting the belt roads staked out. Councilman Short stated he agrees with this, and he mentioned this because some of those on the Council have been attempting to get the pathway of this road laid out; that this illustrates the urgency of getting this done.

Mr. Marshall Haywood stated he and Mr. James Carson represent primarily the people who surround the affected area on two sides - those that live on Covecreek Drive and on Frank Drive - the only residential property in the immediate vicinity. He stated Dr. Dulin's request to change the zoning to enhance the value of his property is not a legitimate reason for rezoning. That from reading the statutes and the City Code this is not one of the intended reasons for the original zoning or for rezoning. The law contemplates reasons that might benefit the community for its public welfare or for the health of the community.

Mr. Haywood stated he has a petition signed by the neighbors containing 314 signatures which he filed with the City Clerk. He stated these people are vitally interested in this as their property is at stake. He stated there are two roads leading off Covecreek Drive and one leading off Frank Drive and these would be the roads that would have to go into Dr. Dulin's property. There are no other access roads so whatever traffic went into this development would of necessity go by the present houses.

Mr. Haywood stated he is sure that Dr. Dulin is truthful in saying he does not plan to put any mobile homes on this property, but he may find it more advantageous to sell his property to someone else, and some third person may find it extremely advantageous to place a mobile home unit on this property. He stated the fact that Dr. Dulin does not know any of these people out here is because he does not live there.

Councilman Tuttle asked if a mobile home can be built in R-9MF? Mr. Bryant replied there are two factors involved - from a zoning standpoint, a mobile home development could go into the R-9MF as a conditional use; but overriding that is the fact that the Building Code has been extended into the perimeter area and the building code does not recognize mobile homes as a building that meets their requirements.

Mr. Haywood stated there are seven children in the Orr family and only one signed the protest petition, and the City Attorney has ruled it not sufficient; they took the position it was but they are not going to argue that. He stated only one of these persons live in North Carolina that owns a 1/7th interest in this particular piece of property. On the other side of Dr. Dulin, the property is owned by the Hunter Family and he understands they do not manage their own property and make no decisions in connection with it.

Mr. Carson stated he met with the area neighbors and he assures Council they are very concerned. That the protest petition contains 314 signatures all from the immediate vicinity. In addition, the neighbors

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wanted to let Council know their concern and suggested the possibility of either calling or writing to each member. They did not because he urged them not to; that he told them this was not necessary as the petition would be just as effective; they refrained from calling the Council not because they are not concerned but because he asked them not to call.

Council decision was deferred until the next Council Meeting.

HEARING ON PETITION NO. 68-38 BY MRS. REBEKAH O. COCKRANE FOR A CHANGE IN ZONING FROM R-12 TO B-1 OF FOUR LOTS ON THE WEST SIDE OF DERITA AVENUE, BETWEEN MAPLE STREET AND PEACH STREET.

The Scheduled hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, stated this request is adjacent to one that was heard at the last public hearing and one on which the Planning Commission has not made a recommendation and is therefore still pending as far as a decision is concerned. The prior case included three lots - two fronting on Peach Street and the other on Maple Street in the Derita community. The present property is beside the Post Office which is on the corner of Maple Street and Derita Avenue. This property consists of four lots, a total of 200 feet frontage and about 180 feet depth on one side and 239 feet of depth on the other side, and is occupied by a single family structure.

Mr. Bryant stated the zoning in the area is single family on the west side of Derita Road and is B-2 on the east side across the railroad and across Derita Road from the Post Office.

Mr. Ray Rankin, Attorney for the petitioner, Mrs. Cochrane, stated she was approached by someone from the Post Office about a part of her property being used for parking purposes for the Post Office. Their immediate problem is expansion of the parking area; there is also plans in the future for possible expansion of the building itself. That Mrs. Cochrane has been persuaded to sell her property if some arrangement can be worked out whereby a Mr. Jarrell, who is in the construction business and who has leased the corner property to the Post Office for its present location, will buy the property and make it available for parking for the Post Office.

Mr. Rankin stated while the request for the change is to B-1, he understands that a change to Office would serve the same purpose and permit Mr. Jarrell to do what the Post Office wants done. Mrs. Cochrane has no desire to open up the area for business, and she will be willing to any arrangement that will accommodate Mr. Jarrell and the Post Office.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until the next Council Meeting.

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HEARING ON PETITION NO. 68-39 BY FIRST UNION NATIONAL BANK OF NORTH CAROLINA, TRUSTEE FOR I. G. WALLACE, FOR A CHANGE IN ZONING FROM R-9 TO B-2 OF A TRACT OF LAND 200' x 505' BEGINNING 400 FEET NORTHEAST OF INDEPENDENCE BOULEVARD, AND 870 FEET SOUTHEAST OF FARMINGDALE DRIVE.

The scheduled hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, stated this is another extension of the existing business zoning along Independence Boulevard to a greater depth than what it is now. The frontage portion of this property is occupied by the Bill Beck Pontiac and just beside it is the new Mercury Agency under construction. The zoning at present is B-2 along Independence Boulevard. The City Chevrolet zoning was expanded to a depth of 600 feet from the original 400 feet and the subject property is in the middle between City Chevrolet and the Mercury location. The City Chevrolet was expanded to 600 feet and sometime later the adjoining property which is being developed by an automobile agency has also been expanded to 600 feet, so that, in effect, the subject property lies between the two 600 foot extensions, and this would straighten out the line.

Councilman Smith asked if the Planning Commission has given any consideration to taking the 200 foot depth all the way to Idlewild and make it uniform? Mr. Bryant replied he would agree as far as the uniformity is concerned but if you take it back to 600 feet all the way down you would not be following property lines. When you get down further the 600 feet would leave a fairly irregularly shaped parcel, and it might be difficult for the person developing it.

Mr. Dick Wardlow stated he and his law partner, Mr. Charles Knox, are present on behalf of the petitioner. That he does not think the landowner would have any objections to Mr. Smith's proposal. That the I. G. Wallace estate does own that entire tract of land. On the petition before Council today, the real party in interest is its lessee, Bill Beck Pontiac. The property adjoining on the town side is zoned B-2 for a depth of 600 feet and on the other side it is zoned B-2 for a depth of 600 feet. The subject property is in the middle and is B-2 for a depth of 400 feet, making a little inset of R-9 property. He stated they lease from the I. G. Wallace estate all the way back into the R-9 and obviously no residence is going to come into this little patch of land, surrounded on three sides by B-2. With the change in zoning, they can move cars now stored next to Independence Boulevard and store and park them in the back on B-2 land which they cannot now do under R-9. In addition, under lease to his client is property running all the way out to a point of an additional 200 or 300 feet in the R-9 area which will remain R-9.

Councilman Whittington asked how far the straight line is to the rear of the property line of residents on Amity Place? Mr. Wardlow replied their property runs back 1,039 feet, but a portion will remain R-9 and from the Amity Place rear line down to the B-2 property is about 500 feet.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until the next Council Meeting.

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HEARING ON PETITION NO. 68-40 BY ROUSSEAU-PETTY COMPANY FOR A CHANGE IN ZONING FROM R-15 TO R-12MF AND O-6 OF A 5.79 ACRE TRACT OF LAND FRONTING 168 FEET ON THE WEST SIDE OF RAMA ROAD, BEGINNING 400 FEET SOUTH OF SEABOARD RAILROAD.

The public hearing was held on the subject petition on which a protest petition has been filed signed by owners of more than 20% of the area within 100 feet adjacent to one of the side lines of the property to be rezoned which is sufficient to invoke the 20% Rule requiring a three-fourths majority vote of Council to rezone the property.

The Assistant Planning Director stated the subject property is on the northwest side of Rama Road, just south of the railroad; the request is divided into two parts with the frontage facing on Rama Road requested for office zoning and the rear and larger portion extending from the rear of lots on Charing Place all the way to the railroad requested for multi-family use. The property is vacant and immediately adjacent near the railroad is vacant. There is a store located at the intersection of Rama Road and the railroad. He pointed out the railroad, the fuel sales office and an old building on one side of Rama Road used for some type of storage dealing with lumber; he pointed out McClintock Junior High School and the Sharon Memorial Cemetery facing on Sharon Amity. He stated the majority of the area to the south is developed for single family purposes, with a few vacant lots in the area including the actual corner of Charing Place and Rama Road. There is also vacant property directly across Rama Road from the subject property.

Mr. Bryant stated the entire area immediately surrounding the property is zoned single family - to the north of the railroad is R-9, and to the south, including the subject property, is R-15.

Mr. Ashley Hogwood, Attorney for the petitioners, stated the petition is in two parts - one is a request from R-15 to O-6 and the other is a request from R-15 to R-12MF. The property is located in a pocket bound by the railroad and a Duke Power easement with a high tension wire and creek and woods and Rama Road, then the little general store. He stated Rama Road is a major road and the property is close to three schools. The reason for the request to office zoning is that it is some two or three miles to any professional offices.

Mr. Hogwood stated they plan an office building to face Rama Road on a little better than one acre tract; it will be approximately 5,000 square feet of office space and the parking will be in the rear, and will cost approximately \$60,000. Then they will move back in the area of R-12MF for apartments of 25 or 30 units which will be six or seven buildings, at a cost of some \$500,000. The rental will be \$150 through \$275 depending on the number of bedrooms.

Mr. Myles Haynes, Attorney, stated he is representing the petitioners in protest against the proposed zoning change. There are two classes of petitioners - one, the petitioners who own property adjacent to the property in question and have filed a petition sufficient to invoke the 3/4th Rule, and the other petitioners are some 661 people who live in the residential areas around the subject property. Mr. Haynes filed the petition containing the 661 signatures with the City Clerk.

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He stated three months ago he was before Council in opposition to a zoning change request across the road from the property in question, and at that time it was an attempt to change a portion from R-12 to R-12MF; the subject tract today is R-15 and the request is to change part of that to R-12MF and the balance fronting on the street to O-6. The basis of the opposition is no different in this case than it was in the prior case. In the prior case the Planning Commission and the Council denied the change requested. The same reasons apply and nothing has changed in the condition of the property. The subject change is almost directly across the railroad tracks on the opposite side of the road. Before the main opposition was based on the schools; all the children who live in the residential area are transported into the two schools - by bus, cars, or walking - Rama Road Elementary and McClintock Junior High - and there are no sidewalks on Rama Road and it is a narrow, winding road. That the portion to be changed to O-6 is right in the break of the curve. He stated the traffic congestion is a problem of great concern because Rama Road is the only feeder road in that entire area, and all traffic in and out have to use that 16 foot road in its present condition.

Mr. Haynes stated the two schools are filled to their capacity and there are plans to go to a temporary class room situation in order to accommodate the students. To make this high density for apartments can do nothing but make a bad school situation worse.

The property is currently zoned R-15 and on that basis people in the area have invested sums from \$25,000 to \$45,000 in their residential property. The character of the land here is just as good as the land across the street; the railroad track has had no effect on the salability of the homes. They feel that the high density apartments would detract from the aesthetic value and the character of the neighborhood and the value of the homes.

He stated the petitioner bought the property fully aware of the R-15 classification on the 22nd day of June, 1966, and within less than one year's time, they now ask that the zoning be changed. If this change is made on the 1.06 acres requested changed to O-6, they would be allowed to put in a professional office group which would allow a minimum of 100 parking spaces in and around the office complex; or under the O-6 they could put in 46 residential multi-family units. On the 4.63 acres on the back, which is requested changed to R-12MF, they could put 65 multi-family units with all the traffic and all that goes with that. By contrast, under the present classification of R-15, they can only build 17 houses on the 5.79 acres involved.

Mr. Mike Castleman, resident of Charing Place, stated the enthusiasm of the community is tremendous in opposition to the petition for rezoning. That over 90% of the people in the area signed the petition in protest. That two petitions were lost so they can assume they would have had over 700 people living in the area signing the protest.

Council decision was deferred until the next Council Meeting.

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HEARING ON PETITION NO. 68-41 BY RALPH L. BURT FOR A CHANGE IN ZONING FROM B-1 TO I-2 OF TWO LOTS, 195' EACH, ON THE NORTH SIDE OF INDEPENDENCE BOULEVARD, BEGINNING 160 FEET EAST OF LAMAR AVENUE.

The scheduled hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, stated the subject property is two lots with 60 feet of frontage each, making a total of 100 feet frontage on Independence Boulevard. The property is bounded on the out-of-town side by property that is also owned by the petitioner and presently has on it an industrial use; it has industrial use to the rear facing on Sunnyside Avenue; there are residential structures along Lamar Avenue. There is single family residential usage along Lamar Avenue on the other side of Independence Boulevard as well. The railroad forms a substantial barrier as far as land usage or characteristics are concerned in the area.

The zoning is I-2 along the railroad; the subject property is B-1 as is all the property along Lamar Avenue all the way from Independence almost all the way through to Central Avenue. There is a strip of B-1 zoning on both sides of Independence Boulevard. The remainder of the zoning in the area is R-6MF along Lamar, Clement and along Hawthorne Lane and Sunnyside.

Mr. Ralph Burt, the Petitioner, stated the property was purchased beginning in 1954 when Independence Boulevard went through the area. In an effort to make it better for their personnel and get their trucks in and out of the present operations, they would like to use the subject property as it is not possible to use it at present under B-1. They are bounded on the west side by the alley and on the east by their own property. They would like to straighten out the line to come up to the 10 foot alley, use the space for parking and use the buildings that are there for their own offices and service department offices.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until the next Council Meeting.

HEARING ON PETITION NO. 68-42 BY E. REED GASKIN TO GRANT CONDITIONAL APPROVAL FOR OFF-STREET PARKING USE OF A LOT NOW ZONED R-6MF, 60' x 325', AT 1212 MORNINGSIDE DRIVE.

The scheduled hearing was held on the subject petition.

The Assistant Planning Director stated the request is for conditional approval for parking to be used in conjunction with a proposed office building to be built on the adjoining property now zoned O-6. The property is vacant and fronts on Morningside Drive. It is a lot with 60 feet frontage and 325 feet going back to Briar Creek. The Morningside Apartment development is located along McClintock Road and single family development along Commonwealth Avenue, with apartments on out Commonwealth. The zoning is O-6 on the adjoining property on all sides.

Councilman Smith asked if they have been prevented from putting a building up because they did not have sufficient parking area? Mr. Bryant replied he is not familiar with that and the only question would be whether or not they had sufficient area to put the size

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they wanted; that since they have requested additional parking, they probably do not have enough land to build the size building they would like.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred for one week.

ORDINANCE NO. 851-X EXTENDING THE CORPORATE LIMITS OF THE CITY OF CHARLOTTE ANNEXING 4.71 ACRES OF PROPERTY LOCATED OFF ORR ROAD IN CRAB ORCHARD TOWNSHIP OWNED BY WILLIAM TROTTER DEVELOPMENT COMPANY.

The public hearing was held on the petition of William Trotter Development Company for the annexation of 4.71 acres of property located off Orr Road in Crab Orchard Township.

Mr. Ashley Hogwood, Attorney representing William Trotter Development Company, stated the subject property was not owned at the time their original petition was filed and the area annexed, and this will bring the city limit line in a more logical line; this is a further extension of the Eastbrook Woods residential subdivision.

There was no opposition expressed to the petition.

Upon motion of Councilman Short, seconded by Councilman Smith, and unanimously carried, the subject ordinance was adopted annexing the 4.71 acres extending the corporate limits of the City of Charlotte.

The ordinance is recorded in full in Ordinance Book 15, beginning at Page 271.

RESOLUTION OF CITY COUNCIL OF THE CITY OF CHARLOTTE, CHARLOTTE, NORTH CAROLINA, APPROVING AMENDMENT NO. 1, REDEVELOPMENT PLAN FOR REDEVELOPMENT SECTION 2, BROOKLYN URBAN RENEWAL AREA PROJECT NO. N.C.R-24, ADOPTED AND AGREEMENT BETWEEN CITY AND REDEVELOPMENT COMMISSION REFLECTING VARIOUS CASH AND NON-CASH GRANTS-IN-AID, AUTHORIZED.

The scheduled hearing was held on Amendment No. 1 to the Redevelopment Plan for Redevelopment Section 2, Brooklyn Urban Renewal Area, Project No. N. C. R-24.

Mr. Vernon Sawyer, Executive Director of the Redevelopment Commission, stated the only changes are financial changes and are the only matters subject to discussion at this time. He stated they have presented Council with the changes as proposed and it amounts to a general reduction in both the federal grant and the city's 1/3 share. That this is the Governmental Center, bounded by McDowell Street on the east, Fourth Street on the north, portions of Alexander and Davidson Streets on the west, and Independence Boulevard on the south.

Councilman Smith asked what the Redevelopment Commission is doing to advertise or present the property in Area No. 4 for development? Mr. Sawyer replied they are held up because of the expressway going through, and will not be able to do anything positive or definite until the right-of-way line is established. In the meantime, they

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are re-planning the area to the extent that it has been considerably reduced; the major frontage on Independence and a portion of McDowell Street has been cut off and they are planning access now by a street that runs all the way through. Councilman Smith asked if there has been any indication as to how long this will take, and Mr. Sawyer replied they hope it will be in a matter of weeks.

Councilman Smith asked what program the Redevelopment Commission has to actively solicit developers; do they have a real estate agency? Mr. Sawyer replied they have a full time staff member devoting all of his time to promoting the sale of land in the project areas.

Councilman Smith stated he noticed in the Wall Street Journal, and several other periodicals, that a number of the urban redevelopment people are advertising their projects for commercial development, and actively soliciting on a national level. He asked if the local Commission has any plans such as this, and Mr. Sawyer replied not on a national level. They considered it for the Brooklyn project and decided there was not enough land there to warrant the expensive campaign; there is approximately 25 acres less the streets and easements.

Councilman Smith stated they would be surprised at what a hundred dollar ad can do; that it is the feeling of Council now to sell this land to someone who will put commercial property on it.

Mr. Sawyer stated they are expediting this to the maximum possible; they are constantly in touch with the State Highway Commission. He stated they have quite a list of firms, individuals and others who have expressed an interest in this area; they have had inquiries that lead him to believe if and when this is offered for sale, they will be submitting a bid; that he judges this on the information they have requested and from the details they have gotten into with them.

Councilman Whittington stated every effort should be made to get the Highway Commission to give an answer on the width of this road and the exact location of the road so that this land can be made available, and know what egress and ingress can be given to this 25 acres so it can be developed. That the State Highway Commission should furnish this information not in weeks but in a week or so as it has been going on for over a year, and this portion of that expressway has done more to upset the development of that end of town than anything he knows of in the nine years he has been on this Council.

Mr. Veeder, City Manager, stated he is aware of continued activities on this project, and knows that Mr. Sawyer is involved in some more recent activities towards the end of getting answers on this as there is a lot of correspondence that goes back and forth.

Councilman Whittington moved that Council go on record today directing this to the Highway Commission, to Mr. Broadrick and the Chairman, Mr. Joe Hunt, that we are being held up by this proposed road and it is necessary to get the location of it, the width, the height and all the information immediately. The motion was seconded by Councilman Smith. The vote was taken on the motion and carried unanimously.

Councilman Smith moved the adoption of a Resolution of City Council of the City of Charlotte, Charlotte, North Carolina, approving Amendment No. 1, Redevelopment Plan for Project No. N. C. R-24. The motion was seconded by Councilman Whittington, and carried unanimously.

The resolution is recorded in full in Resolutions Book 6, beginning at Page 121.

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Upon motion of Councilman Smith, seconded by Councilman Whittington, and unanimously carried, an agreement between the City and Redevelopment Commission reflecting the various cash and non-cash grants-in-aid was authorized.

RESOLUTION OF CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA APPROVING THE REDEVELOPMENT PLAN AND THE FEASIBILITY OF RELOCATION FOR PROJECT NO. N. C. R-77, AND AGREEMENT AUTHORIZED BETWEEN THE CITY AND REDEVELOPMENT COMMISSION MAKING PROVISIONS FOR THE CITY'S ONE THIRD SHARE OF THE NET COST.

The public hearing was held on the Redevelopment Plan for Dilworth Urban Renewal Area, Project No. N. C. R-77.

Mr. Vernon Sawyer, Executive Director of the Redevelopment Commission, stated this is a hearing on the Dilworth Urban Renewal Project for which a redevelopment plan has been prepared and copies furnished to Council Members in advance. The plan is very similar in approach, outline and detail to other plans prepared for the Brooklyn Project. They have complied with the North Carolina Urban Redevelopment law. Also with the Federal Law as the plan relates to several legal requirements, such as the existing conditions in the project area, the proposed land uses following redevelopment; the standards and continuing controls in the project; the zoning and the changes in zoning that are necessary; street changes; the estimated costs and the method of financing and a feasible method for the relocation of families that will be displaced.

Mr. Sawyer stated the Redevelopment Commission approved the plan on May 8, 1968 following the public hearing; the Planning Commission approved the plan at its meeting on May 1, 1968 and evidence of approval has been submitted to Council also. The Plan with the map, as well as the relocation plan, has been on display in the City Manager's office during the period of the City's advertisement for the project.

Mr. W. T. Harris stated he would like to compliment the Planning Commission on the fine plan developed for Charlotte in an area that has a special need; although small in area, it is still an eye sore in the community. That he is glad to see apartments developed in an area that is mainly going to business and offices as they believe it is essential to keep some residential area in the greater downtown section of Charlotte; this re-affirms the faith of their church; in 1947, the membership decided to enlarge its plant by building a new educational building and again in 1958 they decided more education space was needed, realizing also at that time, they must eventually build an auditorium that would take care of their people. In 1965 the church elected a building committee to receive plans and specifications so they might build this auditorium they had dreamed about for 20 years. This building is now under construction. Over a period of 20 years they have purchased land and buildings valued at over \$2 million, and they would hope the Council would act favorably on this plan so that this area can be upgraded, turning another section of slums into a beautiful spot in the community. He stated the large majority of the Pritchard Memorial Baptist Church membership will give their wholehearted support to this program.

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Mayor Brookshire stated while the area is not large it is a pocket of slums about which something should have been done a long time ago. He thanked Mr. Harris and other officials of the church for the confidence they have shown in proceeding with the improvement of that particular area of our City.

Mr. Bob Weathers, President of the Dilworth Community Development Association, stated they appear today to endorse the proposed senior citizens center for the Dilworth area. It is the Association's opinion that the present property will be the most valuable to all the citizens of Charlotte if used for a senior citizen's center as outlined. The twelve to fifteen thousand citizens of the Dilworth Area have looked forward for the past twelve to fifteen years and have pledged their full support to see this take place. They see this is a major step forward in restoring one of Charlotte's oldest, and at one time one of the most beautiful residential areas. They feel it will be a main key in leading to other areas in the Dilworth community that are now unsightly, unuseful and, in general, a health hazard to our city. In essence, they feel this is the first step in a beautification program as well as an all important service so desperately needed for the senior citizens of Charlotte and Mecklenburg County. He stated on behalf of the Dilworth Development Committee they want to commend the Council for the outstanding job being done for our City and ask for Council's support on this very important Dilworth project.

Mr. C. B. Strawn stated he thinks this will be grandest thing to happen to the Dilworth section in many years.

Dr. James Potter, Minister of Pritchard Memorial Baptist Church, stated the church was faced with a decision some years ago whether to move out into suburbia or to remain where they were; it took a great deal of courage and vision for the church to make a decision to remain; that he is very grateful they are a part of this kind of a program.

Councilman Jordan moved the adoption of a Resolution of the City Council of the City of Charlotte, North Carolina, Approving the Redevelopment Plan and the Feasibility of Relocation for Project No. N. C. R-77. The motion was seconded by Councilman Whittington.

Councilman Smith asked if the area will be all for residential and housing? Mr. Sawyer replied the proposed reuse of the land is primarily for a low-rent public housing project specifically for the elderly - a proposal for 200 units. There is reserved about one acre of commercial land on which they proposed to sell the land for some convenience type shopping to serve the needs of the elderly residents of the project.

Mr. Sawyer stated there is additional land located next to the City's fire station on South Boulevard which they propose to sell to the city to enlarge the facility. There is additional land behind that adjacent to the Pritchard Memorial Baptist Church which is presented in the plan as institutional land.

Mr. Sawyer advised the area consists of 22 acres; they way it is cut up, it is six blocks but two are double blocks.

The vote was taken on the motion to adopt the resolution and carried unanimously.

The resolution is recorded in full in Resolutions Book 6, beginning at Page 124.

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Motion was made by Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, authorizing an agreement between the City and the Redevelopment Commission making provisions for the City's one-third share of the net cost of the project.

Councilman Alexander stated he would like to express his pride in what the citizens of Dilworth have done in endorsing this proposal and especially to Pritchard Memorial Church. What the church has done in this instance is more meaningful than what appears on the surface. Their decision to remain where they are in light of what is happening in Dilworth is a mark of progress that we can commend for any church in Charlotte and it is an important step. This is what he feels is the responsibility of the church of tomorrow.

MEETING RECESSED AND RECONVENED.

Mayor Brookshire called a recess at 3:40 P.M. and reconvened the meeting at 3:50 P.M.

COMMENTS BY MR. JIM MCDUFFIE RELATING TO TRAFFIC CONDITIONS AND AUDITORIUM-COLISEUM ACCOUNTING SYSTEM.

Mr. Jim McDuffie stated he would like to present a copy of a letter he wrote to the Charlotte Observer Editor dated Saturday, May 11, which has four items of traffic for consideration. He also presented a list of school zones.

He stated one of the traffic problems is on Freedom Drive and is about a "U" turn that does not have enough room and is similar to Waterman Avenue at the Holiday Inn. He stated one is at Third Presbyterian Church where there is not a stop sign, and you run up on Central Avenue before you realize it. Another is Waterman Avenue which he spoke to last week; Kings Drive has been corrected at the Doctor's Building - this is the same type of dogleg as Freedom Drive and Waterman Avenue; and Mr. Whittington mentioned Fugate and South 21 Drive-In.

He asked if the up-ramps at the Spangler Building on South Boulevard has been discussed? That he would hope the City would be liable for someone that gets rear-ended while a car is stopped in the up-lane on a highway which is South 21. He stated he would like to invite or challenge Council to have a City Council Meeting in his section at Hidden Valley or Garinger High School. The City Manager advised a meeting is scheduled for Garinger High School on September 9th.

That the South Tryon Street - Independence Boulevard has been there for several years and that is obvious when you go into the curve lane you either go down the ramp or the lane ends - that needs correcting tomorrow.

Mr. McDuffie stated he appeared before Council a year or so ago pointing out it would be good to have the time of days on school zone signs, and shortly thereafter we did get the hours on school zone signs; but to his dismay over half the schools do not take up until 8:45 and Mr. Hoose's signs say 8:00 to 8:30. That he would like to have in the record that any children that might be injured after 8:30 - because his signs allow speeders to go back to the regular 35 or whatever it happens to be - that the City should be liable because his signs are in error, and instead of changing his signs, he wants the schools to change their hours to fit his signs; that he did not bother to check with the schools to see what their hours were before he put the signs put.

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Councilman Smith requested the City Manager to check into this for Council.

Councilman Short stated he believes that Mr. Hoose has explained this to Council publicly himself. He said if he could get a standard time that would suit fairly well, but not perfectly, all the schools that people would be use to the time and would observe it; and this was backed up by national surveys from traffic experts all over the country. The idea was that while it might be from 8:00 to 8:30 on some schools and the actual hours might be from 8:15 to 8:45, the motorist gets use to standard time and it is really safer this way than the other way.

Mr. McDuffie stated the signs he had up that said "School Hours" was ridiculous and you are supposed to slow down all during the day, but this is better than telling them to speed up at 8:30 when the school has not taken up. Councilman Short stated Mr. Hoose did not do this capriciously; he was trying to set a city-wide time when people would learn the time and observe it; his point being if you vary the time people will not pay any attention to signs anyway. Mr. McDuffie stated it should not vary but make traffic slow down from eight to nine; that it would be safer for the thousands of children in Charlotte if there was a time when the children were not going to school; the patrol lady leaves and the late children have no protection.

Councilman Tuttle stated Mr. McDuffie's statement is well taken; that on Providence Road at 8:30 sharp the lady goes back to her automobile at the crossing; that he generally goes by at twenty til nine and children are still crossing the street - the point being what is another fifteen minutes, let the traffic slow down for another fifteen minutes; that 8:30 is too early.

Mr. McDuffie stated the Citizens Safety Association has had this information and tried to work with the City, but his views again were to change the school hours to fit his signs.

Mr. McDuffie asked if it is true that Sugar Creek Road from North 29 to I-85 is not in the budget for several years for widening? Mr. Veeder replied this is under the state system and is not a question of budgeting for the City. Councilman Smith stated the State recognizes this is one of the most congested streets in the whole City of Charlotte and they do have it in high priority.

Mr. McDuffie stated he understands Mr. Hoose refuses to allow a traffic light at the entrance to Hidden Valley and the reason was there had not been five accidents there.

Councilman Tuttle stated he knows the State recognizes this as being one of their top priorities and they are aware of the situation and it will be corrected as soon as possible.

Mr. McDuffie stated this intersection has been improved by adding one lane coming east and it would appear as we will have to wait several years more that maybe the City could get involved with widening it a little more with K-Mart there and Woolco already there.

Mr. McDuffie stated the shopping center of Belks and Iveys already has a third lane at their entrance on Sharon Road. Now Woolco Shopping Center is a four lane street with no turn lane and there was a serious

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accident Saturday night; it is dangerous getting in and out of Woolco Shopping Center and eventually there will have to be a stop light

Councilman Smith stated most of the big shopping centers nationally have a deceleration lane they put in themselves. Mr. McDuffie stated that is why he wonder why Woolco, which will be one of the biggest center around and is already too close to the road, did not put one in to start with. Councilman Smith stated in planning shopping centers this would be a good point to explore - the deceleration lanes that are put on the property itself to take the stigma off the City and State and provide this safety factor. Mr. Veeder replied anytime the staff of the City has an opportunity to advise people on this it does. Councilman Tuttle stated this is the sort of thing he had hoped we could get the legislature to go along with on conditional zoning - it would be tough enough where Council could say it would do it provided enough land is dedicated for an extra lane. Mr. McDuffie stated he thought with the planning and zoning the City has it could say to a shopping center if you are going to have this many square feet you have to put in another lane.

Mr. McDuffie stated it seems the City should have the authority to pass a zoning ordinance that would say in any zoning higher than residential single family you have to have curb and gutter.

He stated in the new widening of Monroe Road the telephone poles are at the back of the sidewalks and he could not believe that long at last the telephone poles are going to be moved off the curb. Councilman Smith stated the poles on the curb are dangerous and if they can be put on the inside of the sidewalk this is good. Mr. McDuffie stated when Eastway Drive was widened the telephone poles were put on the curve side six inches from the curve and he contends he would rather have them take his yard and not put the poles out where people run into them with their wheels on the pavement and the fender on the telephone poles; surely there is an ordinance that can be passed where there is right of way, that telephone poles must be 18 inches from the curve. He stated he had electric wires down the rear of his house, and then he was given a widened street with street lights, but they had to put electric wires and poles down the front of the street where there were none before. That he understands there is an FHA ruling that no new development will be built with overhead wires.

Mr. McDuffie stated in connection with Mr. Jordan's suggestion for a complaint department, he would suggest adding a man in Mr. Veeder's office to take complaints and you can get more action that way than someone sitting downstairs to pass the complaints along. Ultimately they go to Mr. Veeder and that would be a good place for the person to be as he thinks they would get action as he believes anything that goes through Mr. Veeder's office gets looked into.

Councilman Stegall stated it is his impression that School Guards are on duty from 8:00 to 8:45 regardless of what time school takes up. If this is not being done the Police Department should be notified and refresh the memory of some of these women who are suppose to stay there until 8:45 to take care of the late students each morning.

Mr. McDuffie stated in checking into the revenue of the parking lot at the Coliseum-Auditorium, it was necessary to get an annual report that he could compare, and he started out to compare it with Atlanta and other places like Greensboro. From this information, he

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determined that quite a few people work at the Coliseum and are paid by cash rather than check and the bookkeeping would be difficult to ascertain as to who might have ended up with the funds. The ushers are paid by cash after each event. He stated he is interested in checking this because the Mayor's Committee recently took steps to establish a convention center on a revenue bond basis that might be interesting considering the coliseum has never made enough money to pay any money on the bond revenue itself, the interest rate. He stated he intends to take a reporter to the accounting office and to the coliseum to see if he can check the books. That the annual report lists \$13,000 for ushers, ticket takers and so forth, and a man who knows what he is talking about said the most ever asked for ushers was \$3200 for Ice Capades. That would appear to leave \$10,000 for so forth listed on the report. It may be all well, and each and everything in order, but it appears since they do hand out money rather than checks to a considerable number of people that maybe the accounting procedure could be changed.

PETITION NO. 67-93 BY GEORGE GOODYEAR COMPANY FOR CHANGE IN ZONING FROM R-9 TO R-9MF OF A 6.887 ACRE TRACT OF LAND ON THE SOUTH SIDE OF WOODLAWN ROAD, BETWEEN MURRAYHILL ROAD AND FAIRBLUFF PLACE, DENIED.

Upon motion of Councilman Tuttle, seconded by Councilman Stegall, and unanimously carried, the subject petition was denied as recommended by the Planning Commission.

RIGHT OF WAY AGREEMENTS FOR WATER MAIN INSTALLATION, AUTHORIZED.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, the following right of way agreements were authorized:

- (a) Agreement between the City and the Seaboard Coast Line Railroad Company for permission to install a 12" water main across their right of way beneath their tracks on Lumarka Drive.
- (b) Agreement between the City, Queen's Grant, Inc., and N. C. State Highway Commission for the installation and maintenance of an 8" water main in Monroe Road, located between Lumarka Drive and Fox Run Street.
- (c) Agreement between the City and the Seaboard Coast Line Railroad Company for the installation and maintenance of 12" and 6" diameter water mains in the 11th Street, Seaboard and Smith Street Area in connection with the construction of the Northwest Expressway.
- (d) Agreement between the City and the Southern Railway System to relocate certain 12" water mains within the right of way of the Southern Railway tracks in the Seaboard Street and 11th Street Area.

CONTRACTS FOR CONSTRUCTION OF SANITARY SEWER MAINS.

Motion was made by Councilman Whittington, seconded by Councilman Alexander, and unanimously carried, authorizing contracts for the construction of sanitary sewer mains, as follows:

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- (a) Contract with Masco, Inc. for the construction of 304 feet of sanitary sewer main to serve property on Pineville Road, inside the city, at an estimated cost of \$2,260.00, with all cost of construction to be borne by the applicant whose deposit in the full amount has been received and will be refunded as per terms of the agreement.
- (b) Contract with A.C.S. Corporation for the construction of 2,200 feet of sanitary sewer main to serve Cavendish Court, inside the city, at an estimated cost of \$11,650.00, with all cost of construction to be borne by the applicant whose deposit in the full amount has been received and will be refunded as per terms of the agreement.

UTILITY RELOCATION AGREEMENT WITH STATE HIGHWAY COMMISSION AUTHORIZED.

Councilman Smith moved approval of a sanitary sewer utility relocation agreement between the City and the State Highway Commission covering the relocation and adjustment of sanitary sewer lines in the vicinity of I-77 at the Seaboard Coastline Railroad. The motion was seconded by Councilman Alexander, and carried unanimously.

PROPOSAL FOR CONSTRUCTION OF WATER LINE TO SERVE CARMEL ROAD, APPROVED.

Mr. Veeder, City Manager, stated Council has a suggestion which has been made in terms of proceeding with the construction of a water line from Sharon and Quail Hollow Roads down Quail Hollow Road to the intersection of Carmel Road.

Councilman Smith moved that the city immediately provide the estimated requirement of \$80,000 to construct the major feeder main down Quail Hollow Road to serve Carmel Road as recommended by the City Manager. The motion was seconded by Councilman Tuttle, and carried unanimously.

RESOLUTION APPROVING CHANGE OF MEETING PLACE OF CITY COUNCIL FOR MAY 27, 1968 MEETING.

Upon motion of Councilman Whittington, seconded by Councilman Stegall, and unanimously carried, the subject resolution was adopted, changing the meeting place of City Council from Council Chambers to the Educational Television Station WTVI, for May 27, 1968 meeting.

The resolution is recorded in full in Resolutions Book 6, at Page 128.

ORDINANCE NO. 852 AMENDING CHAPTER 5, SECTION 5-6(a) OF THE CITY CODE.

Motion was made by Councilman Jordan, seconded by Councilman Tuttle, and unanimously carried adopting the subject ordinance authorizing peace officers to help the building inspection department to enforce provisions relating to occupancy capacity of buildings.

The ordinance is recorded in full in Ordinance Book 15, at Page 273.

ORDINANCE NO. 853-X ORDERING THE REMOVAL OF AN ABANDONED MOTOR VEHICLE AT CORNER OF EAST 6TH STREET AND MCDOWELL STREET.

Councilman Smith moved adoption of the subject ordinance ordering the removal of a 1953 black Plymouth located at the corner of East 6th Street and McDowell Street, pursuant to Article 13-1.2 of the City Code. The motion was seconded by Councilman Stegall, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 15, at Page 274.

ORDINANCE NO. 854-X ORDERING THE DEMOLITION AND REMOVAL OF A DWELLING LOCATED AT 606 SOUTH INDEPENDENCE BOULEVARD PURSUANT TO THE HOUSING CODE OF THE CITY AND ARTICLE 15, CHAPTER 160 OF THE GENERAL STATUTES OF NORTH CAROLINA.

Councilman Whittington moved adoption of the subject ordinance. The motion was seconded by Councilman Jordan, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 15, at Page 275.

ORDINANCE NO. 855-X AMENDING ORDINANCE NO. 655-X, THE 1967-68 BUDGET ORDINANCE AUTHORIZING THE TRANSFER OF \$18,000 FROM THE WATER AND SEWER CONTINGENCY ACCOUNT TO THE WATER DISTRIBUTION BUDGET FOR AUTOMOTIVE VEHICLES.

Upon motion of Councilman Whittington, seconded by Councilman Stegall, and unanimously carried, the subject ordinance was adopted, and is recorded in full in Ordinance Book 15, at Page 276.

SPECIAL OFFICER PERMITS AUTHORIZED.

Upon motion of Councilman Smith, seconded by Councilman Whittington, and unanimously carried, the following special officer permits were authorized for a period of one year:

- (a) Renewal of permit to Mr. Vernon E. Whitlow for use on the premises of Southern Railway Company.
- (b) Issuance of permit to Mr. Eduino Ramiro Gil for use on the premises of the Charlotte Branch, Federal Reserve Bank of Richmond.
- (c) Issuance of permit to Mr. Leo D. Johnson for use on the premises of Johnson C. Smith University

TRANSFER OF CEMETERY LOTS.

Motion was made by Councilman Jordan, seconded by Councilman Short, and unanimously carried, authorizing the Mayor and City Clerk to execute deeds for the transfer of the following cemetery lots:

- (a) Deed with Mrs Emily D. Laxton and Robert S. Dunlap for Lot No. 12, Section X, Elmwood Cemetery, transferred from Mrs Lois Steele Dunlap, at \$3.00 for new deed.

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- (b) Deed with W. M. Speagle and wife, Neva B. Seagle, for Graves 2, 3, 4 and 8, in Lot No. 229, Section 7, Oaklawn Cemetery, at \$3.00 for new deed.
- (c) Deed with Mrs Ida Mae Starnes for Graves 1, 5, 6 and 7, in Lot No. 299, Section 7, Oaklawn Cemetery, transferred from W. M. Speagle and wife, at \$3.00 for transfer deed.

APPRAISAL CONTRACT WITH MICHAEL COCKINOS AUTHORIZED.

Upon motion of Councilman Short, seconded by Councilman Whittington, and unanimously carried, a contract was authorized with Michael Cockinos for appraisal of one parcel of land for the West Third and Fourth Street Connector.

PROPERTY TRANSACTIONS AUTHORIZED.

Motion was made by Councilman Whittington, seconded by Councilman Alexander and unanimously carried authorizing property transactions as follows:

- (a) Settlement with Charlotte Meat Center, in the amount of \$40,000 for 8.015 square feet of property at the north side of Morrow Street for the Northwest Expressway Project.
- (b) Acquisition of 1,530 square feet of property at 2927 and 2929 The Plaza, from Frances Averlie Webb (unmarried), at \$1,000.00 for the East Thirtieth Street Project.
- (c) Acquisition of 1,200 square feet of easement near corner of French and Biddle Streets, from Mary H. McGill, widow, at \$375.00 for the North-South Expressway sanitary sewer relocation.
- (d) Acquisition of 7,296 square feet of easement off Montieth Drive, from Hobart Smith Construction Company, Inc., at \$1.00 for the sanitary sewer to serve Canterbury Woods.
- (e) Acquisition of 16,693 square feet of easement off Canterwood Drive, from Hobart Smith Construction Company, Inc., at \$1.00 for the sanitary sewer to serve Canterbury Woods.
- (f) Resolution authorizing condemnation proceedings for acquisition of property of Central Motor Lines, Inc., located on North Tryon Street, east side, between 29th and 31st Streets, for East Thirtieth Street Project.
- (g) Resolution authorizing condemnation proceedings for acquisition of property of Hilda Moss Kirkpatrick (widow), at 1315 Matheson Avenue, for the East Thirtieth Street Project.
- (h) Resolution authorizing condemnation proceedings for acquisition of property of David E. Hubbard and wife, Faye T. Hubbard, at 801 Wesley Avenue, for the East Thirtieth Street Project.
- (i) Resolution authorizing condemnation proceedings for acquisition of property of Carrie H. Morris (widow), at 1325 Matheson Avenue, for the East Thirtieth Street Project.

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- (j) Resolution authorizing condemnation proceedings for acquisition of property of Charles E. Griffin and wife, Lillian M., at 2939 The Plaza and 1236 Matheson Avenue, for the East Thirtieth Street Project.

The resolutions are recorded in full in Resolutions Book 6, beginning at Page 129.

CONTRACT AWARDED FORD METER BOX COMPANY FOR WATER METER YOKES.

Motion was made by Councilman Alexander, seconded by Councilman Whittington, and unanimously carried, awarding contract to the low bidder, Ford Meter Box Company, Inc., in the amount of \$13,754.00 on a unit price basis, for 2,600 water meter yokes.

The following bids were received:

| | |
|------------------------------|-------------|
| Ford Meter Box Company, Inc. | \$13,754.00 |
| Grinnell Company, Inc. | 17,677.24 |

CHANGE ORDER NO. G-3 IN GENERAL CONTRACT WITH JUNO CONSTRUCTION COMPANY FOR LAW ENFORCEMENT CENTER.

Councilman Whittington moved approval of Change Order No. G-3 in contract with Juno Construction Corporation for general construction of the Law Enforcement Center increasing the contract price by \$33,735.35. The motion was seconded by Councilman Stegall, and carried unanimously.

SUPPLEMENTS TO EXISTING CONTRACTS AUTHORIZED.

Motion was made by Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, approving purchase and supplements to contracts as follows:

- (a) Contract No. 57-546 with City Chevrolet Company \$12,516.14.
- (b) Contract No. 57-536 with Motorola Communications & Electronics, Inc., \$3,208.80.
- (c) Contract No. 57-558 with Cook Body Company \$2,358.75.

RESOLUTION IN MEMORIAM OF GEORGE M. IVEY.

Upon motion of Councilman Stegall, seconded by Councilman Alexander, and unanimously carried, the following resolution was adopted:

WHEREAS, it is with deep sadness and a feeling of great loss that the City Council takes note of the passing of George M. Ivey on May 3, 1968; and

WHEREAS, George M. Ivey was a dedicated and devoted civic leader, having served his community in numerous positions: as President of the Charlotte Merchants Association, as director of the North Carolina Merchants Association, as director and Vice President of the National Retail Merchants Association, as director of the Charlotte Business Bureau, and one of the founders of the Chamber of Commerce, to name a few; and

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WHEREAS, George M. Ivey was recognized as one of America's leading merchants serving as Chairman of the Board of a major department store chain at the time of his death. He was a deeply religious man and a leader in the Methodist Church, having traveled all over the world on both religious and business projects;

WHEREAS, Charlotte has lost one of its most able and distinguished citizens, who left his mark on all he touched.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte that this Council does hereby declare its deepest regret at the passing of George M. Ivey and does convey its sincere sympathy and condolences to his family; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to his family and that this resolution be spread upon the minutes of this meeting.

Mayor Brookshire stated several years ago Mr. Ivey had two city flags made and carried them to the South Pole and left one there; the other he had flown at the South Pole and brought it back and presented it to the City, and it now hangs downstairs on the first floor.

CITY MANAGER TO INVESTIGATE NUMEROUS FIRES AT CITY DUMP.

Councilman Alexander stated some two or three weeks ago there were a number of fires at the trash dump; and one one occasion the fire trucks were tied up for two to three hours. He asked if there is a problem in getting this refuse covered now that it is being dumped from the demolition projects and road work. When all the fire equipment is tied up at the dump it is running into a terrible expense; and tying up equipment on that side of town when there is not that much service.

Mr. Veeder, City Manager, replied if there is a particular problem he is not aware of it; that he will check into this and report back.

STREET LIGHTS REQUESTED ON ABLEWOOD ROAD.

Councilman Alexander filed a petition with the City Manager signed by property owners living on two and a half blocks of Ablewood Road requesting street lights.

CITY MANAGER REQUESTED TO HAVE COUNTY'S PLAN FOR EXTENDING WATER MAINS INTO PERIMETER STUDIED AND REPORT BACK TO COUNCIL ON THE PLAN.

Councilman Short stated Council should acknowledge the fact that the County has explained their plan for extending water mains into the perimeter. That members of Council have indicated they are very interested in this plan and they want to have a professional review of the plan and details before indicating whether or not they will endorse the principle or details of the plan.

Councilman Short moved that Mr. Veeder be asked to have the appropriate departments of City Government, including Water, Engineering and Finance Departments and any other that he thinks appropriate, to study and report on this plan; also that he see what arrangements can be made and what

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cost is involved to have J. N. Pease & Company, who has advised the City on water matters many times, to study this plan and advise Council on it, and also that he take this matter up with Weston and Sampson who is studying water rates at this time, and advise Council on this plan. The motion was seconded by Councilman Whittington.

Councilman Short stated he hopes Council can expedite all the study on this plan as the County wants to get underway and would like to know Council's reaction.

Councilman Smith asked if we are going to pay for engineering work to advise Council? Councilman Short replied he thinks it is appropriate as Mr. Rawlins and others there have advised Council on this matter for years; it is a very critical matter and getting this sort of advice in addition to Weston and Sampson is not out of order.

Councilman Smith stated his personal opinion is to get the rate structure first and then see if further engineering advice is needed. That he does not see any sense in spending money until the rates are worked out.

Councilman Whittington asked if the City would have to pay J. N. Pease for such consultation services? Mr. Veeder, City Manager, replied it would depend upon what they are asked to do; what they might be asked to do depends on whether there would be a fee and how much it might be.

Councilman Tuttle stated he cannot vote for the motion as made, but he goes with the intent; the motion specifically instructs Mr. Veeder to have Pease and Associates to look into this, and he would like to know something about fees first. That the whole thing depends upon the rates; the idea is good, but the question is rates. He stated he voted against this before because he thinks the present rates in the first contract with the County are grossly inadequate.

Councilman Jordan stated Council agreed to approve the principle of this proposal, but it was all contingent upon what the rates would be. That he would like to leave the motion as just approving the principle of the proposal.

Councilman Whittington stated he agrees with the motion and the intent. That he would not be in favor of an individual making any statement or agreeing to the purpose or the contents of this plan until Weston and Sampson has studied the rates, and until J. N. Pease and Associates has been brought in to look at the proposal, together with Mr. Franklin, Mr. Veeder and Mr. Fennell to look at it from a financial standpoint. All of these things are important and Council should be aware of all involved, because the majority of the people in this county, who live in the City, will be the ones who will have to support the bond issue if and when the county calls for it. Council needs this information before taking any action.

Councilman Smith stated what he is saying is to get it in order; get the rates first and then consider J. N. Pease and Associates to study the engineering.

Councilman Short stated his motion is that Mr. Veeder be asked to see what arrangements can be made and what cost is involved to have J. N. Pease and Associates study and advise us on the plan.

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Councilman Alexander stated he is amazed at how close this proposal parallels the work of the Public Works Committee in March, 1966, submitted by Mr. Dave McConnell; the only thing now is to determine the rates; that he is not going to vote to give away water like we did on Westinghouse; the important thing is to determine the rates.

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

Councilman Short stated he is not advocating in the seven additional agreements the county has proposed, the same rates used in the Westinghouse agreement. He feels Weston and Sampson should advise Council on this matter. That he would like to direct Council's attention to the water rates and extension policies that prevailed in Charlotte at the time this agreement was negotiated with the county, and which is the same rates and same extension policies that exist today. Our rate for large volume users - those using more than 100,000 cubic feet a month - is 9 1/2 cents a hundred cubic feet, less a discount or rebate of 3.325 cents a hundred cubic feet to the user when he has built his own line and is in the process of paying for it. This means our water rate at that time, as well as today for such a large volume user, is 6.175 cents per hundred cubic feet. The rate of 6 1/2 cents which is to be used during the first year of the Westinghouse contract is 5 percent higher than this rate. The rate of 7 cents which is to be used during the remaining five years of the Westinghouse contract is more than 11 per cent higher than the rate charged to a large volume industry that is paying for its own lines.

Councilman Short stated those who say the Westinghouse agreement rate is low are really saying that industrial rates in general are low in Charlotte because the County is paying a rate which is well above the bottom rate for large volume users who are paying for their own lines, and this is what the county is doing. Everybody knows our industrial rate is low, and this was a policy decision that was intentionally and deliberately made when the rate was set some six or eight years ago and it was a policy decision that was made by all the present members of this Council with one or two exceptions in April of 1967 when the extension policy was set. This was done to attract industries like Westinghouse. That it probably cannot be proved that the rates of the Westinghouse agreement or that the industrial rates in general really are a loss to Charlotte. Those who have attempted to prove this have made the error of trying to apply a retail overhead to wholesale sale. This sale to the County really is a wholesale sale because under this plan, they will use 63 times as much a month in volume as is required to get our lowest rate.

Mayor Brookshire stated there is the awareness that perhaps after seven or eight years the rates should be re-studied, and perhaps re-established and the sufficient thing done this afternoon is to re-affirm to the County Commissioners that Council is willing to cooperate with them on a reasonable, feasible and equitable basis.

REPORT REQUESTED ON NUMBER OF FIRES CAUSED BY DEFECTIVE GAS WATER HEATERS AND FURNACES.

Councilman Tuttle stated he received a call from an insurance organization who has noticed several large fires recently - one around \$9,000 and one around \$23,000 - that involved defective gas water heaters and defective furnaces. The question was is our code strict enough or if the code is strict enough, are we properly enforcing it.

Mr. Veeder, City Manager, stated he would have a run down made on the number of fires attributed to these two causes.

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COUNCILMAN STEGALL LEFT THE MEETING.

Councilman Stegall left the meeting at this time and was absent for the remainder of the Session.

STADIUM SITE COMMITTEE'S RECOMMENDATION REFERRED TO PLANNING COMMISSION FOR STUDY.

Councilman Tuttle stated he received a letter from Mr. Ed Pickard's Chamber of Commerce Committee on a stadium site recommendation which reads in part as follows: "The Redevelopment Commission has submitted this project to City Council for their support and approval in order to have the necessary study completed by the Charlotte-Mecklenburg Planning Commission to determine whether the area would in fact qualify for urban renewal. The Stadium Site Committee recommends to the Board of Directors of the Chamber of Commerce that you join with the Redevelopment Commission in seeking approval of the support of the City Council for this project."

Councilman Whittington stated the original request was made to include South Graham Street, West Morehead Street and that area over to Cedar Street, and it was determined it did not come under urban renewal because it was a large industrial development; this Committee has extended the area across Cedar Street over to Johnson C. Smith for a recommended study area.

Councilman Tuttle moved that the recommendation be referred to the Planning Commission for its recommendation. The motion was seconded by Councilman Alexander.

Councilman Smith asked the City Manager if he is projecting a budget on the various urban renewal areas to see just how much obligation the city will have over the next three to five years; he requested the City Manager to make a short review on how these stand from a financial view point.

Councilman Alexander asked if this same report could contain the steps Council needs to take right now for other projects so they will be in the pipe line. That all of a sudden the City has gotten commitments that it has been waiting on for two years. Knowing how long it takes and what our problem is and our needs are in Charlotte, is it possible to get some type of outlook on what we should be doing so our Federal Coordinator can be doing what is necessary to get preliminaries established for getting approvals for future activities.

(MAYOR BROOKSHIRE LEFT THE MEETING AT THIS TIME, AND MAYOR PRO TEM WHITTINGTON PRESIDED.)

The vote was taken on Councilman Tuttle's motion, and carried by the following vote:

YEAS: Councilmen Tuttle, Alexander, Jordan, Short and Smith.
NAYS: None.

POLICE DEPARTMENT REQUESTED TO CHECK TRUCKS WITHOUT TAILGATES.

Councilman Jordan stated he received a call this week about trucks hauling rubbish without tailgates. Lumber fell off one truck and the car was so close they could not avoid hitting it and damaged their car. He requested the City Manager to have the Police Department check this a little more thoroughly.

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CHECK ON INTERSECTIONS FOR SITE OBSTRUCTIONS REQUESTED.

Councilman Jordan stated Mr. Hoose's Department is doing a very good job on blind corners for site obstructions; the one at Randolph and Andover is improved now that the shrubbery is down and the old mail box has been removed.

He stated this is the season when the shrubbery is getting larger and it would be a good idea to check the blind corners a littler closer at this time.

DISCUSSION OF CONFERENCE SESSIONS.

Councilman Jordan stated recently Council held a special meeting which he could not attend. At the meeting a decision was made to eliminate the conference session of Council. He stated this meeting means much to our staff and administrative people who bring problems and business of the city to discuss with Council before taking formal action. The continuation of the conference meeting affords an opportunity for everyone - private citizens, civic boards, public officials, department heads, and others - to express their opinions fully and uninhibited. This has been the best method of exploring and discussing the many ramifications of city business before final vote is taken in the formal session.

Councilman Jordan stated he is in favor of private meetings when the overall good of the community is served and feels sure in many cases this is true. That he does not think the conference session should be replaced with private meetings. There is also the question of the legality of eliminating the conference meeting in favor of all private meetings previous to the formal session. That he feels at times we can speak more freely on controversial issues and personalities in private sessions, but private sessions should not replace the conference sessions. As elected officials, we have a responsibility to the citizens of the city and cannot truly justify the abandonment of the conference meeting.

Councilman Jordan moved that Council again hold its regular conference meeting. The motion was seconded by Councilman Short for purposes of discussion.

Councilman Alexander stated he is in favor of such meetings provided they are in the Council Chambers where anyone can come in. If it is agreeable that the conference sessions will be held in the Council Chambers he is ready to vote for it.

Councilman Tuttle stated he is opposed as he has stated all along the conference meeting does not permit the public and he has contended all along that Council should discuss these things but they should be discussed in the Council Chamber, and this is the reason he is opposed to going back to the conference meeting. Councilman Jordan stated he has no objections to having it here in the Council Chambers any time.

(MAYOR BROOKSHIRE RETURNED TO THE MEETING AT THIS TIME AND PRESIDED FOR THE REMAINDER OF THE SESSION.)

Councilman Smith made a substitute motion to take the subject under advisement until the next Council Meeting. The motion was seconded by Councilman Tuttle, and carried by the following vote:

YEAS: Councilmen Smith, Tuttle, Alexander, Short and Whittington.
NAYS: Councilman Jordan.

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CONTRACT AWARDED C. D. SPANGLER CONSTRUCTION COMPANY FOR SANITARY SEWER FACILITIES IN HEATHERSTONE SUBDIVISION, GRAHAM OFFICE PARK AND BEAL STREET.

Councilman Jordan moved award of contract to the low bidder, C. D. Spangler Construction Company, in the amount of \$57,040.00, for sanitary sewer facilities in Heatherstone Subdivision, Graham Office Park and Beal Street. The motion was seconded by Councilman Smith.

Councilman Whittington asked what has happened to the sewer line that was to be put in southwest of I-85 to drain the area along Freedom Drive on the north side of I-85 where the truck terminals are located out towards Little Rock Road. The Taggart Creek Outfall comes up and under I-85 and all the development along Freedom Drive, from I-85 towards Paw Creek on both sides of the road and the trucking terminals along I-85 as well as Tuckaseegee Road are in need of sewer and have been a long time. A lady called him last week and reminded him they had been in the City limits for six years and had been promised sewer facilities on Browns Avenue and the other streets off Tuckaseegee Road. That raw sewage was literally running across the streets and yards during heavy rains from septic tanks. That he thought it was in the budget last year to be constructed this year. Mr. Veeder, City Manager, advised the Taggart Creek Outfall, from near Denver Avenue to Tuckaseegee Road, is anticipated as a bond project costing \$159,600 to be funded in 1969-70.

Councilman Whittington stated this should be given some priority and move it up as this was promised to the people.

The vote was taken on the motion to award the contract and carried by the following vote:

YEAS: Councilmen Jordan, Smith, Short, Tuttle and Whittington.
NAYS: None.

Councilman Alexander abstained from voting.

The following bids were received:

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|-------------------------------------|-------------|
| C. D. Spangler Construction Company | \$57,040.00 |
| Sanders Brothers, Inc. | 66,881.30 |
| A. P. White & Associates, Inc. | 62,217.60 |

CONTRACT AWARDED COLUMBUS SERVICES INTERNATIONAL, INC. FOR CUSTODIAL SERVICE AT AIRPORT.

Mr. Veeder, City Manager, advised bids have been taken to provide custodial service at the Airport terminal. Three bids were received and the low bidder is Columbus Services International, Inc. That investigation of this firm indicates it is a large firm in this business and they have recently expanded their services into this area and have Central Piedmont Community College, Eastern Airlines and a local bank as customers; they have some 400 such contracts. This type of service provided in this fashion can be in the total city's interest better than what is being done now.

He stated the employees now engaged in this activity at the airport will have the option of joining the contractor to continue in this work if they wish; in addition the long time employees will be given additional options - one of which the men can transfer to the maintenance

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force at City Hall, and in some cases they can be used on outside maintenance basis at the airport. Nothing will be done to make it necessary for the long time employees to leave the city - this involves four men who have worked for the city 3 1/2 years or longer. The female help involved in this work with the city for a period of time - one for five years and one for four years - will have the option of joining the contractor if they wish and in addition there will be options to them with other tenants at the airport.

Mr. Veeder stated it is recommended that contract be authorized to the low bidder effective June 1, at \$65,628.00.

Councilman Smith moved award of contract to the low bidder, Columbus Services International, Inc., at \$65,628.00 to be effective June 1, on a three year basis. The motion was seconded by Councilman Tuttle.

Councilman Smith asked what provisions are made for cancellation? Mr. Veeder replied a 30 day cancellation and in addition there is an escalation provision in case of changes in federal wages, social security or state unemployment compensation laws; any increase brought about by these three, the city agrees to pick up the increase; also, if there is any area added to the contract.


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

The following bids were received:

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|---------------------------------------|--------------|
| Columbus Services International, Inc. | \$ 65,628.00 |
| G & L Janitor Supply & Service Co. | 97,992.00 |
| Better Cleaning Service | 107,376.00 |

ADJOURNMENT.

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



Ruth Armstrong, City Clerk