

June 30, 1969
Minute Book 52 - Page 109

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Monday, June 30, 1969, at 3:00 o'clock p.m., with Mayor John M. Belk presiding, and Councilmen Fred D. Alexander, Sandy R. Jordan, Milton Short, John Thrower, Jerry Tuttle, James B. Whittington and Joe D. Withrow present.

ABSENT: None.

* * * * *

INVOCATION.

The invocation was given by Reverend John W. Bolton, Minister of Caldwell Memorial Presbyterian Church.

MINUTES APPROVED, AS AMENDED.

At the request of Councilman Short, the following amendments are made in the discussion of Ordinance No. 216-Z, Minute Book 52, Page 96, Council Meeting, June 16, 1969.

Insert the following paragraph after the motion and before Councilman Withrow's statement:

"Councilman Short stated this is just changing property from R-6MFH to R-6MF, plus omitting a small portion that is now office; the reason is the property is now built up and developed with R-6MF and by this change it will be conforming to what is there."

Insert the following paragraph after the vote:

"Councilman Short stated this has made the zoning more restrictive and more protective of the property, and more protective of the people that live there - at least that is the theory when you go from R-6MFH to R-6MF. Councilman Thrower stated the rezoning to R-6MF will upgrade the property."

Councilman Thrower moved approval of the Minutes of the last Council Meeting, On June 16, 1969, as submitted with the above amendments. The motion was seconded by Councilman Jordan, and carried unanimously.

RESOLUTION IN MEMORIAM OF STEVE W. DELLINGER.

Councilman Jordan presented and read the following resolution:

WHEREAS, it is with deep sadness and a feeling of great loss that the Mayor and City Council take note of the passing of Steve W. Dellinger on June 30, 1969; and

WHEREAS, Steve Dellinger was a dedicated and devoted member of the City Council from 1951 until 1965 at which time he retired, having served under four mayors. He served Charlotte long and faithfully with an unusual dedication to public service carrying out his duties and responsibilities in such a manner that his talents were clearly reflected in the growth and progress of Charlotte.

WHEREAS, he was a leader in the First United Methodist Church, having served on the Board of Stewards, and was well known for his work with the Boy Scouts; and

WHEREAS, he was Past Master of Temple Lodge No. 676 and a member of the Oasis Temple;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, in regular session assembled, this 30th day of June, 1969, that this Council does hereby declare its deepest regret at the passing of Steve W. Dellinger and extends its heartfelt sympathy to the members of his family as a testimonial of sincere appreciation for his public service to the citizens of the City of Charlotte; and

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

June 30, 1969
Minute Book 52 - Page 110

Councilman Jordan moved the adoption of the resolution, which was seconded by Councilman Whittington, and carried unanimously, with the Councilmembers and audience standing for a moment of silence in memory of Mr. Dellinger.

CHECKS PRESENTED TO CITY BY HOUSING AUTHORITY IN LIEU OF TAXES.

Mr. Earle J. Gluck, Chairman of the Charlotte Housing Authority, stated in the 30 years the Housing Authority has been in operation, they have never come to Council and asked for any money and that is not their intent today.

Mr. Gluck presented a letter and three checks to the Mayor, representing payment in lieu of taxes to the City of Charlotte in the amount of \$78,637.31. He stated they are as follows:

- (1) Check on the North Carolina National Bank, representing payment in lieu of taxes on Piedmont Courts and Fairview Homes in the amount of \$32,608.77;
- (2) Check on the Wachovia Bank and Trust Company representing payment in lieu of taxes on Southside Homes and Belvedere Homes in the amount of \$24,533.60;
- (3) Check on the First Union National Bank representing payment in lieu of taxes on Earle Village Homes and Edwin Towers, in the amount of \$21,494.94.

Mr. Gluck stated each year the Authority pays to the City of Charlotte an amount in lieu of taxes, and over the years this has amounted to \$981,524.18; together with the \$78,637.31 the Authority has made a total payment in lieu of taxes to the City in the amount of \$1,060,161.49.

Mayor Belk expressed appreciation for the fine work this Authority is doing.

CITIZENSHIP AWARD PRESENTED TO GEORGE H. BROADRICK, RETIRING HIGHWAY COMMISSIONER.

Mayor Belk presented the following award to Mr. George Broadrick:

"The City of Charlotte, North Carolina, presents this Citizenship Award to George Broadrick in recognition of outstanding contributions to the Citizens of Charlotte as State Highway Commission, Tenth District. Given this 30th day of June, 1969."

Mr. Broadrick thanked the Mayor and Council for their cooperation and help he has received in the past four years. He stated the members of the City staff - Mr. Veeder, Mr. Cheek, Mr. Birmingham, Mr. McIntyre and all the others - enjoy the very finest reputation in Raleigh and are held in the highest regard by the professional staff of the Highway Commission.

Mr. Broadrick expressed his appreciation for the Citizenship Award and stated he will treasure it.

REPORT BY POLICE CHIEF J. C. GOODMAN ON ALLEGATIONS OF POLICE BRUTALITY.

Mayor Belk stated about 12 days ago a meeting was held with Dr. Warner Hall and the Mayor's Community Relations Committee, and several allegations were brought out. These have been investigated under the guidance of Police Chief J. C. Goodman.

Mayor Belk stated all the citizens of Charlotte will receive the finest care that can possibly be rendered; that this does not apply just to the Police

June 30, 1969
 Minute Book 52 - Page 111

Department but to all departments of the City. He stated we are dedicated to do the best job that we can possibly do. If at any time a citizen feels he has been mistreated in any way and will let us know, everything possible will be done in our power to do a better job; we are dedicated to this cause.

Police Chief J. C. Goodman stated he has submitted to the Mayor and Council a report on the allegations which were made on June 18 backed by the Black Solidarity Committee in meeting with Council and the Human Relations Committee. He stated some of the allegations have been heard previously, and action taken by him before the meeting with this group; they have administered what they think to be a proper disciplinary measure, as indicated in the report. The Police Department has the mechanism for the proper hearing and handling of reports for misconduct by police personnel; in these cases they have investigated and determined the causes and taken corrective action as they felt proper under the circumstances.

Chief Goodman assures Council and the citizens of the City that the Police Department subscribes to the principal of fair and equal treatment to all people; in all instances that come to his attention, he will insist that members of the department be guided by these principles. He stated their paths are often made difficult by the necessity to use reasonable force or to take restraining action, but they will always attempt to use the minimum force necessary to accomplish their legal mission.

Chief Goodman stated these allegations took place over a period of 2 and a half years; that the Department has made around 17,000 arrests a year and there were approximately 32,000 traffic citations, making a total of public contact of around 50,000.

THOMAS H. SYKES ASKS FOR SUPPORT FROM ELECTED OFFICIALS AGAINST ADDITIONAL ONE PERCENT SALES TAX.

Mr. Thomas H. Sykes stated he is present to ask for some assistance for some citizens of this City. That Mr. Vogler yesterday announced through the news media that he would like to seek support for an additional one percent sales tax vote in November from citizens of Mecklenburg County. Mr. Sykes suggested that this Council, through the Mayor's leadership, organize a committee of 50 interested citizens to fight against an additional one percent sales tax. He stated the former Mayor appointed a committee of 50 to fight for the present one percent sales tax we now have. In this action there were 16,794 citizens to vote against an additional sales tax; those in this battle think that this majority would have been on their side had the elected officials sought to represent all the people of the City of Charlotte; in this instance they did not do that.

Mr. Sykes stated the poor man can stand no more. The Legislators, Mr. Vogler included, has returned to Mecklenburg County after imposing a two cents additional gasoline tax per gallon, a two cent tax on a pack of cigarettes and a one cent tax on bottle drinks and has offered a one percent local option sales tax to all 100 counties in the State of North Carolina. He stated the previous city council and the previous board of county commissioners elected to seduce the voters in the original fight against this tax with the promise that property taxes would be cut. He stated if we have elected officials who can tell us last year that they are going to cut property taxes if we vote for a sales tax then we do not need an additional one percent sales tax. The committee appointed by the former Mayor was composed of people who could ill afford to pay an increase in property taxes and who sought to impose this tax upon the people who could least afford to pay an additional tax. He stated we were told that this sales tax was to take money from those who did not pay tax. The promises to reduce property taxes - we do not know today whether they will be upheld or not. If property taxes are to be reduced, please do not impose another one percent tax on the poor man who earns \$3,000 a year or less. The way to overcome this malignancy is to fight it from the beginning and it inception, and the time to do it is now.

Mr. Sykes stated he is seeking support through the elected officials to fight against an additional one percent sales tax.

June 30, 1969
Minute Book 52 - Page 112

REQUEST THAT MAYOR'S COMMITTEE ON HUMAN RELATIONS INVESTIGATE THE THREE BLOCK AREA OF DOWNTOWN TO BE TORN DOWN UNDER URBAN RENEWAL.

Mr. Albert Pearson stated he would like to speak for some of the victims who have been victimized by the authorities in this area; that he speaks of the group in the 21-block area of Downtown Charlotte - that he does not speak for those people as he speaks for no one but himself. He stated he wants no part of urban renewal - that is for the rich at the expense of the poor. That he understands three blocks will be torn down and the net cost to the taxpayers in this three blocks will be approximately \$4 million; that is a net loss; that he readily admits most of that will be taken from the federal government to help the richer people in our city; that he believes the Mayor and Council, as elected officials in the City of Charlotte, will have to put up some of the money and with other things that are appearing in the newspaper that this money could be taken and used to help people in the City who need it much more than the big banks, the big corporations and the big real estate men in Downtown Charlotte.

Mr. Pearson stated he challenges Dr. Warner Hall to look into this bias situation with these things in mind:

- (1) To challenge him to say whether or not there are suitable places in Charlotte to take those businesses in that area and place in another likewise situation in Downtown Charlotte. If not, then he hopes his committee will recommend that you do not do what Mr. Sawyer says you are going to do, and that is go to Atlanta with a plan which Mr. Sawyer said would be approved. If you do this now without first clearing up some of the bad situations you have as voiced by Attorney Chambers on Sunday, that you will have more of a race problem than you now have due to the lack of intelligent handling by the previous Council and the previous Mayor. The time has come when those who have opposed certain things can no longer be of assistance to keep trouble from happening.
- (2) To challenge the group to see who uses these places of business and see if they do not fall under the same category as Mr. Chambers is saying that the poor people are being discriminated against by tearing these three blocks down first when there are other blocks that need it worse.

Mr. Pearson stated he would like to respectfully suggest if this is not done then you are asking for trouble.

REQUEST FOR TRAFFIC SIGNAL AT INTERSECTION OF DUNN AVENUE AND MONROE ROAD TO BE INVESTIGATED BY CITY MANAGER.

Mr. Robert Goins of the Grier Heights Community Development Club stated they have a problem at the intersection of Dunn Avenue and Monroe Road. That at present the two way traffic is quite hazardous and is causing traffic congestion on Monroe Road; this is due to the traffic attempting to enter Monroe Road from Dunn Avenue - one of the problems is very poor sight distance towards the east as you enter Monroe Road; the abutment that holds up the bridge makes the traffic congestion bad. He stated they have received a letter from Mr. Hoose, Traffic Engineer, who is recommending that Dunn Avenue be closed between Monroe Road and Gene Street to two-way traffic and establish entering traffic only on Dunn Avenue; that the Traffic Engineer is requesting the widening of Gene Street to 28 feet and the improvement of the radius between the intersection of Gene Avenue and Dunn Avenue and to improve the radius at Montrose Avenue and Gene Street; this would set up one-way traffic off Monroe Road into Dunn Avenue; the traffic on Dunn Avenue will use Gene Street to Montrose Avenue to Monroe Road.

June 30, 1969
Minute Book 52 - Page 113

Mr. Goins stated their big problem is there are no traffic signals and he is afraid someone will be killed.

Councilman Tuttle asked if he is objecting to the one way right turn into Dunn Avenue, and Mr. Goins replied he is not objecting to that, but they will be spending several thousand dollars to widen Gene Street and they just asked for a traffic signal.

Mr. Goins stated in widening Gene Avenue there is another problem; Gulf Atlantic Distribution Service, a trucking firm, has 30 trucks leaving out of Grier Heights every day; that heavy trucks will tear up the streets in these residential areas if they are sent through Gene to Montrose Avenue; that Mr. Jack Patterson is the manager of the trucking firm.

Mr. William Stitt stated they want the traffic signal rather than having to run around in the other sections through other people's streets; that rather than giving them a light Mr. Hoose wants to cut the street and take the traffic down Gene Avenue. But to get out they will still have to cross Monroe Road whatever way you go.

Mayor Belk requested the City Manager to look into this matter and give them a recommendation.

ORDINANCE NO. 225-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE AMENDING THE ZONING MAP BY CHANGING ZONING ON PROPERTY IN THE LAKEVIEW NEIGHBORHOOD.

Mr. Hamlin Wade, Attorney for Mr. and Mrs. George Fodel stated they own some lots in the Lakeview Neighborhood and a petition was heard at the last Council Meeting; that Mr. and Mrs. Fodel did not know about the hearing until the week after and they went to see Mr. Fred Bryant and discussed their problem. They were told the Planning Commission had already made a recommendation based on the hearing. The recommendation is that a major portion of the area sought to be rezoned from R-6MF to R-6 be rezoned but an area out of the center of the entire several blocks is recommended to be kept as R-6MF. He stated Mr. and Mrs. Fodel own lots which are contiguous to the area which is recommended to be kept R-6MF; these are vacant lots and they were purchased with the idea of having an investment, with the knowledge at that time they were zoned R-6MF, and with the idea of putting some duplexes or apartments units in the area; they paid more for the property than they would ordinarily have paid if it had been zoned R-6.

Mr. Wade stated they are asking Council to include within the area that is to be maintained as R-6MF two other areas; there is a large amount of non-conforming use even in the area proposed to be rezoned to R-6 and they are not asking that a separate area be cut out of the remaining area to be rezoned but that two contiguous lots be included in the recommendation of the Planning Commission for the R-6MF maintained zoning. That at the corner of Oregon Street and Grant Street (designated as Portland on the map) are twelve apartments and they are not asking any monumental change as there are some existing apartments at the corner now.

Mr. Fred Bryant, Assistant Planning Director, stated the Planning Commission recommends that most of the petition be approved for R-6, but that an area near the middle of the neighborhood be denied, and the recommendation as drawn would leave a few scattered non-conforming uses around, but the vast majority would be included in the area recommended to remain R-6MF.

Councilman Whittington stated the Planning Commission is correct and the people who live in the Lakeview Neighborhood should be commended for what they are trying to do; however, he thinks Council should consider this particular family who purchased these five lots some six months to a year ago with the idea of using them to develop apartment projects, and he thinks it would be unfair not to include them in the denial that the Planning Commission is recommending.

June 30, 1969
Minute Book 52 - Page 114

Councilman Whittington moved that the Petition be approved as recommended by the Planning Commission and that the three lots on Oregon Street, between Portland and Boyd Street, and the two across Oregon Street on Portland - the five lots that Mr. and Mrs. George Fodel have owned from six months to a year - be maintained as R-6MF. The motion was seconded by Councilman Tuttle.

Councilman Short stated in achieving fairness here the better proposition is to look upon this as work in process; that he understands these people want to confirm their neighborhood for single family but he believes we have to pay a little attention to work in process when it comes to the stopping point for apartments.

Councilman Alexander stated he would feel better about this if more of the people in this area were here today and could understand it and know what is proposed, and he made a substitute motion that the petition be approved as recommended by the Planning Commission. The motion did not receive a second.

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

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

The ordinance is recorded in full in Ordinance Book 16, at Page 187.

ORDINANCE NO. 226-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE AMENDING THE ZONING MAP BY CHANGING ZONING OF PROPERTY AT THE NORTHWEST CORNER OF THE PLAZA AND HICKORY GROVE-NEWELL ROAD, FRONTING 275 FEET ON HICKORY GROVE-NEWELL ROAD AND 120 FEET ON THE PLAZA.

Upon motion of Councilman Jordan, seconded by Councilman Tuttle, and unanimously carried, the subject ordinance was adopted changing the zoning from R-9 to B-1 of property at the northwest corner of The Plaza and Hickory Grove-Newell Road, fronting 275 feet on Hickory Grove-Newell Road and 120 feet on The Plaza, as recommended by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 16, at Page 188.

PETITION NO. 69-61 BY G. E. VINROOT CONSTRUCTION COMPANY FOR A CHANGE IN ZONING FROM B-1 TO B-2 OF A LOT AT 5320 MONROE ROAD, DENIED.

Councilman Short moved that the subject petition changing zoning from B-1 to B-2 of a lot 80' x 288' at 5320 Monroe Road be denied as recommended by the Planning Commission. The motion was seconded by Councilman Tuttle and carried unanimously.

ORDINANCE NO. 227-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE AMENDING THE ZONING MAP BY CHANGING ZONING OF PROPERTY AT 536 BEATTIES FORD ROAD.

Motion was made by Councilman Alexander, and seconded by Councilman Jordan to adopt subject ordinance changing the zoning from B-1 to B-2 of a lot 69' x 171' at 536 Beatties Ford Road as recommended by the Planning Commission. The vote was taken on the motion and carried unanimously.

The ordinance is recorded in full in Ordinance Book 16, at Page 189.

June 30, 1969
Minute Book 52 - Page 115

DECISION ON PETITION NO. 69-63 BY ERVIN INDUSTRIES, INC. FOR A CHANGE IN ZONING OF LAND ON THE NORTHWEST SIDE OF FARMINGDALE DRIVE, BEGINNING AT THE REAR OF LOTS ON AMITY PLACE AND EXTENDING TOWARD INDEPENDENCE BOULEVARD, AND 7.99 ACRES OF LAND BEGINNING ON THE SOUTHEAST SIDE OF FARMINGDALE DRIVE AND EXTENDING 1,167 FEET SOUTHEASTWARD ALONG THE REAR OF LOTS ON AMITY PLACE, DEFERRED.

Upon motion of Councilman Short, seconded by Councilman Tuttle, and unanimously carried, the subject petition was deferred pending further study by the Planning Commission.

ORDINANCE NO. 228-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE AMENDING THE ZONING MAP BY CHANGING THE ZONING OF A BLOCK BOUNDED BY SHARON AMITY ROAD, CROSBY ROAD, OAKDALE ROAD (UNOPENED) AND CLOVER ROAD.

Councilman Withrow moved that the subject petition be denied as recommended by the Planning Commission. The motion was seconded by Councilman Tuttle.

Councilman Whittington made a substitute motion to approve the petition for a change in zoning from R-12MF to O-15. The motion was seconded by Councilman Jordan.

Councilman Thrower asked Mr. Whittington if he would amend his motion to read "provided the road at the back is opened?" Councilman Whittington replied he does not know if he would or not; that Mr. Thrower is referring to Orient Street; this street, unopened, runs from Crosby Road to Robin Road and Robin Road is not a paved street and a street that renders no particular value to that neighborhood except as a shortcut from Sharon Amity over to Westbury and he expects there are a lot of people on Westbury who would hope the street would not be opened; however, it is opened and maintained by the city - this action was taken by Council several years ago. Councilman Whittington stated he has no strong feeling about opening the street either way; the reason he made the motion is because this is vacant land with an abandoned home on it and it is unsightly and here is a business that has agreed to meet the requirements of the zoning and building inspection and will put a \$200,000 building on this land; if it stays R-12MF they can put twenty-eight apartments there which would mean more traffic for the people who live on Westbury and Clover Road; and this has been one of the real problems with that corner of Sharon Amity and Providence and the reason for the strong objections from the people who live back there; that he believes this is orderly development that would protect the residents who live at the rear.

Mr. Fred Bryant, Assistant Planning Director, stated he would not have any particular feelings one way or the other about the street; it is a 50-foot area and under the present situation cannot be used for anything and to that extent it would be a buffer; from a traffic standpoint he does not believe it would add that much to the circulation pattern. Councilman Thrower stated as long as it is a dedicated right-of-way, it is sufficient.

Mr. Francis O. Clarkson, Jr., Attorney for the petitioner, advised his client has authorized him to withdraw the street from dedication and to leave the area as a buffer; that it is immaterial to them to either leave it open or shut it up. Councilman Thrower stated he would rather it stay as a dedicated street than to withdraw it.

Councilman Withrow asked if Council has any jurisdiction if this zoning is approved and the building is constructed and then they put in a service operation with a lot of trucks? Mr. Bryant replied at the time of the hearing the Planning Commission deferred action pending some looking into this exact situation; this resulted in a great deal of time being spent on their part and on the part of the zoning administration division of the Inspection Department. As a result they arrived at a workable understanding on what the ordinance really says in this respect. Mr. Bryant stated the

June 30, 1969
Minute Book 52 - Page 116

ordinance does permit the office operation in this district and at the same time permits accessory uses in relations to the primary use and the question that must be decided each and every time is whether or not the portion of the operation in question is an accessory use to the principal use or is it a separate use to itself. Mr. Bryant stated in this particular case the Inspection Department has examined the plans and based on the amount of space devoted to the service portion of the operation they have concluded this is subsidiary to and accessory to the principal use of the building.

The vote was taken on the substitute motion to approve the rezoning and carried by the following vote:

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

The ordinance is recorded in full in Ordinance Book 16, at Page 190.

PETITION NO. 69-50 BY D. L. PHILLIPS INVESTMENT BUILDERS, INC. FOR A CHANGE IN ZONING FROM I-2 TO R-9MF OF A 6.8 ACRE TRACT OF LAND FRONTING 990 FEET ON THE WEST SIDE OF BARRINGER DRIVE, BETWEEN CLANTON ROAD AND PRESSLEY ROAD, DENIED.

Councilman Tuttle, moved that the subject petition be denied. The motion was seconded by Councilman Withrow.

Councilman Tuttle asked if apartments can be built in 0-6 district, and Mr. Bryant replied yes.

Councilman Short stated this matter has generated a lot of interest; from a land use point of view it is difficult to turn down this request; the land is a wooded area and there is nothing close by it, and it would be available for many uses as the owner might prefer; but he cannot get around what he voted for on April 8, and it seems to be so square in opposition to any action Council would take to allow further low cost federally assisted housing in this particular area, that he feels the decision is already made for Council. He stated he is referring to the resolution that says - "No location to be recommended for the west side of the city until such time as every effort has been made to see that no section of the city has a disproportionate share of low income housing." That resolution was in reference to public housing placement and what we are talking about here is zoning and it is just an accident that this property has to be rezoned; this statement is so flat and so final on the part of the Council that it would be leaving the back door open if we did not abide by it in this situation, so he will have to support the motion.

Councilman Whittington asked how much acreage is in the presently zoned 0-6 area? Mr. Bryant replied somewhere in the neighborhood of 20 plus acres.

The vote was taken on the motion and carried unanimously.

DECISION ON PETITION NO. 69-34 BY CHARLOTTE-MECKLENBURG PLANNING COMMISSION FOR A CHANGE IN ZONING FROM R-6MF TO R-6 OF PROPERTY ALONG THE SOUTH SIDE OF CAROLINA GOLF COURSE EXTENDING FROM WEST OF OLD STEELE CREEK ROAD TO DONALD ROSS ROAD, DEFERRED.

Councilman Withrow stated sometime or other Council is going to have to face the issue that everything on the west side of Charlotte is zoned R-6MF, and this is where all the public housing is going. He stated he would like to see the Planning Commission, City Council and any other Board get together and see exactly where we are going in housing; to see if this is what we want; whether we want all the low income housing in one section; whether we want two different cities or whether we want black or whether we want white. Until this decision is made, he does not think Council has the authority of zoning property and having all property in one side of the town the low income type.

June 30, 1969
Minute Book 52 - Page 117

Mr. Fred Bryant, Assistant Planning Director, explained the area and stated the Planning Commission did endorse the original study of the zoning in this West Boulevard area and included this area; that this was an endorsement of the study and took place before the public hearing itself and after the public hearing was held and after the remarks of the participants in that hearing, the Planning Commission had a change of opinion and recommends the petition be denied except for the part which is developed as Pinecrest Subdivision and frontage property along Old Steele Creek Road adjacent to the subdivision.

Councilman Whittington moved that Council take no action on the subject petition and that Mr. Veeder, City Manager, have a conference with three individual developers of single family homes or subdivision projects in this City and have them give him their recommendations on the suitability of this land for single family homes and bring this recommendation back to Council. The motion was seconded by Councilman Short.

Councilman Alexander stated he is not going to sit here and vote one way on one petition and another way on another; either we have passed a motion that we are not approving any more property for this type building regardless of how you get around to it, or you do. If this is what Council has done and this is what Council is going to hold to, then Council does not need to be discussing whether it is going to defer this type of items as it knows what it is supposed to do; then if any other recommendations come back to us it will not keep Council from discussing them as it is a different situation on a zoning matter; either you are not going to do it or you are going to do it, and he sees no need in beating around the bush and half doing it on one and partly doing it on another and not doing it at all on some. Either Council votes no or votes yes and he is ready to vote NO on all of them as Council has voted this will be the decision of Council regarding the west side of town when it comes to apartment buildings.

Councilman Withrow stated every time we come to Council we are going to run up against the same problem; practically all of the area to the west is zoned R-6MF; that until Council gets together with the Planning Commission and sits down to see exactly where we are going on zoning on the west side, this is going to come up every time we come to Council.

Councilman Whittington stated all of Council is aware of the motion as it relates to public housing - he is talking about turnkey and 2-21D3, and the type of housing in Earle Village and other places in the city; that all he is saying is to get a determination of developers who are not interested in this property and who would give Council an unbiased opinion as to whether this property should be considered for single family or for multi-family; that is the zoning factor and the decision as to what Council would do about it would come after that; that this is good information to have and he sees nothing wrong with getting the opinions of these people.

Councilman Thrower stated the Planning Commission recommended this be upgraded to R-6 and someone filed a protest petition and the Planning Commission came back and recommended it be changed; what Mr. Whittington is asking is if we turned the petition down today it will remain R-6MF; that he thinks Mr. Whittington's suggestion is in order.

The vote was taken on the motion and carried unanimously.

June 30, 1969
Minute Book 52 - Page 118

ORDINANCE NO. 229-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE
AMENDING THE ZONING MAP BY CHANGING ZONING OF PROPERTY IN THE WEST
BOULEVARD AREA.

Petition No. 69-45 was presented to change property in the West Boulevard area as follows, with the following recommendations:

- (a) Change from I-1 to R-6MF several tracts on West Boulevard, Wilmont Road and Old Steele Creek Road, between the Southern Railroad and Reid Park.

The Planning Commission recommends that the change from I-1 to R-6MF on the small tract on Old Steele Creek Road near Mayfair be approved; that the change from I-1 to R-6MF on the property south of West Boulevard between Old Steele Creek Road and the Railroad be approved except for the corner now used as a service station site; and approve the changes on Wilmont Road with I-1 remaining on Wilmont and O-6 and R-6MF being installed to the rear of it.

- (b) Change from R-6MFH and B-2 to R-6MF property on the north side of West Boulevard east of Southern Railroad.

The Planning Commission recommends approval of the change in zoning.

- (c) Change from B-2 to B-1 property on both sides of Kenhill Drive, at West Boulevard.

The Planning Commission recommends approval of the change in zoning.

Mr. Fred Bryant explained the area and stated Section (a) lumps together all the property now zoned I-1; it also includes a small tract of land on Old Steele Creek and Mayfair, half of which was changed at the last Council Meeting on another petition, and this would complete that change bringing R-6MF for the small area out to Old Steele Creek Road; the third portion is property on Wilmont Road and the change has been modified by the Planning Commission's recommendation to leave industrial zoning along the frontage of Wilmont and change the adjacent property to O-6 to include the property on which Mr. Alexander proposes to build a barber shop, and change the rear portion to R-6MF.

Councilman Short stated this is one zoning hearing No. 69-45; he asked if Council can rule on some of the sections and not on others? Mr. Bryant replied Council has the right to change portions of the overall petition and not change the others, but does not have the right to pass on part of it and not pass on the other; Council has to act on all of it either for approval or denial; it can approve part of it and deny part of it.

Councilman Tuttle moved that Section (a) be denied; that Sections (b) and (c) be approved as recommended by the Planning Commission. The motion was seconded by Councilman Thrower for discussion.

Councilman Thrower asked Mr. Tuttle if he would amend his motion to exclude under Section (a) the one small portion now zoned Industrial so that it will be R-6MF and the entire lot will be under R-6MF zoning. Councilman Tuttle accepted the amendment to his motion, and the vote was taken on the motion, as amended, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 16, beginning at Page 191.

June 30, 1969
Minute Book 52 - Page 119

CONSENT OF CITY OF CHARLOTTE TO PROPOSED MODIFICATIONS IN REDEVELOPMENT PLAN FOR SECTION 3, BROOKLYN URBAN RENEWAL AREA, PROJECT NO. N. C. R-37.

Mr. Vernon Sawyer, Executive Director of the Redevelopment Commission, advised the Redevelopment Plan as well as the North Carolina Redevelopment Law requires that any change or modification in a Redevelopment Plan must be consented to by any purchaser of real property that is affected by that modification. In this case, the City of Charlotte has purchased the site for the public safety building and the site has been redeveloped, and the changes do affect the City as a property owner, and one of the changes relates specifically to that building; therefore, it is necessary to get the City's consent to the proposed modifications before the next step is taken; the next step will be coming to Council as the governing body with the proposed changes and asking at a later time that Council set a public hearing. This is a necessary step prior to setting the public hearing.

Motion was made by Councilman Thrower, seconded by Councilman Short and unanimously carried, consenting to the proposed modifications in the Redevelopment Plan.

QUIT CLAIM DEED TO REDEVELOPMENT COMMISSION FOR STRIPS OF LAND ON EAST FIRST STREET, SOUTH ALEXANDER STREET AND EAST BOUNDARY STREET, APPROVED.

Motion was made by Councilman Short, seconded by Councilman Tuttle, and unanimously carried, approving a quit claim deed from the City of Charlotte to the Redevelopment Commission for several five-foot strips of land on East First Street, South Alexander and East Boundary Street.

SUMMER SCHEDULE FOR COUNCIL MEETINGS SET.

After discussion, Councilman Thrower moved that Council Meetings for August be set for August 4 and 18. The motion was seconded by Councilman Whittington.

Councilman Short made a substitute motion that Council Meetings be set for July 7 and 21 and August 4 and 18. The motion was seconded by Councilman Tuttle, and carried unanimously.

RESOLUTION CALLING FOR PUBLIC HEARING ON MONDAY, JULY 21, ON AMENDMENTS TO THE REDEVELOPMENT PLANS FOR PROJECTS NOS. N. C. R-24, N. C. R-43, AND N. C. R-60, BROOKLYN URBAN RENEWAL AREA, AND THE REDEVELOPMENT PLAN FOR PROJECT NO. N. C. R-80, DOWNTOWN URBAN RENEWAL AREA.

Motion was made by Councilman Thrower and seconded by Councilman Whittington for discussion, to adopt the subject resolution calling for the public hearing.

Mr. Vernon Sawyer, Executive Director of the Redevelopment Commission, stated that N. C. R-24 is Project No. 2, the Governmental Center; N. C. R-43 is Project No. 4, the Blue Heaven Project; N. C. R-60 is Project No. 5 and this is the last of the five projects in the Brooklyn Urban Renewal Area; and the N. C. R-80 is the Redevelopment Plan for the three block Downtown Redevelopment Project. This resolution is to set a public hearing on proposed amendments to the projects in Brooklyn and to hold the first hearing prior to approval of the Redevelopment Plan for Downtown.

Councilman Tuttle stated he has received a postcard stating that the Blue Heaven Concept may be sacked. He asked what the changes are? Mr. Sawyer stated there is a section in the Redevelopment Plan under general regulations

June 30, 1969
Minute Book 52 - Page 120

that requires the Redevelopment Commission to approve plans, schematic drawings and final planning; that they are merely changing the word "schematic" to "concept" which their architectural advisor advises is more in keeping with what they really receive and is more understandable in their profession.

Mr. Sawyer stated the adoption of this resolution will set a hearing to review all the changes and plans that are included in the NDP program that are subject to public hearing at this time; they are amending the original plan and those amendments will be reviewed at the public hearing.

Councilman Tuttle stated there are those who will oppose strenuously changes planned to be made in the Blue Heaven concept; he asked what is intended for the Blue Heaven area that will be contrary to the original plan; originally we started off asking for a park and there was a lot of public sentiment in favor of it and he even came around to a compromise.

Mr. Sawyer stated this is the first change that is proposed in the original plan of about 40 acres of commercial project; after that approval the Northwest Expressway, now called the Independence Expressway, took roughly 18 acres leaving 22 acres to be developed, and these 22 were the worse acres that remained in the project and contained the drainage ditch; in order to make the most of what was left they proposed to continue the project with the 22 acres as a commercial project; this was questioned by the City Council and they were given a new concept or a compromise concept that included commercial and park land; also included was the request to stay within the budget. He stated they have worked on this project and have not been able to follow through with the concept within the budget; they have therefore proposed three alternatives which the Council might look at; two are within the budget; one is the concept that Council originally approved but is over the budget. He stated if they develop a public park then the city would not get any credit for the cost of that development, the price of the land or anything in connection with the project; this would be an additional cost to the city over and above the project. One of the alternatives they are proposing maintains about seven acres of open space - the concept that was approved had about nine acres; the concept they now have that is within the budget still retains about 7 acres as public open space but it will be commercial related; the land that was proposed for shops can be sold for that purpose and the sites are still retained but are identified as commercial sites to be sold, not as sites to be developed within a public area.

Mr. Veeder, City Manager, stated the hearing will be on a particular concept and what can be done and cannot be done, with the concept, will be a result of the hearing.

Councilman Tuttle stated we are saying that the public park with the parking area is out; the nine acres goes to seven acres and if the public goes in there to park it will be at the pleasure of commercial establishments who allow them to park on their parking space. Mr. Sawyer replied that is right.

The vote was taken on the motion and carried unanimously with the resolution recorded in full in Resolutions Book 6, beginning at Page 335.

RESOLUTION PROVIDING FOR PUBLIC HEARINGS ON MONDAY, JULY 21, ON PETITIONS NO. 69-64 THROUGH 69-74 FOR ZONING CHANGES, ADOPTED.

Councilman Whittington moved adoption of subject resolution providing for public hearings on Monday, July 21, on Petitions No. 69-64 through 69-74 for zoning changes. The motion was seconded by Councilman Jordan, and carried unanimously.

The resolution is recorded in full in Resolutions Book 6, at Page 343.

June 30, 1969
Minute Book 52 - Page 121

RESOLUTION TO RESCIND AUTHORIZATION TO INSTITUTE CONDEMNATION PROCEEDINGS AGAINST CERTAIN PROPERTIES IN CONNECTION WITH THE SUGAR AND BRIAR CREEK FLOOD CONTROL PROJECT, ADOPTED.

Motion was made by Councilman Whittington, seconded by Councilman Thrower, and unanimously carried, to adopt subject resolution rescinding authorization to institute condemnation proceedings against certain properties in connection with the Sugar and Briar Creeks Flood Control Project, as these owners have signed agreements conveying the easements to the City, and condemnation is no longer necessary.

The resolution is recorded in full in Resolutions Book 6, at Page 344.

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 AND CHAPTER 160-200 OF THE GENERAL STATUTES OF NORTH CAROLINA, ADOPTED.

Upon motion of Councilman Whittington, seconded by Councilman Tuttle, and unanimously carried, the subject ordinances were adopted 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 and Chapter 160-200 of the General Statutes of North Carolina, at the following locations:

- (a) Ord. No. 230-X ordering the removal of weeds and grass at the rear of 1719 Crestdale Drive.
- (b) Ord. No. 231-X ordering the removal of weeds and grass at corner of Fairfield and Patton Streets.
- (c) Ord. No. 232-X ordering the removal of weeds and grass adjacent to 2017 Double Oaks Road.
- (d) Ord. No. 233-X ordering the removal of weeds and grass adjacent to 1333 McCall Street.
- (e) Ord. No. 234-X ordering the removal of weeds and grass in 1400 block of North Johnson Street.
- (f) Ord. No. 235-X ordering the removal of weeds and grass adjacent to 5401 Doncaster Street.
- (g) Ord. No. 236-X ordering the removal of weeds and grass adjacent to 3116 Ross Avenue.
- (h) Ord. No. 237-X ordering the removal of weeds and grass adjacent to 701 Waco Street.
- (i) Ord. No. 238-X ordering the removal of weeds and grass at corner of Kenlough Street, and Manhasset Road.
- (j) Ord. No. 239-X ordering the removal of weeds and grass adjacent to 4942 Addison Drive.
- (k) Ord. No. 240-X ordering the removal of weeds and grass at corner of Central Avenue and Morningside Drive.
- (l) Ord. No. 241-X ordering the removal of weeds and grass adjacent to 1144 Kings Drive.
- (m) Ord. No. 242-X ordering the removal of weeds and grass at rear of 3040 Ridge Avenue.
- (n) Ord. No. 243-X ordering the removal of weeds and grass at 3654 Delganey Drive.
- (o) Ord. No. 244-X ordering the removal of weeds and grass at corner of Michigan and Eastway Drive.

The ordinances are recorded in full in Ordinance Book 16, beginning on Page 193.

June 30, 1969
Minute Book 52- Page 122

ORDINANCE NO. 245-X APPROPRIATING FUNDS FOR PAYING USUAL EXPENSES OF THE CITY BEGINNING JULY 1ST, PENDING ADOPTION OF THE 1969-70 BUDGET ORDINANCE.

Councilman Alexander moved adoption of subject ordinance appropriating funds for paying usual expenses of the City beginning July 1st, pending adoption of the 1969-70 Budget Ordinance. The motion was seconded by Councilman Short, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 16, at Page 208.

CONTRACT WITH GEORGE G. SCOTT AND COMPANY TO CONDUCT AN AUDIT OF THE ACCOUNTS OF THE CITY OF CHARLOTTE FOR THE FISCAL YEAR ENDED JUNE 30, 1969, APPROVED.

Motion was made by Councilman Tuttle, seconded by Councilman Short, and unanimously carried, to approve subject contract with George G. Scott and Company.

APPROVAL OF APPRAISAL CONTRACTS.

Upon motion of Councilman Short, seconded by Councilman Whittington, and unanimously carried, the following appraisal contracts were approved:

- (a) Contract with Hal L. McKee for appraisal of 28 various parcels at a fee of \$1,225.00, for the open space application, Sugar Creek-Irwin Creek lands in Charlotte's Model Neighborhood.
- (b) Contract with William W. Finley for appraisal of one parcel of property at a fee of \$150.00 for the Upper Briar Creek Outfall.
- (c) Contract with Alfred E. Smith for appraisal of one parcel at a fee of \$150.00 for the Upper Briar Creek Outfall.

APPROVAL OF CONTRACTS FOR CONSTRUCTION OF SANITARY SEWER MAINS.

Motion was made by Councilman Thrower, seconded by Councilman Tuttle, and unanimously carried, approving contracts for the construction of sanitary sewer mains, as follows:

- (a) Contract with Sullivan Plumbing & Heating Company, Inc. for the construction of 130 feet of 8-inch main to serve Shamrock Drive Baptist Church, inside the city, at an estimated cost of \$1,365.00, 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 Kenneth S. Powell for the construction of 45 linear feet of 8-inch main to serve 1619 Washington Avenue, inside the City, at an estimated cost of \$590.00, 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.

CONTRACT WITH BUCCANEER MOTOR LODGE, INC. FOR INSTALLATION OF WATER MAINS AND FIRE HYDRANT, APPROVED.

Motion was made by Councilman Short, seconded by Councilman Withrow, and unanimously carried, approving subject contract with Buccaneer Motor Lodge, Inc., for the installation of 900 feet of water mains and one fire hydrant to serve Motor Lodge Complex, inside the City, at an estimated cost of \$3,710.00, with the City to finance all construction costs and the applicant to guarantee an annual gross water revenue equal to 10% of the total construction cost.

June 30, 1969
Minute Book 52 - Page 123

APPROVAL OF RIGHT-OF-WAY AGREEMENTS.

Councilman Tuttle moved approval of right-of-way agreements, which motion was seconded by Councilman Thrower, and carried unanimously.

- (a) Right-of-Way Agreement with the N. C. State Highway Commission for the installation of a six-inch water main in North Graham Street and I-85 South Service Road to serve the Buccaneer Motel Complex located on the south side of I-85.
- (b) Encroachment Agreement with Piedmont and Northern Railway Company to construct an 8-inch sanitary sewer line under their track in Parkside Drive, off Tuckaseegee Road.

MAYOR BELK LEFT THE CHAIR AT THIS TIME AND MAYOR PRO TEM WHITTINGTON PRESIDES.

Mayor Belk left the Chair at this time and Mayor Pro Tem Whittington presides.

STREETS TAKEN-OVER FOR CONTINUOUS MAINTENANCE.

Motion was made by Councilman Jordan, seconded by Councilman Tuttle, and unanimously carried, authorizing the following streets to be taken over for continuous maintenance by the City:

- (a) Bulfinch Road, from Barclay Downs Drive to 233 feet north of Barclay Downs Drive.
- (b) Fletcher Road, from Barclay Downs Drive to 154 feet north of Barclay Downs Drive.
- (c) Morrison Boulevard, from Barclay Downs Drive to Sharon Road.

MAYOR BELK PRESIDES FOR THE REMAINDER OF THE SESSION.

Mayor Belk returned to the Chair at this time and presided for the remainder of the session.

PROPERTY TRANSACTIONS AUTHORIZED.

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

- (a) Acquisition of 603.33 square feet of easement at 1230 Morningside Drive, from Roy J. Archer and wife, Jane R. Archer, at \$32.00, for the upper Briar Creek Outfall.
- (b) Acquisition of 34,011.55 square feet of easement at 1301 Green Oaks Lane, from Trotter & Allan Construction Company, Inc., at \$1,400.65, for the upper Briar Creek Outfall.
- (c) Acquisition of 2,510.75 square feet of easement at 1621 Arnold Drive, from John P. Fitzpatrick and wife, Dorothy, at \$200.00, for the upper Briar Creek Outfall.
- (d) Acquisition of 2,742 square feet of easement at 1625 Arnold Drive, from Mrs. Mary M. James, widow, at \$310.00, for the upper Briar Creek Outfall.
- (e) Acquisition of 2,038.25 square feet of easement at 1831 Arnold Drive, from John R. Stegall and wife, Maxine M., at \$200.00, for the upper Briar Creek Outfall.

June 30, 1969
Minute Book 52 - Page 124

- (f) Acquisition of 2,311.10 square feet of easement at 1839 Arnold Drive, from Leonard A. Mullis and wife Gailya H., at \$152.00, for the upper Briar Creek Outfall.
- (g) Acquisition of 2,307 square feet of easement from Betty C. Burgin (single), at 1847 Arnold Drive, at \$143.00, for the upper Briar Creek Outfall.
- (h) Acquisition of 2,500 square feet of easement from Melvin W. Russell and wife, Hazel W., at 1905 Arnold Drive, at \$201.00 for the upper Briar Creek Outfall.
- (i) Acquisition of 2,226.50 square feet of easement at 1901 Arnold Drive, from James D. Redmon and wife, Clara M., at \$250.00, for the upper Briar Creek Outfall.
- (j) Acquisition of 3,000 square feet of easement at 1915 Arnold Drive, from Gray W. Burgess and wife, Dorothy H. at \$220.00, for the upper Briar Creek Outfall.
- (k) Acquisition of 162 square feet of easement at 1917 Arnold Drive, from Ed Griffin Construction Company, at \$8.00, for the upper Briar Creek Outfall.
- (l) Acquisition of 1,233.52 square feet of easement at 3008 Harbinger Court, from Jackie T. Polson and wife, Kay A., at \$155.00, for the upper Briar Creek Outfall.
- (m) Acquisition of 1,125 square feet of easement at 1902 Pinewood Circle, from James O. Cobb and wife, Elizabeth Y. Cobb, at \$200, for Briar Creek Outfall.
- (n) Acquisition of 1,125 square feet of easement at 1844 Pinewood Circle, from John O. Baker and wife, Frieda Thorpe Baker, at \$200.00, for Briar Creek Outfall.
- (o) Acquisition of 1,327.70 square feet of easement at 1836 Pinewood Circle, from Wilhemina Rock Harrison, widow, at \$90.32, for Briar Creek Outfall.
- (p) Acquisition of 15,870 square feet of easement at 146 Placid Place, from Carrie Marshall Gilchrist & husband, Peter S. Gilchrist, Jr., at \$1,000.00, for Briar Creek Outfall.
- (q) Acquisition of 78 square feet of easement at 122 Placid Place, from Robert H. Woolard and wife, H. Justine, at \$30.00, for Briar Creek Outfall.
- (r) Acquisition of 5,434.05 square feet of easement at 332 Atando Avenue, from G. W. Murphy Industries, Inc., at \$1.00, for Robinson Circle Sanitary Sewer.
- (s) Acquisition of 1,600 square feet of easement at 727 Carmel Street, from Helen Gilbert Sifford and husband, Ernest J. Sifford, and son, Ernest J. Sifford, Jr., at \$800.00, for Northwest Freeway sanitary sewer relocation.
- (t) Acquisition of 2,350 square feet of temporary construction easement at 800 Andrill Terrace from Pauline Leake Avant and husband, Earl L., at \$1.00, for sanitary sewer to serve North-South - Northwest Freeway Interchange.

June 30, 1969
Minute Book 52 - Page 125

- (u) Acquisition of 1,700 square feet of temporary construction easement at 1421 Bluff Street, from Mary Jane Silverman, T/A Schloss Poster Advertising Company, at \$65.00, for sanitary sewer to serve North-South - Northwest Freeway Interchange.
- (v) Acquisition of 1,275 square feet of easement at 1421 Bluff Street, from Mary Jane Silverman T/A Schloss Poster Advertising Company, at \$85.00, for sanitary sewer to serve North-South - Northwest Freeway Interchange.
- (w) Acquisition of 3,174.9 square feet of easement in the 3300 block of Parkside Drive, from Piedmont & Northern Railway Company, at \$318.00, for sanitary sewer to serve Avalon Avenue.
- (x) Acquisition of 6,578.5 square feet of easement in McQuay Street at Karendale, from Investors Corporation of South Carolina, at \$1.00, for sanitary sewer to serve Avalon Avenue.
- (y) Acquisition of 1,771.10 square feet of property at 2207 Toomey Avenue, from Albright Buildings, Inc., at \$700.00, for Toomey Avenue Project.

SPECIAL OFFICER PERMITS, AUTHORIZED.

Councilman Jordan moved approval of the issuance of a special officer permit to Carl C. Moore for a period of one year for use on the premises of Eastbrook Woods Subdivision, and James T. Cureton for a period of one year for use on the premises of Charlotte Park and Recreation Commission. The motion was seconded by Councilman Thrower and carried unanimously.

TRANSFER OF CEMETERY LOTS, AUTHORIZED.

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

- (a) Deed with W. B. Brown and wife, Dorcas Green Brown, for Graves No. 1 and 2, in Lot No. 255, Section 6, Evergreen Cemetery, at \$160.00.
- (b) Deed with Mrs. Reba Green Prevatt for Graves No. 3 and 4, in Lot No. 255, Section 6, Evergreen Cemetery, at \$160.00.
- (c) Deed with Mrs. Elizabeth J. Helms for Lot No. 90, Section 4A, Evergreen Cemetery, at \$504.00.
- (d) Deed with Mrs. Patricia Eastwood Robbins for Lot No. 262, Section 3, Evergreen Cemetery, at \$504.00.
- (e) Deed with Lawrence Scarbrough & wife, Ruby Lee Scarbrough, for Graves No. 11 and 12, in Lot No. 20, Section 2, Evergreen Cemetery, at \$160.00.
- (f) Deed with Mrs. E. H. McAllister for perpetual care for the south half of Lot No. 79, Section "Q", Elmwood Cemetery, at \$70.00.
- (g) Deed with Mrs. Edith H. Campbell for perpetual care for the south half of Lot No. 15, Section "T", Elmwood Cemetery, at \$100.80.

LEASE WITH HERTZ CORPORATION FOR 1.33 ACRES OF PROPERTY AT AIRPORT AUTHORIZED CANCELLED.

Councilman Short moved that the existing lease with Hertz Corporation for 1.33 acres of land at the airport be cancelled. The motion was seconded by Councilman Whittington and carried unanimously.

June 30, 1969
Minute Book 52 - Page 126

LEASE WITH HERTZ CORPORATION, APPROVED.

Upon motion of Councilman Thrower, seconded by Councilman Withrow, and unanimously carried, a lease with Hertz Corporation was approved for a two acre plot on the north side of Browhill Circle, adjacent to and west of the Dobbs House Flight Kitchen for a term of ten years, beginning July 1, 1969, with two one year options, at a rental of \$5,227.20, per year, escalating 1/2 cent per square foot annually until 1976, then at one cent per square foot annually so that during the tenth year the rate will be 12 cents per square foot, and for the two one year options, 13 cents and 14 cents respectively.

RESOLUTION SETTING PUBLIC HEARING FOR MONDAY, AUGUST 4, ON PETITION OF SWINSON PRODUCTS COMPANY TO CLOSE AND ABANDON A PORTION OF SOUTH POPLAR STREET IN THE CITY OF CHARLOTTE.

Councilman Tuttle moved approval of subject resolution which was seconded by Councilman Thrower, and carried unanimously.

The resolution is recorded in full in Resolutions Book 6, at Page 346.

REAPPOINTMENT OF GEORGE SIBLEY TO THE CHARLOTTE-MECKLENBURG PLANNING COMMISSION.

Councilman Tuttle moved the reappointment of Mr. George Sibley to the Charlotte-Mecklenburg Planning Commission for a term of three years. The motion was seconded by Councilman Jordan, and carried unanimously.

REAPPOINTMENT OF JOHN TURNER TO THE CHARLOTTE-MECKLENBURG PLANNING COMMISSION.

Councilman Short moved the reappointment of Mr. John C. Turner to the Charlotte-Mecklenburg Planning Commission for a term of three years. The motion was seconded by Councilman Thrower, and carried unanimously.

CONTRACT AWARDED KENDRICK BRICK AND TILE COMPANY FOR CLAY BRICK FOR THE ENGINEERING DEPARTMENT.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, contract was awarded the low bidder, Kendrick Brick and Tile Company, in the amount of \$14,025.00, on a unit price basis, for clay brick for the Engineering Department.

The following bids were received:

Kendrick Brick & Tile Co.	\$14,025.00
Isenhour Brick & Tile Co.	17,000.00

CONTRACT AWARDED GLAMORGAN PIPE AND FOUNDRY COMPANY FOR CAST IRON PIPE FOR THE WATER DEPARTMENT.

Motion was made by Councilman Thrower, seconded by Councilman Tuttle, and unanimously carried, awarding contract to the low bidder, Glamorgan Pipe and Foundry Company, in the amount of \$206,641.20, on a unit price basis, for cast iron pipe for the Water Department.

The following bids were received:

Glamorgan Pipe & Foundry Co.	\$206,641.20
Lynchburg Foundry Company	211,087.88
American C. I. Pipe Co.	211,985.32
U. S. Pipe & Foundry Co.	216,472.52

June 30, 1969
Minute Book 52 - Page 127

REQUEST THAT A MEETING BE SET UP BETWEEN COUNCIL AND PLANNING COMMISSION TO DISCUSS LOW COST HOUSING PLACEMENT AND PARK AND RECREATIONAL FACILITIES FOR MULTI-FAMILY FACILITIES.

Councilman Withrow stated he would like for the City Council to meet with the Planning Commission, preferably some night, and resolve once and for all the low income housing problem so that when we come to Council we will not have to sit and argue on these high density areas. Also at that time he would like for Council to take into consideration park and recreation facilities on all proposed multi-family housing projects where the park and recreation facilities would serve just these areas.

Councilman Tuttle asked Mr. Withrow if he would break that down into two meetings as this is two big subjects. Councilman Withrow stated both should be resolved and Council should come up with some proposal.

Councilman Short stated at the last meeting Mr. Withrow discussed 2-21D3 housing and Mr. Veeder was to get some information from Atlanta as to whether it is possible to include under the purview of a Master Plan Committee the 2-21D3 type projects. Mr. Veeder replied Atlanta as of January this year adopted a new type of land useplan and they are now in the process of relating to their zoning ordinance restrictions based on density of residential units on land which does have a direct relationship to the point Mr. Withrow was addressing himself to. The Planning Commission has this material and has been going over it and the Planning Staff is arranging a review of this material plus some other views they have related to this subject on access and other aspects of development which will be presented to Council at the conference session next Monday, depending on other commitments the Planning Staff has.

Councilman Short stated when the time comes to get this answer, he thinks Council should make it known in no uncertain terms whatever the answer is. The question just comes down to "Can this Council or a committee set up by this Council, actually control low rent housing in Charlotte". If Council cannot then he thinks the point should be made known and if 2-21D3 cannot come under Council's control this is a very large loop hole and he does not see how Council can be held accountable for what goes on if it cannot be included under the purview of our committee.

CITY ATTORNEY'S OFFICE REQUESTED TO RECOMMEND MORE LIBERAL POLICY ON PROTEST PETITIONS.

Councilman Thrower stated one of the most inconsistent things in the city policy is that one person can petition for another person's property to be rezoned and yet a protest has to be signed by both man and wife to be valid as a protest. He requested the Legal Department to come up with a policy that would be a little more liberal than this; that a man could be away and unavailable. He stated he knows of one case where this was true and the wife wanted to sign the petition and our legal department held it invalid. Mr. Watts, Assistant City Attorney, stated the state statutes require the owners to petition, and if the husband and wife are both owners than there is a statutory problem. He stated their office will be glad to consider this.

CITY MANAGER REQUESTED TO HAVE GRANDIN ROAD FLUSHED AND SWEEPED.

Councilman Alexander requested the City Manager to check to see if Grandin Road can be flushed off and swept; that the question arose at a meeting he attended last week; that a lady had been living there over a year and they were concerned about it being cleaned.

June 30, 1969
Minute Book 52 - Page 128

CITY ATTORNEY REQUESTED TO RECOMMEND SUGGESTIONS FOR LIMITING APPOINTMENTS TO BOARDS AND COMMISSIONS AFTER A PERSON REACHES A CERTAIN AGE.

Councilman Alexander stated he is concerned over the fact that appointments are made to Boards and Committees and when they are made it looks like that once a person is named on a Committee, in most cases, it is a perpetual appointment. This means many citizens never get a chance to be named for service on these Committees. He asked if it is possible for Council to regulate the age limit where a person would come off a committee; would it have to be done by legislative action; that he does not think Council should continue people on committees forever; the longer they stay on, the more they become endeared to someone's heart and they feel they can never move them whether they have reached senility or not. That when people begin to get up in their 70's he does not think they need to be serving on public committees or volunteer committees denying opportunities for fresh minds to give leadership in these responsibilities. He asked if the term of office can be limited on committees by age or how it can be done. Mr. Watts, Assistant City Attorney, replied he thinks it will be a matter of policy of Council.

Mayor Belk stated he thinks Councilman Alexander is right and he will be seeing some of these appointments changed tomorrow.

Councilman Alexander requested the City Attorney's office to come up with some suggestion as how this can be handled to get it before Council. Mr. Watts replied his office would bring back a recommendation.

HOUSING AUTHORITY REQUESTED TO MAKE PROGRESS REPORT ON HIGH RISE APARTMENT PROJECT IN DILWORTH AND WHETHER OR NOT AUTHORITY IS CONSIDERING SITES RECOMMENDED BY MASTER PLAN COMMITTEE ON LOW INCOME HOUSING.

Councilman Whittington requested a progress report from the Housing Authority on the apartment project to go in Dilworth, adjacent to the new Pritchard Memorial Sanctuary; also, he would like to know any progress they are making on the 2-21D3 Project on which Council approved the rezoning at its last meeting; and if they have approved the two sites recommended by Mr. Rowe's Committee two weeks ago - ~~Amber Drive~~ ^{Amber Drive} and Beal Street. That it has been sometime since Council has had a report from the Housing Authority and it is something that Council should get every month or six weeks.


CITY MANAGER TO ASCERTAIN INFORMATION ON FOOTBRIDGE ACROSS SUGAR CREEK TO HUNTINGTOWNE FARMS PARK.

Councilman Whittington asked for a report on the footbridge from the Montclair and Starclair Subdivision across Sugar Creek into Huntingtowne Farms park; the county has suggested, rather than their building the bridge, that the bridge be moved back inside the city limits so the city can build it. He stated this bridge is a necessity; here is a park that is a tremendous asset to that end of the city and there is no way to get to it except by going two or three miles around to get there by car. He stated he thinks this should be resolved right away and decide what will be done.

Mr. Veeder, City Manager, replied he will attempt to get an answer from the County quickly so if they are not going to move on it, then Council will be in a position to do something about it.

ADJOURNMENT.

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


Ruth Armstrong, City Clerk