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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Monday, September 8, 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 H. Thrower, Jerry Tuttle and Joe D. Withrow present.

ABSENT: Mayor pro tem James B. Whittington.

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INVOCATION.

The invocation was given by Councilman Milton Short.

COUNCILMAN FROM LEYLAND, LANCASHIRE, ENGLAND, PRESENTS LETTER FROM CHAIRMAN OF LEYLAND'S BOARD WITH COAT OF ARMS AND DESCRIPTIVE BOOKLET TO MAYOR BELK.

Mr. Ben Pickup of Leyland, Lancashire, England, stated they like the Carolinas; they like Charlotte, the mountains and the beaches; that he and his wife also like the people of the South. He stated one of the greatest men he knew of, the finest speaker of English, the best writer of English, was an Anglo American - he refers to Winston Churchill. He stated one of the best Carolinians he knows is a small boy almost two years of age - his grandson.

Mr. Pickup stated he brings to the Mayor and Council greetings and best wishes from the Chairman of his own Council in England and fellow councilors and himself. He stated they are a small town of approximately 30,000 but like Charlotte a town that is zoned for expansion. That in his opinion Charlotte is expanding very rapidly, and his town is planned for a great new city of half million people from which Leyland, their small town, will form a certain portion.

Mr. Pickup presented to the Mayor a letter from his Chairman, their coat of arms and a descriptive booklet.

Mayor Belk welcomed Mr. Pickup to the City, and thanked him for his presentation.

MINUTES APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Thrower, and unanimously carried, the minutes of the last Council Meeting on August 18, 1969, were approved as submitted.

REVISED SPEED LIMITS ON CERTAIN STREETS AUTHORIZED.

Mr. Herman Hoose, Traffic Engineer, stated in reference to Council's request for the Traffic Engineering Department to study existing speed limits on certain major arterial streets a survey has been underway for some time, and today it is presented for Council's review and approval. He stated this survey is also included in the overall TOPICS study. They took into consideration the width of the street, the alignment, road side development and the speeds existing on the routes at present.

He stated they are recommending that the speed limits be changed from 35 MPH to 45 MPH on the following streets:

1. Eastway Drive, from its junction with Arnold Drive southward along Eastway Drive to its junction with East Independence Boulevard.
2. Monroe Road, from its junction with Laurel Avenue out past Sharon Amity Road where a 45 MPH speed now exists.

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ORDINANCES AMENDING CHAPTER 20, SECTION 86(c) RELATING TO SPEED LIMITS.

Upon motion of Councilman Alexander, seconded by Councilman Short, and unanimously carried, the following ordinances relating to speed limits were adopted:

- (1) Ordinance No. 330-X Amending Schedule 10 relating to speed limits referred to in Chapter 20, Section 86(c) and being part of the State Highway System.
- (2) Ordinance No. 331-X Amending Schedule 10 relating to speed limits referred to in Chapter 20, Section 86(c), being Central Avenue, from its junction with Morningside Drive, eastward along Central Avenue to a point 0.05 of a mile west of its junction with Progress Lane.

The ordinances are recorded in full in Ordinance Book 16, beginning at Page 301.

OPTION NO. 2, WITHOUT MAJOR PORTION OF OVERHEAD WALKWAY, APPROVED FOR GOVERNMENTAL CENTER PROJECT.

Mr. Vernon Sawyer, Executive Director of the Redevelopment Commission, stated they think the Governmental Center project is in a critical phase right now because the facilities have been designed and working drawings have been completed, and if the final cost estimates for this project had not exceeded the budget, they would be ready to go out for bids. But the final cost estimates did exceed the money budgeted and this gave the Commission the problem which they have brought to City Council believing they can find a workable solution. Among other factors influencing the costs and representing the reason why this project has exceeded the budget is the fact that the cost of construction has gone up over the last three years by some 27%.

He stated they did everything possible to stay within the original budget in terms of economizing by cutting back on the project as the design and architectural work proceeded. This cutting back becomes most obvious in the final design of the overhead walkway because this is the structure that is above ground; and this will be the most visible representation of the Governmental Center Concept. They think the design has suffered somewhat because of their insistence to the architect that he keep the project within the original budgeted amount. Now, in an attempt to restore some of the quality features that were cut, the Commission has presented three options for constructing the projects.

Mr. Sawyer stated in order to present the options in terms of their design and the results when the project is completed, the Commission's consultant, Dean Harlan McClure, Dean of the School of Architecture at Clemson University, is present. That he assisted the Commission in reviewing all plans for the buildings to be constructed on any land sold by the Commission and has been working with the architect since the beginning and is well-qualified to speak to the options.

Dean McClure stated the basic concept of the Governmental Center was thought of as a park in the center of the city and a park with focal importance; a park which embraced in its concept the major governmental buildings of the greater metropolitan area including buildings relating to county functions. This concept of a park suggests that a park should be of maximum usefulness and it has been the thinking of the Redevelopment Commission and other consultants that in order to obtain maximum usefulness in the park, the functions which were put there needed to reinforce the basic idea. He stated the buildings will make the park more useable and the basic original structure, the overhead walkway, is devised in an attempt to fly over the roads and knit the whole concept together. This would only be of true value and benefit if it was coupled with exhibits and various sorts of events that would make it useful to visitors or secretaries during their lunch hours.

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He stated the details of the project cannot be separated from the basic bones of the idea. The commission felt constrained to make every effort to deal within the monies which were available and for this reason the architects were asked to do all they could to cut unnecessary costs out of the project, and at the same time costs were rising. Because of this certain basic qualities had to be taken from the project; simultaneous with this and the development, the architects did other things that rendered the project more interesting and more useful.

Dean McClure stated if Council would review some of the original drawings and sketches which were submitted at the time of concept, they would see there is a great deal more variety and interest and economy in this final project; but there have been certain losses, too. Because of the need for some protection, because of the need to have exhibits and because of the need to do things which give richness and meaning to the whole bridge concept, some of these details had to be cut out and indeed the very structures that support the bridge had to be revised considerably to economize the project which results in good design loss.

He stated the Commission felt obliged to give Council certain options to bring this project within presently available funds. One of these is to retain the basic park concept; view everything that is in this idea that is on the ground - the lake, the bridges, the walks, lighting; all of these things which occur on the ground itself and also to take care of the two termini - getting people from this on the ground mall into the educational center and across Fourth Street into the County Court House, into the County Office Building, and ultimately to the new Court House.

That Option 2 makes it possible for people to go free of traffic - it separates pedestrian traffic from automobile traffic on Fourth Street and makes foot circulation possible. It does not provide any kind of fly over on Third Street but it takes care of access to the Educational Center; that in a sense, these two elements of the present design have been retained in Option 2. That everything on the ground has been accomplished and in addition, some of the things that give added quality and meaning to the park itself has been added in that optional suggestion.

Dean McClure stated after the meeting on Tuesday, it seemed apparent that those Council Members present preferred to pursue the route of the total concept as originally conceived and that brought out the third option; that is the retention of the total bridge structure, and everything on the ground or on the site; in addition, giving certain elements of detail and quality to the design which would make it really meaningful and in his view, it would not be a completely useable or defensible scheme without some of these things. That it seems likely that the bridge structure would not be used greatly in summer unless there were places to rest and unless there was shade. The architects have had exhibition consultants make some designs for kiosks and resting places which would be placed along the bridge structure and these would not only make it more meaningful but would actually make it more useable during the very hot summer months.

He stated in addition to this some of the elements of desirable visible quality that had been removed necessarily because of cost in Option 1 have been put back into Option 3 within reason. Only those things which would be necessary to give it what one would like to think of as desirable design quality. That in essence these are the three basic options which are open.

Councilman Tuttle asked if this is the one that would give us the \$30,000 credit to put back inside of our original budget for the park and beautification. Dean McClure replied Option 2 is in fact the on-ground elements with the exception of the two termini which are retained.

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CONTRACT FOR CONSTRUCTION OF WATER MAINS, AUTHORIZED.

Motion was made by Councilman Tuttle, seconded by Councilman Short, and unanimously carried, approving a contract with William Trotter Developer Company for the installation of 2,640 feet of water mains and two fire hydrants to serve a portion of the University Park North Subdivision, inside the city, at an estimated cost of \$11,250.00, 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.

ORDINANCE NO. 339-X ORDERING THE DEMOLITION AND REMOVAL OF BUILDING AT 206 WEST PALMER STREET PURSUANT TO THE BUILDING CODE OF THE CITY OF CHARLOTTE AND SECTION 6.61, ARTICLE IV, CHAPTER 6, OF THE CHARTER OF THE CITY OF CHARLOTTE.

Councilman Tuttle moved the adoption of the subject ordinance ordering the demolition and removal of the building at 206 West Palmer Street pursuant to the Building Code of the City of Charlotte, and Section 6.61, Article IV, Chapter 6, of the Charter of the City of Charlotte. The motion was seconded by Councilman Thrower, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 16, on Page 311.

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.

Upon motion of Councilman Tuttle, seconded by Councilman Jordan, and unanimously carried, the subject ordinances ordering the removal of weeds and grass were adopted, as follows:

- (a) Ordinance No. 340-X ordering the removal of weeds and grass on property adjacent to 2413 Rachel Street.
- (b) Ordinance No. 341-X ordering the removal of weeds and grass on property adjacent to 3908 Selwyn Avenue.
- (c) Ordinance No. 342-X ordering the removal of weeds and grass on property at rear of 1712 Wickford Place.
- (d) Ordinance No. 343-X ordering the removal of weeds and grass on property adjacent to 1336 Pinecrest Drive.
- (e) Ordinance No. 344-X ordering the removal of weeds and grass on property adjacent to 1815 Masonic Drive.
- (f) Ordinance No. 345-X ordering the removal of weeds and grass on property adjacent to 2131 Eastway Drive.
- (g) Ordinance No. 346-X ordering the removal of weeds and grass on property adjacent to 812 Charles Avenue.
- (h) Ordinance No. 347-X ordering the removal of weeds and grass on property adjacent to 2417 Lydia Avenue.
- (i) Ordinance No. 348-X ordering the removal of weeds and grass on property adjacent to 3120 Kirkland Avenue.
- (j) Ordinance No. 349-X ordering the removal of weeds and grass on property adjacent to 712 Hawthorne Lane.
- (k) Ordinance No. 350-X ordering the removal of weeds and grass on property at 2300 East Independence Boulevard.
- (l) Ordinance No. 351-X ordering the removal of weeds and grass on property at corner of Charles Avenue and Clemson Avenue.
- (m) Ordinance No. 352-X ordering the removal of weeds and grass on property at rear of 833 Rodey Avenue.
- (n) Ordinance No. 353-X ordering the removal of weeds and grass on property adjacent to 1935 Garnett Place.
- (o) Ordinance No. 354-X ordering the removal of weeds and grass on property adjacent to 1914 Beatties Ford Road.
- (p) Ordinance No. 355-X ordering the removal of weeds and grass on property adjacent to 1809 St. Paul Street.
- (q) Ordinance No. 356-X ordering the removal of weeds and grass on property at rear of 2400-2418 Senior Drive.
- (r) Ordinance No. 357-X ordering the removal of weeds and grass on property adjacent to 406 Biddle Street.

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- (s) Ordinance No. 358-X ordering the removal of weeds and grass on property adjacent to 2100 Cloister Drive.
- (t) Ordinance No. 359-X ordering the removal of weeds and grass on property adjacent to 513 Honeywood Avenue.
- (u) Ordinance No. 360-X ordering the removal of weeds and grass on property at corner of Alabama & N. Linwood Avenue.
- (v) Ordinance No. 361-X ordering the removal of weeds and grass on property adjacent to 425 Hartford Avenue.
- (w) Ordinance No. 362-X ordering the removal of weeds and grass on property at corner of West Bland Street & South Church Street.
- (x) Ordinance No. 363-X ordering the removal of weeds and grass on property adjacent to 618 West Hill Street.
- (y) Ordinance No. 364-X ordering the removal of weeds and grass on property adjacent to 304 South Summit Avenue.

The ordinances are recorded in full in Ordinance Book 16, beginning at Page 312.

CONTRACT BETWEEN CITY AND DUKE POWER COMPANY FOR UNDERGROUND PLACEMENT OF ELECTRIC POWER LINES, APPROVED.

Motion was made by Councilman Withrow, seconded by Councilman Alexander, and unanimously carried, approving subject contract between the City and Duke Power Company for underground placement of electric power lines in Redevelopment Section 2, in the amount of \$32,067.05, which amount was anticipated in the current budget.

PROPERTY TRANSACTIONS AUTHORIZED.

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

- (a) Acquisition of 4,392 square feet of easement at 423 Fannie Circle, from Paul R. Ervin, Executor & Trustee under the will of Arthur S. Grier, deceased, at \$213.01, for the Briar Creek Outfall.
- (b) Acquisition of 1,817.40 square feet of easement at 419 Fannie Circle, from Paul R. Ervin, Executor & Trustee under the will of Arthur S. Grier, deceased, at \$135.58, for the Briar Creek Outfall.
- (c) Acquisition of 1,817.40 square feet of easement at 415 Fannie Circle from Paul R. Ervin, Executor & Trustee under the will of Arthur S. Grier, deceased, at \$85.58, for the Briar Creek Outfall.
- (d) Acquisition of 1,817.40 square feet of easement at 411 Fannie Circle, from Paul R. Ervin, Executor & Trustee under the will of Arthur S. Grier, at \$85.58, for the Briar Creek Outfall.
- (e) Acquisition of 1,817.40 square feet of easement at 407 Fannie Circle, from Paul R. Ervin, Executor & Trustee under the will of Arthur S. Grier, deceased, at \$60.58, for the Briar Creek Outfall.
- (f) Acquisition of 2,273.10 square feet of easement at 401 Fannie Circle from Paul R. Ervin, Executor & Trustee under the will of Arthur S. Grier, deceased, at \$225.77, for the Briar Creek Outfall.
- (g) Acquisition of 1,825.50 square feet of easement at 357 Fannie Circle, from Paul R. Ervin, Executor & Trustee under the will of Arthur S. Grier, deceased, at \$60.85, for the Briar Creek Outfall.

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Councilman Tuttle asked if this is within the original budget, less \$30,000, and Mr. Sawyer replied that is right. Councilman Thrower asked if we would gain \$30,000 to lose how much and Mr. Sawyer replied if we are talking about overall cost it is a total of \$146,808 below cost, and in city cost it is \$57,895, and the federal cost is \$88,913; that the figures are the same figures presented on Options 1 and 2 last Tuesday except when they circulated the city cost and federal cost, they got down to net figures - so the \$30,000 really became \$57,895.00, which is the city's cost.

Councilman Alexander asked what happens to the ramp to the Educational Building in the wintertime and Dean McClure stated in addition to the ramp there is also a stair going down and the ramp is well within allowable limits in terms of the amount of slope. Councilman Alexander stated he is trying to visualize what the ramp does to the total concept and Dean McClure stated there would still be a stair but the building would seem not to be visually or, in a circulatory sense, related to the mall; that he thinks the linear element of the ramp does a very great deal to knit the Educational Center to the mall itself. That the Educational Center, like the County Court House, become the two foci in this scheme, it seems tremendously important that you lead up to it - if it is going to be a terminus, not only should you be able to get up to it but in the largeness of this total concept you ought to be able to see that means of access so that it becomes visible; needless to say that it is easier for people with handicaps to go up the ramp than the stairs.

Mr. Norman Pease, Jr. stated the entire structure was based on the use by the handicapped, and this was checked out with the people who represent the association for the handicapped to make sure it would be accessible for the handicapped to get from the Educational Building to the County Court House. Councilman Alexander asked if the grade would be one that could be negotiated by the handicapped and Mr. Pease replied it would be within the accepted grade.

Councilman Alexander stated with the old Courthouse standing there, and this bridge surrounding it, it looks to him as if you have lost it altogether, and it becomes just something thrown in; with all the lake development, if it is developed there, with the existence of that structure all across, it looks to him as if you lose a whole lot of what could be a beautiful lake concept; it destroys two elements when looking at it you see that you do not see when you see a picture of it; you lose the effectiveness of the old Courthouse Building in the Square by having it surrounded and hidden from the street with that walkway, and you take away from what could be the added beauty by having this water and putting that walkway over the major portion of it. Councilman Tuttle stated he could not agree with anyone more; that the architects have come up with a beautiful design when you move the bridge; that you are talking about spending \$505,000 to his way of thinking that will ruin the whole project; that he cannot buy the bridge; that he likes the whole plan with the exception of the bridge; that we do not build bridges downtown for people to cross; this is talking about something for the convenience of a few people. Who is going to exhibit art in the boiling sun on top of this thing? Who is going to use it in the wintertime with ice on it?

Dean McClure replied the bridge structure would only be effective if it would be of maximum usefulness and from many points of view it seems that the fact of being able to knit the whole mall together and the fact of having changes of levels from which to look down into the mall and the fact that you would be able to use space under the bridge as well as on top of it adds another kind of dimension; it becomes in a sense the element that knits the whole center together. When Option 2 was proposed he does not think anyone thought of proposing it as the ultimate solution but only as a kind of issue out of the pressing problem. He would say if the bridge structure is built in such a manner that it will have the elements of shade then it would add a very great deal to the center.

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Councilman Short stated he has attempted to do the arithmetic on the third alternative and he has about a \$250,000 added factor from inflation plus the Dean and others want to add about \$170,000 worth of kiosk and other appurtenances but then we save a little bit from the fact of land credits; it seems to him this produces about \$180,000 finally of local money in this situation; that he does not think we should abandon the original concept until we see if we cannot come by this or whatever is the local money and it seems to him there are some possibilities that deserve exploring. That we have never gotten a final determination of whether we are not entitled to local credit for the jail - the county has agreed that the City will have this urban renewal credit if it is available; some approaches have been made to HUD but we have the changing of the guard there and it may well be that we should approach them again to see if we cannot get credit for the jail and then we would have 25% of something like \$1 or maybe \$2 million dollars, a great deal of money.

Councilman Short stated in addition it is not out of order to approach the County for possible participation in this; this walkway emanates from their Courthouse over to essentially their educational building and he feels we should not be timid about the possibility that they might contribute to this. That the thing that is important to him is Third Street; this is going to be the biggest artery out of Charlotte and it is going to need this walkway even more than Fourth Street will and he thinks it will harm the park if we do not have a pedestrian cross-over on Third Street. That it would be like running Fifth Avenue down through the middle of Central Park instead of beside Central Park.

He stated here is our chance to get a really effective Governmental Center and a really magnificent park out of urban renewal and this is the old style urban renewal and we ought to take advantage of this opportunity if there is anyway that we can try to see if we cannot come by this \$180,000 local money.

Mayor Belk asked how much traffic to this educational building will generate and Mr. Sawyer replied it does not generate much traffic for sightseeing even in terms of employee interchange caused by the necessity to get into the County Office Building or the Court Building but Dean McClure has stated the walkway in addition to being just a utilitarian thing to tie it all in together and to lift pedestrian traffic above automotive traffic, it is a thing that would generate interest as a representative of the City of Charlotte governmental center. That they have reviewed this whole concept from the very beginning with every local governmental agency involved - the School Board, the County Commissioners, City Councilmen and the Governmental Center Commission - and all along it has been their understanding that this concept had been approved by all and would be built as a unit or as a concept and that is why Alternative 1 did not anticipate this as an ultimate solution but merely as a present solution leaving the possibility that the remainder of the walkway could be constructed at a later time if as and when additional funds became available. Councilman Jordan asked if at that time we would have to pay the 100% cost and Mr. Sawyer replied if that happened after the project is closed out this would be true as the federal participation ends at the official closeout of the project and it is anticipated this will be closed out as soon as the first stage is completed.

Councilman Alexander asked if there is any possibility under some federal beautification program to reapply for some assistance later and Mr. Sawyer replied he would doubt it for a park of this nature but he does not know.

Councilman Tuttle stated originally he voted for this concept but at the time he voted he did not know about all the additional money and he thought at the time this was going to be a joint city-county project and thirdly, he had not seen it in this light; that he feels it will hide the lake and the whole project would be ruined with this structure; it is going to be something to gather blown papers and dirt and he cannot relate it to this park at all; there is very little park on the other side of Third Street and he sees it primarily as a pedestrian path between the Educational Building and the County Office Building and Court House and a half a million dollars is an awfully expensive tressel; he admits he voted for the concept, but feels now he was wrong.

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Councilman Short stated to leave pedestrians crossing Third Street at grade level which risks their necks on the basis that this overshadows that old replica of the Court House that was used during our Bi-Centennial--that the old Court House building could be placed in other places to be kept from being overshadowed.

Councilman Short moved that Mr. Veeder and Mr. Sawyer be asked to see about the possibilities of raising the local money needed to continue this as originally planned and come back with a report to Council as quickly as possible. The motion was seconded by Councilman Thrower.

Councilman Thrower stated he has heard this discussed as an unsightly bridge or tressel and everything else; that everything before Council is a preliminary estimate; this could be put in easily as an alternate and it could go to bids; if Council sits here and says it does not like it and wants no part of it, it is defeated to start with. This disturbs him to no end when it would add more to downtown than anything he has seen in his lifetime.

Mr. Norman Pease, Jr., Architect, stated this bridge is not just serving what is shown on this model; it serves not only these two buildings but it serves the things that are going to be here which will be larger than all the buildings shown on the model combined and probably will have that many more people working. He stated eventually there will be a building as large as one on the model and then the bridge takes on even greater significance. As far as ruining the park, he feels it is a direct compliment to the park and the park in turn is a compliment to this, and the bridge will tie together all the buildings and will compliment the park and give a total concept for this whole 60 acres.

Councilman Tuttle stated he feels this walkway will be detrimental to the park and he cannot help but think what a magnificent branch of the Nature Museum and art exhibit building this money would build. That he has nothing against this project, it is magnificent except for this bridge.

Councilman Jordan stated he was in Baltimore recently in the Charles Center and they have elevated walkways just as they do in Hartford, New Haven and Detroit. He stated he was especially impressed with the one in Baltimore where it links everything from the hotels, the apartments and the theaters. Dean McClure stated in at least six cities he visited last year across the country, these walkways are being built. They link department stores and banks in downtown Minneapolis; they are links between hotels and department stores in Denver. He stated the reason for Option 2 was not the ultimate thing to do but simply because it is a way to accomplish something with quality with available money but it would be fervently desired to have the whole thing.

Mr. Sawyer advised in accordance with the basic concept we have the plaza knitting the police building, law enforcement building and the jail; this much has been done. He stated the Charlotte Development Associates plan is predicated on the concept of separating pedestrian and automotive traffic, and the Redevelopment Plan for the three block portion of the downtown project under the NDP program carries this same concept forward to the Square and keeps the level promenade, the shopper's strollway, the platform over the street and gives the pedestrian free access to all the facilities without mixing with the automotive traffic.

Judge Fred Helms stated he served as a member of the joint committee of the County Board of Commissioners and the committee appointed by the Bar Association when the block across the street for the county office building was purchased; they did not have an easy time getting the bonds approved by the voters to buy this property. Then he served on a committee of the Bar in connection with the building of the county office building, and this was when he was introduced to the overhead walkway. Judge Helms stated when going to the public for a vote on the bond issue, they did not say anything about a park; the voters were asked to vote between one half million and one million dollars to buy that block and they were told it was to build a pentagon-type building

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to start unit by unit for the City of Charlotte, County of Mecklenburg and State of North Carolina which would take care of the needs for at least 50 years and probably 100 years. If they had said it was to be a part of a park, then the vote would have been different. He stated when the County Office Building was under design and construction the second committee had meeting after meeting with architects and the Board of County Commissioners, and one of the members stated with the type of architecture of the Court House it would be an architectural monstrosity and would look like a giant chameleon's tongue pushing out of the first floor of the Court House. When asked who would use the walkway, they were told the lawyers would and the Bar committee then unanimously said they did not want it and they would not use it. He stated the County Board of Commissioners voted to go ahead with the walkway and the then City Council refused to give them a permit to build the walkway over Fourth Street, and that is where it died. It was guided by the City, because the City did not even exercise governmental courtesy toward the County to grant a permit to build it.

Judge Helms stated he did not know the basic concept of this whole thing was a park; that he thought it was urban renewal for downtown and he doubts the people who were moved out to other places were told they were being moved out in order to build a park. Assuming this to be sound, he thought the basic concept of a park was to allow people who use it to stroll along the grass and flowered lawns. That he very frequently passes by the White House and he does not see any walkway across Pershing Square; that Washington which has more government per square inch than any place on the face of the earth has no walkways to get across Pennsylvania Avenue. He stated he has never seen an overhead bridge that did not become an eyesore. This seems to be an utter waste of money. The general idea is that we can get it from the federal government but he would like to remind everyone that we are the federal government and it is our money that is being used.

Judge Helms stated if we are going ahead with it, then why not put a top over it for protection when it rains, sleets or snows so that you do not have to dress for the weather.

Dean McClure stated perhaps Judge Helms is not familiar with Pennsylvania Avenue behind the Treasury and certain developments there; that the same is true of the Constitution Plaza. He stated in inclement weather, of course, a bridge has two parts, one an upper floor and it also acts as an umbrella as it is very possible to walk under it; there is a major overhead walkway connecting various elements of the new Chicago Circle Campus of the University of Illinois, and the very purpose was to provide shelter for people under the bridge in inclement weather and in good weather to permit walking on either the upper or lower levels.

Mr. W. J. Elvin stated he has been much impressed by the discussion today; that there are two people who are city planners who can give the pros and cons of the aesthetic value of the bridge and that is Mr. Bill McIntyre and Mr. Fred Bryant; that he would be very strongly guided by the recommendations of these two men. Mr. Sawyer advised the Planning Commission has reviewed this project over a period of about three years and Mr. McIntyre and members of his staff have approved the concept at every stage.

The City Manager asked if Mr. Short's motion includes approaching other units of local government for participation in the project? Councilman Short replied he thinks it is very much in order plus the pursuing of the matter of whether or not we can get urban renewal credit for the jail.

Councilman Alexander made a substitute motion for Council to consider the second alternative which was presented as Option 2 and is without the walkway. The motion was seconded by Councilman Withrow.

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Councilman Jordan stated he has seen many governmental plazas just like these and he has been impressed with everyone he has seen; if the money was available and he could see where it was available he would like to go along with the original plan by the architects; because additional money is not available at this time and where it can be gotten he does not know, he will have to forego what he would like to vote for which is the entire concept.

Councilman Tuttle stated this second concept will be within the original budget less approximately the \$57,000.

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

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

ORDINANCE NO. 332-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE BY AMENDING THE ZONING MAP CHANGING THE ZONING OF PROPERTY AT THE NORTHWEST CORNER OF WILKINSON BOULEVARD AND ASHLEY ROAD, FROM B-1 TO B-2 ON PETITION OF NORTH CAROLINA NATIONAL BANK, TRUSTEE FOR QUEENSGATE SHOPPING CENTER.

Motion was made by Councilman Short, seconded by Councilman Jordan, and unanimously carried, adopting the subject ordinance changing the zoning from B-1 to B-2 as recommended by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 16, at Page 304.

ORDINANCE NO. 333-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE BY AMENDING THE ZONING MAP CHANGING ZONING OF PROPERTY BOUNDED BY SOUTHERN RAILWAY TRACKS, EAST THIRD STREET, SOUTH BREVARD STREET, YOUNG MOTOR COMPANY PROPERTY AND STONEWALL STREET, FROM B-2 TO B-3 ON PETITION OF SOUTHERN RAILWAY COMPANY.

Upon motion of Councilman Alexander, seconded by Councilman Thrower, and unanimously carried, the subject ordinance was adopted changing the zoning from B-2 to B-3 as recommended by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 16, at Page 305.

ORDINANCE NO. 334-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE BY AMENDING THE ZONING MAP CHANGING ZONING OF PROPERTY AT REAR OF REMOUNT ROAD, BETWEEN COWLES ROAD AND WEST BOULEVARD FROM R-9 TO O-6.

Councilman Tuttle moved that Petition No. 69-77 for a change in zoning from R-9 and O-6 to B-1 be denied but the portion zoned R-9 at the rear of the property be changed to O-6 as recommended by the Planning Commission. The motion was seconded by Councilman Short, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 16, at Page 306.

ORDINANCE NO. 335-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE BY AMENDING THE ZONING MAP CHANGING ZONING OF PROPERTY ON THE SOUTH SIDE OF STARITA ROAD, EAST OF STATESVILLE ROAD, FROM B-2 TO I-2 ON PETITION OF SAMUEL J. KING.

Motion was made by Councilman Jordan, seconded by Councilman Tuttle, and unanimously carried, adopting the subject ordinance changing the zoning from B-2 to I-2 as recommended by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 16, at Page 307.

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PETITION NO. 69-79 BY RAY H. MAPLES FOR A CHANGE IN ZONING FROM R-9 TO R-9MF OF A TRACT OF LAND ON THE NORTH SIDE OF SHAMROCK DRIVE, BEGINNING AT FLAMINGO AVENUE AND EXTENDING EASTWARD TOWARD CONNECTICUT AVENUE, DEFERRED.

Motion was made by Councilman Tuttle to defer decision on the subject petition until seven (7) members of Council are present. The motion was seconded by Councilman Thrower and carried unanimously.

DECISION ON PETITION NO. 69-80 BY CORNELIA K. HAWKINS AND ANDREW M. WILLIAMS FOR A CHANGE IN ZONING FROM R-6MF TO I-2 OF PROPERTY FRONTING 79 FEET ON THE SOUTH SIDE OF PRESSLEY ROAD AND 635 FEET ON THE WEST SIDE OF YORKWOOD ROAD, DEFERRED.

Councilman Thrower moved that the subject petition be deferred pending further study by the Planning Commission. The motion was seconded by Councilman Withrow, and carried unanimously.

PETITION NO. 69-81 BY DOMAR CORPORATION, INC., FOR A CHANGE IN ZONING FROM R-9 TO B-1 OF A TRACT OF LAND AT THE NORTHWEST CORNER OF IDLEWILD ROAD AND IDLEWILD ROAD NORTH, DEFERRED.

Upon motion of Councilman Jordan, seconded by Councilman Tuttle, and unanimously carried, the subject petition was deferred until seven (7) members of Council are present.

ORDINANCE NO. 336-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE AMENDING THE ZONING MAP BY CHANGING THE ZONING FROM O-6 TO I-2 OF A PARCEL OF LAND ON THE SOUTHWEST SIDE OF KESWICK AVENUE, BEGINNING 100 FEET FROM GRAHAM STREET.

Motion was made by Councilman Tuttle, seconded by Councilman Jordan, and unanimously carried, adopting the subject ordinance changing the zoning from O-6 to I-2 as recommended by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 16, at Page 308.

ORDINANCE NO. 337-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE AMENDING THE ZONING MAP BY CHANGING THE ZONING FROM R-6 TO O-6 OF A LOT ON THE WEST SIDE OF GLENWOOD DRIVE, BETWEEN INTERSTATE 85 AND PLAINVIEW ROAD, AND THREE LOTS FRONTING 358 FEET ON THE EAST SIDE OF TENNYSON DRIVE.

Councilman Thrower moved the adoption of the subject ordinance changing the zoning from R-6 to O-6 on petition of Gladys Jackson, et al, as recommended by the Planning Commission. The motion was seconded by Councilman Short, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 16, at Page 309.

PETITION NO. 69-84 BY CARMEL PROPERTIES FOR A CHANGE IN ZONING ON A RESIDENTIAL PLANNED UNIT DEVELOPMENT PROPOSAL ON LAND NOW ZONED R-15 BOUNDED GENERALLY BY CARMEL ROAD, SHARON VIEW ROAD, MCMULLEN CREEK AND COLUMBINE SUBDIVISION, DEFERRED.

Motion was made by Councilman Thrower to defer the subject petition pending the Planning Commission's further study of the plan. The motion was seconded by Councilman Short, and carried unanimously.

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LEASE WITH HOME REALTY & MANAGEMENT COMPANY FOR OFFICE SPACE IN EXECUTIVE BUILDING FOR DATA PROCESSING, SYSTEMS & PROGRAMMING & WATER ACCOUNTS ACTIVITIES, APPROVED.

Councilman Tuttle moved approval of the subject lease for a period of 36 months at a rate of \$4.00 per square foot, effective October 1, 1969. The motion was seconded by Councilman Thrower.

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

RESOLUTION APPROVING THE FIRST AMENDATORY CONTRACT FOR CODE ENFORCEMENT PROGRAM (BELMONT NEIGHBORHOOD IMPROVEMENT PROGRAM) NO. N. C. E-2(G) BETWEEN THE CITY OF CHARLOTTE AND UNITED STATES OF AMERICA AND AUTHORIZING THE MAYOR TO EXECUTE THE SUBJECT CONTRACT.

Motion was made by Councilman Short, and seconded by Councilman Alexander, to adopt the subject resolution increasing the amount of the grant authorized for rehabilitation work by \$787,500.00.

The vote was taken on the motion and carried unanimously.

The resolution is recorded in full in Resolutions Book 6, at Page 399.

ORDINANCE NO. 338-X AMENDING ORDINANCE NO. 255-X, THE 1969-70 BUDGET ORDINANCE APPROPRIATING \$130,000 FROM UNEXPENDED FUND BALANCE TO CAPITAL PROJECTS ACCOUNT 547.1 BELMONT CODE ENFORCEMENT PROGRAM ADOPTED.

Councilman Alexander moved adoption of the subject ordinance, which was seconded by Councilman Thrower, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 16, at Page 310.

APPOINTMENTS TO BUILDING STANDARDS BOARD, APPROVED.

Motion was made by Councilman Thrower, seconded by Councilman Tuttle, and unanimously carried, approving appointments by the City Manager to the Building Standards Board for three year terms each, as follows:

Mr. R. V. Wasdell, Engineer
Mr. H. C. Siskron, Plumber
Mr. W. H. Trotter, Home Builder
Mr. Harold Reid, Electrical Contractor.

RESOLUTION APPROVING PRELIMINARY ASSESSMENT ROLL FOR IMPROVEMENTS COMPLETED ON GOLDWYN STREET, FROM ALPHA STREET TO MARNEY AVENUE, AND PROVIDING FOR NOTICE AND PUBLIC HEARING ON SEPTEMBER 22 ON CONFIRMATION THEREOF.

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

The resolution is recorded in full in Resolutions Book 6, at Page 400.

RESOLUTION APPROVING PRELIMINARY ASSESSMENT ROLL FOR IMPROVEMENTS COMPLETED ON KENWOOD AVENUE, FROM KENSINGTON DRIVE TO RANDALL STREET, AND PROVIDING FOR NOTICE AND PUBLIC HEARING ON SEPTEMBER 22 ON CONFIRMATION THEREOF.

Upon motion of Councilman Tuttle, seconded by Councilman Short, and unanimously carried, the subject resolution was adopted and is recorded in full in Resolutions Book 6, at Page 401.

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RESOLUTION AUTHORIZING THE REFUND OF CERTAIN TAXES.

Motion was made by Councilman Jordan adopting the subject resolution authorizing the refund of taxes in the total amount of \$484.45 which were collected through clerical error or illegally levied. The motion was seconded by Councilman Short, and carried unanimously.

The resolution is recorded in full in Resolutions Book 6, at Page 402.

RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE CONTRACT WITH THE STATE HIGHWAY COMMISSION FOR A COMPREHENSIVE INTERNAL ORIGIN AND DESTINATION SURVEY TO AID IN THOROUGHFARE PLANNING.

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

The resolution is recorded in full in Resolutions Book 6, at Page 403.

APPLICATIONS TO CONNECT SANITARY SEWER LINES TO CITY'S SANITARY SEWERAGE SYSTEM, APPROVED.

Motion was made by Councilman Thrower, seconded by Councilman Tuttle, and unanimously carried, approving the following applications to connect sanitary sewer lines, outside the city, as follows:

- (a) Request of J. A. Jones Construction Company to connect sanitary sewer lines in J. A. Jones property near Pineville Road to the city's system. The contract will stipulate the lines will automatically become the property of the City upon the completion of the construction by the owner.
- (b) Request of City Properties, a joint venture, to connect sanitary sewer lines in Sharon South to the city's system. The contract will stipulate the lines will automatically become the property of the City upon the completion of the construction by the owner.
- (c) Request of Barger Construction Company to connect private sanitary sewer lines in the shopping center on East Independence Boulevard, between Idlewild Road and State Route No. 1009, to the city's system to serve an apartment project on Monroe Road at Idlewild Road.

RELEASE AGREEMENT BETWEEN CITY OF CHARLOTTE AND C. D. SPANGLER CONSTRUCTION COMPANY, AUTHORIZED.

Motion was made by Councilman Short, and seconded by Councilman Jordan authorizing a release agreement between the City and C. D. Spangler Construction Company on a contract dated July 12, 1965 for installation of water mains to serve University Park North Subdivision, inside the city.

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

YEAS: Councilmen Short, Jordan, Thrower, Tuttle and Withrow.
NAYS: None.

Councilman Alexander abstained from voting.

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CONTRACT FOR CONSTRUCTION OF WATER MAINS, AUTHORIZED.

Motion was made by Councilman Tuttle, seconded by Councilman Short, and unanimously carried, approving a contract with William Trotter Development Company for the installation of 2,640 feet of water mains and two fire hydrants to serve a portion of the University Park North Subdivision, inside the city, at an estimated cost of \$11,250.00, 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.

ORDINANCE NO. 339-X ORDERING THE DEMOLITION AND REMOVAL OF BUILDING AT 206 WEST PALMER STREET PURSUANT TO THE BUILDING CODE OF THE CITY OF CHARLOTTE AND SECTION 6.61, ARTICLE IV, CHAPTER 6, OF THE CHARTER OF THE CITY OF CHARLOTTE.

Councilman Tuttle moved the adoption of the subject ordinance ordering the demolition and removal of the building at 206 West Palmer Street pursuant to the Building Code of the City of Charlotte, and Section 6.61, Article IV, Chapter 6, of the Charter of the City of Charlotte. The motion was seconded by Councilman Thrower, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 16, on Page 311.

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.

Upon motion of Councilman Tuttle, seconded by Councilman Jordan, and unanimously carried, the subject ordinances ordering the removal of weeds and grass were adopted, as follows:

- (a) Ordinance No. 340-X ordering the removal of weeds and grass on property adjacent to 2413 Rachel Street.
- (b) Ordinance No. 341-X ordering the removal of weeds and grass on property adjacent to 3908 Selwyn Avenue.
- (c) Ordinance No. 342-X ordering the removal of weeds and grass on property at rear of 1712 Wickford Place.
- (d) Ordinance No. 343-X ordering the removal of weeds and grass on property adjacent to 1336 Pinecrest Drive.
- (e) Ordinance No. 344-X ordering the removal of weeds and grass on property adjacent to 1815 Masonic Drive.
- (f) Ordinance No. 345-X ordering the removal of weeds and grass on property adjacent to 2131 Eastway Drive.
- (g) Ordinance No. 346-X ordering the removal of weeds and grass on property adjacent to 812 Charles Avenue.
- (h) Ordinance No. 347-X ordering the removal of weeds and grass on property adjacent to 2417 Lydia Avenue.
- (i) Ordinance No. 348-X ordering the removal of weeds and grass on property adjacent to 3120 Kirkland Avenue.
- (j) Ordinance No. 349-X ordering the removal of weeds and grass on property adjacent to 712 Hawthorne Lane.
- (k) Ordinance No. 350-X ordering the removal of weeds and grass on property at 2300 East Independence Boulevard.
- (l) Ordinance No. 351-X ordering the removal of weeds and grass on property at corner of Charles Avenue and Clemson Avenue.
- (m) Ordinance No. 352-X ordering the removal of weeds and grass on property at rear of 833 Rodey Avenue.
- (n) Ordinance No. 353-X ordering the removal of weeds and grass on property adjacent to 1935 Garnett Place.
- (o) Ordinance No. 354-X ordering the removal of weeds and grass on property adjacent to 1914 Beatties Ford Road.
- (p) Ordinance No. 355-X ordering the removal of weeds and grass on property adjacent to 1809 St. Paul Street.
- (q) Ordinance No. 356-X ordering the removal of weeds and grass on property at rear of 2400-2418 Senior Drive.
- (r) Ordinance No. 357-X ordering the removal of weeds and grass on property adjacent to 406 Biddle Street.

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- (s) Ordinance No. 358-X ordering the removal of weeds and grass on property adjacent to 2100 Cloister Drive.
- (t) Ordinance No. 359-X ordering the removal of weeds and grass on property adjacent to 513 Honeywood Avenue.
- (u) Ordinance No. 360-X ordering the removal of weeds and grass on property at corner of Alabama & N. Linwood Avenue.
- (v) Ordinance No. 361-X ordering the removal of weeds and grass on property adjacent to 425 Hartford Avenue.
- (w) Ordinance No. 362-X ordering the removal of weeds and grass on property at corner of West Bland Street & South Church Street.
- (x) Ordinance No. 363-X ordering the removal of weeds and grass on property adjacent to 618 West Hill Street.
- (y) Ordinance No. 364-X ordering the removal of weeds and grass on property adjacent to 304 South Summit Avenue.

The ordinances are recorded in full in Ordinance Book 16, beginning at Page 312.

CONTRACT BETWEEN CITY AND DUKE POWER COMPANY FOR UNDERGROUND PLACEMENT OF ELECTRIC POWER LINES, APPROVED.

Motion was made by Councilman Withrow, seconded by Councilman Alexander, and unanimously carried, approving subject contract between the City and Duke Power Company for underground placement of electric power lines in Redevelopment Section 2, in the amount of \$32,067.05, which amount was anticipated in the current budget.

PROPERTY TRANSACTIONS AUTHORIZED.

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

- (a) Acquisition of 4,392 square feet of easement at 423 Fannie Circle, from Paul R. Ervin, Executor & Trustee under the will of Arthur S. Grier, deceased, at \$213.01, for the Briar Creek Outfall.
- (b) Acquisition of 1,817.40 square feet of easement at 419 Fannie Circle, from Paul R. Ervin, Executor & Trustee under the will of Arthur S. Grier, deceased, at \$135.58, for the Briar Creek Outfall.
- (c) Acquisition of 1,817.40 square feet of easement at 415 Fannie Circle from Paul R. Ervin, Executor & Trustee under the will of Arthur S. Grier, deceased, at \$85.58, for the Briar Creek Outfall.
- (d) Acquisition of 1,817.40 square feet of easement at 411 Fannie Circle, from Paul R. Ervin, Executor & Trustee under the will of Arthur S. Grier, at \$85.58, for the Briar Creek Outfall.
- (e) Acquisition of 1,817.40 square feet of easement at 407 Fannie Circle, from Paul R. Ervin, Executor & Trustee under the will of Arthur S. Grier, deceased, at \$60.58, for the Briar Creek Outfall.
- (f) Acquisition of 2,273.10 square feet of easement at 401 Fannie Circle from Paul R. Ervin, Executor & Trustee under the will of Arthur S. Grier, deceased, at \$225.77, for the Briar Creek Outfall.
- (g) Acquisition of 1,825.50 square feet of easement at 357 Fannie Circle, from Paul R. Ervin, Executor & Trustee under the will of Arthur S. Grier, deceased, at \$60.85, for the Briar Creek Outfall.

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- (h) Acquisition of 1,825.50 square feet of easement at 353 Fannie Circle, from Paul R. Ervin, Executor & Trustee under the will of Arthur S. Grier, deceased, at \$160.85, for the Briar Creek Outfall.
- (i) Acquisition of 1,841.40 square feet of easement at 349 Fannie Circle, from Paul R. Ervin, Executor & Trustee under the will of Arthur S. Grier, deceased, at \$86.38, for the Briar Creek Outfall.
- (j) Acquisition of 1,824.60 square feet of easement at 345 Fannie Circle, from Paul R. Ervin, Executor & Trustee under the will of Arthur S. Grier, deceased, at \$110.82, for the Briar Creek Outfall.
- (k) Acquisition of 2,782 square feet of easement at 333 Fannie Circle, from William Byrd and wife, Hazel S., at \$100.00, for the Briar Creek Outfall.
- (l) Acquisition of 1,024 square feet of easement at 128 Placid Place, from Thomas E. Heuerman and wife, Carolyn L., at \$200.00, for the Briar Creek Outfall.
- (m) Acquisition of 10,469.22 square feet of easement at 2400 Colony Road, from Charlotte-Mecklenburg Board of Education, at \$3,600.00, for the Briar Creek Outfall.
- (n) Acquisition of 26,101.15 square feet of easement at 3218 Shamrock Drive, from Charlotte Park and Recreation Commission, at \$1,601.00, for the Upper Briar Creek Outfall.
- (o) Acquisition of 2,667.50 square feet of easement at 3028 Airlie Street, from James R. Whitehurst and wife, Carolyn B., at \$747.00, for the Upper Briar Creek Outfall.
- (p) Acquisition of 162.77 square feet of easement at 4741 Hedgemore Drive, Building 4, WAL-TUK Ltd., at \$1.00, for the Sugar Creek Outfall.
- (q) Acquisition of 1,413 square feet of easment at 5924 Donnegal Drive, from James C. Evans and wife, Alice B., at \$1.00, for McClintock Woods sanitary sewer.

CONTRACT WITH KALE KNITTING MILLS, INC. FOR SANITARY SEWER TRUNK AND MAINS, APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Tuttle, and unanimously carried, the subject contract with Kale Knitting Mills, Inc. for the construction of 1,835 linear feet of sanitary sewer trunk and mains to serve Bridlewood Subdivision, inside the city, at an estimated cost of \$15,620.00, 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.

APPRAISAL CONTRACTS, AUTHORIZED.

Motion was made by Councilman Tuttle, seconded by Councilman Jordan, and unanimously carried, approving appraisal contracts, as follows:

- (a) Contract with Zollie A. Collins for appraisal of three parcels of land, at \$125.00 each, for the LaSalle Street Project.
- (b) Contract with John W. Huffaker for appraisal of three parcels of land, at \$125.00 each for the LaSalle Street Project.
- (c) Contract with Charles E. Owens for appraisal of three parcels of land, at \$125.00 each, for the LaSalle Street Project.

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- (d) Contract with Leo H. Phelan, Jr., for appraisal of three parcels of land, at \$125.00 each, for the LaSalle Street Project.
- (e) Contract with Alfred E. Smith for appraisal of three parcels of land, at \$125.00 each, for the LaSalle Street Project.
- (f) Contract with Jack Starnes for appraisal of three parcels of land, at \$125.00 each, for the LaSalle Street Project.

CLAIM BY F. B. GARRISON FOR ALLEGED DAMAGES TO APARTMENT BUILDING, DENIED.

Upon motion of Councilman Short, seconded by Councilman Withrow, and unanimously carried, the subject claim by Mr. F. B. Garrison, in the amount of \$1,127, was denied as recommended by the City Attorney.

STREET TAKEN OVER FOR CONTINUOUS MAINTENANCE BY CITY.

Motion was made by Councilman Jordan, seconded by Councilman Thrower, and unanimously carried, authorizing Allenbrook Drive, from Tanglebriar Drive to 570 feet north of Tanglebriar Drive be taken over for continuous maintenance by the City.

TRANSFER OF CEMETERY LOTS, AUTHORIZED.

Upon motion of Councilman Jordan, seconded by Councilman Thrower, and unanimously carried, the Mayor and City Clerk were authorized to execute deeds for the transfer of cemetery lots, as follows:

- (a) Deed with Murry Daniel McLaurin for Graves 3 and 4, in Lot No. 737, Section 6, Evergreen Cemetery, at \$160.00.
- (b) Deed with Paul D. Petris for Lot No. 267, Section 3, Evergreen Cemetery, at \$504.00.
- (c) Deed with Alonzo A. Fisher for Lot No. 364, Section 6, Evergreen Cemetery, at \$320.00.
- (d) Deed with George G. Carras and Mrs. Constance C. Carras for Lot No. 260, Section 4-A, Evergreen Cemetery, at \$252.00.
- (e) Deed with Mrs. Paraskey Condell for Lot No. 269, Section 4-A, Evergreen Cemetery, at \$252.00.
- (f) Deed with Spencer L. Harrill for perpetual care of Lot No. 21, Section M, Elmwood Cemetery, at \$260.00.

SPECIAL OFFICER PERMIT AUTHORIZED ISSUED TO MURRAY LEE BLACKWELL.

Councilman Tuttle moved approval of the issuance of a special officer permit for a period of one year to Mr. Murray Lee Blackwell for use on the premises of Southern Railway Company. The motion was seconded by Councilman Thrower, and carried unanimously.

CONTRACT AWARDED MILLER TIRE SERVICE FOR TIRE RECAPPING AND REPAIRS.

Upon motion of Councilman Jordan, seconded by Councilman Tuttle, and unanimously carried, contract was awarded the only bidder, Miller Tire Service, in the amount of \$28,225.60, on a unit price basis, for estimated yearly requirement of tire recapping and repairs.

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CONTRACT AWARDED DOUBLE ENVELOPE COMPANY FOR WATER BILL ENVELOPES.

Motion was made by Councilman Alexander, seconded by Councilman Tuttle, and unanimously carried, awarding contract to the low bidder, Double Envelope Company, in the amount of \$5,250.02, on a unit price basis, for water bill envelopes.

The following bids were received:

Double Envelope Company	\$5,250.02
Atlantic Envelope Company	5,436.65

CONTRACT AWARDED SOUTHERN BUSINESS SYSTEMS, INC. FOR MECHANIZED FILES FOR POLICE DEPARTMENT.

Councilman Tuttle moved award of contract to the low bidder, Southern Business Systems, Inc., in the amount of \$7,398.00, on a unit price basis, for mechanized files for the Police Department. The motion was seconded by Councilman Tuttle.

Mr. Joe Romano, Branch Manager of Remington Rand Systems, requested Council to rebid this item; the bid requested a price of three units and a trade-in for a competitive unit which has been in use by the Police Department for some 6-7 years, and with the net delivered price after the trade-in allowance, their bid is lower by some \$400.00. That now the equipment to be traded-in has been placed in the Water Department which requires a platform in front of them to allow the operator to get to the unit, and this is impractical. He requested the City to re-bid this item without the trade-in.

Mr. D. C. Brown, Purchasing Agent, stated the bid proposal went out with the option that the City would elect to keep the file or trade it in.

Mr. Veeder, City Manager, read the proposal that went out which is as follows:

"The City reserves the option to trade or retain" the equipment.

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

The following bids were received:

Southern Business Systems, Inc.	\$7,398.00
Remington Rand Systems	8,424.00

CONTRACT AWARDED CROWDER CONSTRUCTION COMPANY FOR SOUTH CHURCH STREET IMPROVEMENTS.

Upon motion of Councilman Thrower, seconded by Councilman Tuttle, and unanimously carried, contract was awarded the low bidder, Crowder Construction Company, in the amount of \$8,632.50, on a unit price basis, for South Church Street Improvements.

The following bids were received:

Crowder Construction Company	\$8,632.50
T. A. Sherrill Const. Co.	9,282.50
Rea Construction Co.	10,970.00

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CONTRACT AWARDED D. H. GRIFFIN WRECKING COMPANY, INC., FOR DEMOLITION OF 27 STRUCTURES WITHIN URBAN REDEVELOPMENT AREAS NO. R-37, R-60 AND MCDOWELL STREET.

Motion was made by Councilman Tuttle, seconded by Councilman Thrower, and unanimously carried, awarding contract to the low bidder, D. H. Griffin Wrecking Company, Inc., in the amount of \$11,910.00, on a unit price basis, for demolition of 27 structures within Urban Redevelopment Areas No. R-37, R-60 and McDowell Street.

The following bids were received:

D. H. Griffin Wrecking Co., Inc.	\$11,910.00
Tar Heel Grading Company	12,325.00
F. T. Williams Co., Inc.	12,785.00
Max Berrier Wrecking Co.	12,805.00
S. E. Cooper Company	17,060.00

CONTRACT AWARDED PRISMO UNIVERSAL CORPORATION FOR PAVEMENT MARKING COMPOUND.

Councilman Tuttle moved award of contract to the low bidder, Prismo Universal Corporation, in the amount of \$26,160.00, on a unit price basis, for pavement marking compound. The motion was seconded by Councilman Jordan, and carried unanimously.

The following bids were received:

Prismo Universal Corp.	\$26,160.00
Wm. Armstrong-Smith Co.	32,540.00

SUGGESTIONS AND STATEMENT BY CITIZEN.

Mr. Jim McDuffey called attention to the fact that there is a Sidewalk Study Committee, and he asked the Mayor to have the Committee report right away or that the Committee declare itself as non-existent so that another Committee can be appointed.

Councilman Short stated he is not on the Committee but it was appointed to recommend possibilities for the building of sidewalks around schools to be included in a bond issue; because of the bond margin the Committee has devoted itself to attempting to get certain federal funds that flow through the state. Mr. McDuffey stated he spoke with a member of the Committee who represents the school and he indicated the committee has not met in over six months. He stated he is interested in the report so that the citizens can vote on the bond issue.

Mr. McDuffey stated he was disturbed to read in the morning's paper that the bond issue has been postponed indefinitely, and he suggested that Council consider putting up the essential things such as bridges and streets in an early package and let the civic center and coliseum have a vote at a later date.

Mr. McDuffey suggested that a man of Mr. Babcock's caliber can be used in Charlotte and he hopes if there is a vacancy or a position he can fill that he hopes Mr. Veeder will be instructed to try to find a place for him.

Mr. McDuffey asked if there are any plans to change the speed limits on Independence Boulevard where it is 35 MPH and it appears to be 45 MPH, and he was advised not at this time. Mr. McDuffey stated he was a victim of radar on Sunday morning several weeks ago; that a newspaper article had stated previously the speed limit on Independence was not enforced and in fact 50 MPH was reasonable and the police did not object to it. He suggested that money be put up to place the 35 MPH limit signs where it is not now marked.

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ORDINANCE NO. 365-X AMENDING ORDINANCE NO. 255-X, THE 1969-70 BUDGET ORDINANCE AUTHORIZING THE TRANSFER OF FUNDS FOR TEMPORARY IMPROVEMENTS ON LINDA LANE.

Mr. Veeder, City Manager, stated the request for sidewalks on Linda Lane to serve Cotswold Elementary School was before Council last Spring and at that time it was held up to see if the abutting property owners might agree to a petition on an assessment basis; that it appears now they are not in agreement.

Mr. Josh Birmingham, Acting City Engineer, stated there are two opposing groups - one is interested in curb and gutter only, and the other is interested in sidewalks only; they are running into opposition from each other. There are a number who are interested in a concrete walk, but they are opposed to the temporary walk. He stated the children are now having to walk in the street, and he along with the Traffic Engineer is recommending some means of pedestrian facilities, which they think right now should be a temporary gravel walk.

Councilman Thrower asked how much it costs to build a temporary sidewalk per lineal foot? Mr. Birmingham replied an average would be between \$1.25 and \$1.50; there are other considerations on different streets which have to be considered; on an average street a concrete sidewalk will run approximately \$3.50 a running foot. Mr. Birmingham stated the city has a regular program of maintenance on the temporary sidewalks and they are gone over once a year when they cut the grass and weeds out and add more pit gravel.

Motion was made by Councilman Thrower, seconded by Councilman Alexander, and unanimously carried, adopting the subject ordinance authorizing the transfer of \$5,000 from the General Fund Contingency to the Engineering Department for construction of sidewalks on Linda Lane.

The ordinance is recorded in full in Ordinance Book 16, at Page 337.

CITY ATTORNEY ADVISES ABUTTING PROPERTY OWNER IS RESPONSIBLE FOR CLEARING SIDEWALKS.

Councilman Tuttle asked who is responsible when grass and weeds grow completely over one of our sidewalks to the extent that the grass from the median and the grass from the abutting yard is almost together? Mr. Underhill, City Attorney, replied the abutting property owners. Councilman Tuttle stated he is referring to the area on Providence Road, from Greenwood over to the next street going to St. Gabriel's School, where there is a vacant house, and the children are having to walk through the wet weeds.

ORDINANCE NO. 366-X, AMENDING ORDINANCE NO. 255-X, THE 1969-70 BUDGET ORDINANCE, AUTHORIZING THE TRANSFER OF A PORTION OF THE GENERAL FUND CONTINGENCY FOR TEMPORARY SIDEWALKS TO SERVE DEVONSHIRE ELEMENTARY SCHOOL.

Mr. Veeder, City Manager, stated some of the parents at Devonshire School are interested in sidewalks; that the Traffic Engineering Department completed its study this morning and recommends the construction of temporary sidewalks to serve Devonshire Elementary School in the following areas;

- (a) Tipperary Place, north side, from Marbetta Lane to Milton Road.
- (b) Belle Plaine Drive, north side, from Milton Road to Barrington Drive.
- (c) Barrington Drive, west side, from Belle Plaine Drive to Devonshire School property lines.

Councilman Thrower moved adoption of the subject ordinance transferring \$3,700.00 of General Fund Contingency for the construction of the temporary sidewalks to serve Devonshire Elementary School. The motion was seconded by Councilman Alexander and carried unanimously.

The ordinance is recorded in full in Ordinance Book 16, at Page 338.

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TRAFFIC ENGINEER REQUESTED TO MAKE SURVEY AT CORNER OF GRANDIN ROAD AND FOURTH STREET FOR SCHOOL CROSSING GUARD.

Councilman Alexander stated he has received a request for a crossing guard from the residents on Grandin Road where there are 51 children who cross Grandin Road at Fourth Street going to Bruns Elementary School; that the parents have had to take the children across.

Mr. Hoose, Traffic Engineer, stated late last year they received a request and took a survey and there were only about six children crossing; then he met with the group who had appeared before City Council and discussed Summit Avenue, and told them there would be a temporary signal on Grandin when Summit is closed for the construction at Trade Street. Councilman Alexander stated he is talking about a school crossing guard. Mr. Hoose replied he will run a survey on it. Councilman Alexander asked him to contact the principal of the school, Mr. Harris, and talk with him, and then let him know what is recommended.

CITY MANAGER REQUESTED TO HAVE SOMEONE CHECK 1230 PARKWAY DRIVE FOR NEEDED GRAVEL SIDEWALKS.

Councilman Tuttle stated he received a call from Mrs. Sara Neeley, 1230 Parkway Drive, at Enderly Park School, and she said they need some work or additional gravel walks to the school. He requested the City Manager to have someone check on this.

STATEMENT BY COUNCILMAN TUTTLE IN REFERENCE TO JOHN CROSLAND DEVELOPMENT OFF PARK ROAD.

Councilman Tuttle stated the entire Council received a letter from John Crosland Company which reads in part - "It is our understanding that both the Planning Commission and the Council basically approved the development of the 21 acres for the proposed attached single family dwellings, subject to possible revisions as suggested by Council." He stated this is in reference to the 21 acres off Park Road and the attached single family dwellings. He stated his understanding of the motion made by Mr. Short is that the motion was made after consultation with the Crosland Company's attorney, and the attorney was aware of the motion that Mr. Short was going to make. He stated his voting to allow this was not a statement or an implication on his part that he basically approves or does not approve of this concept.

RESOLUTION AMENDING THE PAY PLAN OF THE CITY OF CHARLOTTE TO INCLUDE PAY RANGES 132 AND 133.

Councilman Jordan presented the subject resolution and stated it is to include the Deputy Fire Chiefs in the two percent pay range scale which was given to the firemen.

Mayor Belk asked the reason for this, and Councilman Jordan replied Council feels the deputy fire chiefs were left out, and feels this increase is due them. Mayor Belk stated the other firemen were not given two percent increases. Councilman Jordan stated the money allocated for the raises amounted to two percent and Council now wants to include the deputy fire chiefs in an increase that will amount to approximately two percent.

Councilman Jordan moved the adoption of the subject resolution to be effective September 10, 1969. The motion was seconded by Councilman Thrower.

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Councilman Short stated this was put on the basis that certain personnel would not be employed and that other existing personnel would "batten down the hatches" and get the job done without employing the additional personnel, and the deputy chiefs will be included in the "hatch battening" and he believes this is in order.

Mayor Belk stated when the \$60,000 was added it was not on two percent, and at that time we did not feel these men were left out because they were a part of management. This will be putting about \$2,000 more in than agreed to at that time.

The vote was taken on the motion and carried unanimously.

The resolution is recorded in full in Resolutions Book 6, at Page 405.

PERSONNEL TRANSACTIONS RELATING TO MODEL CITIES APPROVED.

Councilman Short stated at its last meeting on August 18th, Council deferred approval of promotions for model cities personnel for more information; that he has examined this information and the raises are justified and he moved approval of the promotions as recommended. The motion was seconded by Councilman Alexander, and carried unanimously.

REQUEST FOR ORDINANCE OR PLAN REQUIRING COUNCIL TO VOTE AT TWO MEETINGS ON THE EXPENDITURE OF PUBLIC MONEY ON CERTAIN CATEGORIES.

Councilman Short stated during a budget session a month or so ago, Council voted to ask the City Attorney to provide Council with an ordinance or a plan, the effect of which would be that Council would vote at two meetings, and would have to vote at two meetings, before approving a certain category of expenditure of public money; this would be outside requests for various civic benefits. He asked that this be included in the minutes as Council actually took a vote and asked the City Attorney to provide this information.

Mr. Underhill, City Attorney, advised he is working on this request.

COUNCILMAN JORDAN LEFT MEETING.

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

REQUEST THAT SUBJECT OF CONSOLIDATION BE PLACED ON CONFERENCE AGENDA AT EARLY DATE.

Councilman Short suggested that Council have a discussion at a conference session as to whether there are points the Council might like to suggest to the Consolidation Charter Commission; that Mr. Alexander is on the Commission and that he thinks Council could go to the commission individually but it occurs to him that as a Council, we might discuss points because we have experience, which other than Mr. Alexander, no one on the Commission has; there might be some points that councilmen, in general, might like to make.

Councilman Alexander stated he sees nothing wrong with Council discussing points which Council thinks will be relevant and then arriving at things to be submitted to the Commission for its consideration. That he thinks there will be much time to discuss many factors.

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Councilman Tuttle stated the Council members and County Commissioners will be invited to practically all the meetings, and things will come up from time to time where Council's advice will not only be needed but welcomed; he asked if the meeting Mr. Short is suggesting would preclude this? Councilman Short stated Council Members or any citizen can approach any member of the Commission or any of the members of the Sub-Committees, but he believes that on the basis that seven minds are better than the individual mind and prepared in advance, this type of discussion is needed.

Councilman Short requested the City Manager to set this up for consideration at a future conference session.

GRADUATING MEMBERS OF CLASS IN POLICE CRIMINOLOGY AND POLITICAL SCIENCE COMMENDED.

Councilman Alexander stated in a class in police criminology and political science 21 members of the Charlotte Police Department will be graduating. He stated this is very commendable; that it is also significant that the person who will give the commencement address is Mr. John Ingersoll, who, while the Chief of the Charlotte Police Department, had much to do with initiating this training program, and got it moving at Central Piedmont College.

Councilman Alexander stated when 21 members of a police department take advantage of a training program of this type, this is much to say against all the criticisms we have of police departments in today's world. That this is commendable in our police department, and he hopes the day will soon come when it becomes a requirement that all members of our police department take this course.

COUNCILMAN TUTTLE LEFT THE MEETING.

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

APPLICATIONS FOR DETECTIVE LICENSES, AUTHORIZED.

Earlier in the meeting Councilman Short asked for delay in approving licenses for private detectives and asked if in granting special officer permits or private detective applications, Council is authorizing these people to carry concealed weapons? Mr. Underhill, City Attorney, replied the approval of the permits and applications is only authorizing the applicants to enter into this business, and there are only certain people designed by North Carolina Statutes to carry concealed weapons.

Councilman Short stated Mr. Underhill advises him that under the Statutes this has to be a policeman charged through the execution of the laws of the state, and he is sure this would not include a special officer.

Motion was made by Councilman Short, seconded by Councilman Alexander, and unanimously carried, approving the applications for city privilege license covering the classification of "private detective", as follows:

- (a) Melvin O. Smith, Carolina Detective Agency, State License No. 11.
- (b) Coley Mabane Sharpe, State License No. 189.
- (c) E. B. Watson, Security Forces, Inc., State Licnese No. 30.
- (d) Edward J. Pfundstein, Merchant Patrol, Inc., State License No. 232.
- (e) Richard W. Scott & Associates, Inc., State License No. 230.
- (f) William C. Wilson, Wilson and Associates, State License No. 136.
- (g) Henry F. Maness, Jr., Pinkerton, Inc., State License No. 125.
- (h) Ernest M. Howell, Pinkerton, Inc., State License No. 174.

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CITY FINANCE DIRECTOR AND COUNTY FINANCE DIRECTOR REQUESTED TO WORK OUT MORE REASONABLE SOLUTION TO ONE ITEM RELATING TO THE PRE-PAYMENT OF PROPERTY TAXES.

Councilman Thrower stated he has a letter to Mr. Charles Lowe from Mr. Blaisdell, Director of Finance for the County, on the prepayment of taxes in monthly installments.

Councilman Thrower stated Mr. Blaisdell sets forth seven things that should be required before anyone can take advantage of this. He stated six of the seven are self-explanatory, but one requires that each applicant file an application showing the tax parcel number, the property identification, mailing address, estimated tax and other information deemed appropriate. He stated this seems to him a little far-fetched, for a taxpayer.

Councilman Thrower gave the letter to Mr. Veeder, City Manager, called his attention to Item No. 2 and asked him to see if Mr. Fennell and the County's Director of Finance can work out a more reasonable solution on Item No. 2 so that perhaps this can be effective manually this year.

SUGGESTION THAT COUNCIL BE DIVIDED INTO SEVEN SECTIONS WITH EACH COUNCILMAN TO BE RESPONSIBLE FOR CERTAIN ITEMS TO BE BROUGHT TO COUNCIL FOR CONSIDERATION.

Councilman Withrow suggested that City Council divide the jobs of city councilmen into seven pieces of pie and make each councilman responsible for certain items coming before council; the councilman would go to the committee's meetings pertaining to this item and come back before the whole council and instruct the council as to what happened in the meetings. He stated he believes a councilman would then be more qualified to serve and would be better educated on the matters of city government.

REQUEST FOR INFORMATION ON CONDEMNATION FEES PAID FOR REDEVELOPMENT PROPERTY.

Councilman Withrow stated it has been brought to his attention that on some of the condemnation proceedings the city is paying exorbitant prices for property. He requested that it be looked into as much for his own information as for the public.

Councilman Withrow stated he understands that in some cases two appraisals are being paid - the city has an appraisal made and the property owner has an appraisal made and the city pays for both appraisals and the city pays the lawyers of the property owner. He stated in one case brought to his attention the lady received \$7,000 for the property, but the city paid \$9,200.00 for the property because of this procedure.

Mr. Underhill, City Attorney, advised the city is not required to pay attorney's fees. Redevelopment condemnations are required to pay attorney's fees. By law they are required to pay all costs of court plus reasonable attorney's fee for the attorney for the defendant. He stated his office does not represent the Redevelopment Commission in its condemnation suits.

Mr. Veeder, City Manager, stated he would check into this and get the facts for Council.

Councilman Withrow stated the instances he refers to are in Redevelopment; but it does seem they are paying exorbitant prices.

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DISCUSSION OF IMPROVEMENTS TO SOUTH MCDOWELL STREET AND EAST TRADE STREET.

Mr. Veeder, City Manager, stated with the dedication of the Law Enforcement Center scheduled for October 14, it becomes desirable to finish up some of the odds and ends that relate to the building. He stated he is referring to the need for a sidewalk on the McDowell Street side and some sidewalk improvements on the Trade Street side. Initially it had been hoped to get the complete section of McDowell, from Fourth to Trade Street under construction and completed so that it would coincide with the completion of the Law Enforcement Center. This has not turned out to be the case, so the only option now is to consider what can be done on the Law Enforcement side.

Mr. Veeder stated in order to do this on the Law Enforcement side, Mr. Birmingham, Acting City Engineer, has obtained prices that would be a change order to add on to the contract with Blythe Brothers. This will permit one more travel lane on the side of the Law Enforcement Center plus a sidewalk on McDowell Street and Trade Street; this will be a supplement to the existing contract in the amount of \$13,706.50. It will be making use of the same unit prices of the work Blythe Brothers did on McDowell Street Improvement, with an adjustment only for an additional traffic control which will be required by the nature of the work. He stated this is scheduled to be paid out of Redevelopment Funds as the block is in Brooklyn No. 3.

Councilman Short stated he owes a certain obligation to Mr. Cansler to at least warn him if anything adverse happens here. Mr. Veeder stated this has nothing to do with the opposite side of the street. Councilman Short stated Mr. Cansler suggests that two travel lanes be on the west side and none on the east side, and Mr. Veeder is suggesting one travel lane and a sidewalk so this will have an effect on Mr. Cansler. Councilman Short stated he feels he has a certain obligation to at least advise Mr. Cansler that Council is voting on something that will affect his building, and for this reason he would like to defer this until next week.

Councilman Short asked what the time urgency is; that without his vote this cannot go through, and he has promised Mr. Cansler that he will advise him on this.


Mr. Birmingham stated if the city did nothing about the Cansler property, it would still do this; this is widening in an existing right of way and the city frequently does this all over town. He stated if Council waits until next week Blythe will not accept the supplement to the contract as they have a dead line.

Councilman Short stated his promise to Mr. Cansler was absolute to keep him advised of anything, and he just cannot fall back on his promise.

After talking to Mr. Cansler by telephone and further discussion, Councilman Short suggested that Council schedule a meeting for the following day.

ADJOURNMENT UNTIL 11:30 O'CLOCK A.M. TUESDAY, SEPTEMBER 9, 1969.

Councilman Short moved the meeting be adjourned until 11:30 o'clock in the morning Tuesday, September 9. The motion was seconded by Councilman Thrower, and carried unanimously.


Ruth Armstrong, City Clerk