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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held on Monday, June 29, 1970, in the Council Chamber, 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.

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

ABSENT: Chairman Toy and Commissioners Blanton and Brewer.

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INVOCATION.

The invocation was given by Reverend Robert S. Hayden, Rector of St. John's Episcopal Church.

MINUTES APPROVED.

Motion was made by Councilman Whittington, seconded by Councilman Thrower, and unanimously carried, approving the minutes of the last meeting on June 22, 1970, with the following correction:

Page 69 - Second Word of first sentence - change "Tuttle" to "Short".

AMERICAN CREDIT CORPORATION AND RADIO STATION WBT PRESENTED AWARDS FOR OUTSTANDING PATRIOTIC ACHIEVEMENTS.

Mayor Belk stated it is always an honor and a distinction to recognize the City's fine citizens. This afternoon there are two people present who have distinguished not only themselves but their companies as well as our city and nation in outstanding patriotic achievement.

He stated at a time when many forces divide this nation, American Credit Corporation and Radio Station WBT have given hundreds of thousands of citizens a means of expressing their patriotism through their "It's Great to Be An American" Program. Their 1970 efforts have greatly expanded since it won a Freedom Foundation Award last year. Today it reaches people in nine states and it continues to grow.

Mayor Belk stated for this outstanding achievement he is proud to salute these two fine Charlotte companies with a special citation and to congratulate them on their splendid work.

Mayor Belk presented Mr. J. E. Burnside, Jr. of American Credit Corporation, and Mr. Paul Merritt of WBT Radio with the award.

Marion

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STATEMENTS FAVORING TEXT AMENDMENT TO ZONING ORDINANCE TO PERMIT LIMITED MANUFACTURING IN RESEARCH DISTRICT.

Mr. George Broadrick, President of Chamber of Commerce, stated he is present to make a brief statement in behalf of a zoning matter that will come before Council. That four years ago under the sponsorship of the Charlotte Chamber of Commerce, the University Research Park was founded; this was a non-profit cooperation and it was founded in order to try to attract those companies with a high degree of science and technology that would come and locate facilities on property adjacent to the University of North Carolina at Charlotte.

He stated at that time it was beyond their fondest hope that they would attract one of the finest corporate citizens in this country - one of the great corporations in this world - International Business Machines Corporation. This company has taken option on property owned by the University Research Park and they are present today to request certain modifications in the zoning of the property that will facilitate their operations.

Mr. Broadrick expressed to the Council and the Planning Commission their sincere thanks for the splendid cooperation and help of Mr. Fred Bryant, Mr. William McIntyre, Chairman Toy and Members of the Planning Commission. He stated they have gone the last mile in an extra effort to try to resolve this modification of the zoning ordinance for this district.

Mr. Richard Holiday, Attorney for IBM, stated they have taken option on 450 acres in the Research Park; they have worked with members of the Planning Staff and have met with the Planning Commission with respect to the proposed ordinance to permit limited manufacturing in the Park. He stated they have reviewed the ordinance and find it will be suitable of their proposed uses.

ORDINANCE NO. 691 AMENDING CHAPTER 23 TO ESTABLISH NEW DISTRICTS TO BE KNOWN AS RESEARCH I AND RESEARCH 2 TO PERMIT LIMITED MANUFACTURING OPERATIONS IN RESEARCH 2, AND ORDINANCE NO. 683-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE ZONING ORDINANCE AMENDING ZONING MAP TO DESIGNATE THE AREAS PRESENTLY ZONED RESEARCH WEST OF I-85 AS RESEARCH 2 AND THE AREA EAST OF I-85 AS RESEARCH 1.

The public hearing was held on Petition No. 70-91 by Charlotte-Mecklenburg Planning Commission to amend the text of the zoning ordinance to permit limited manufacturing operations in the Research District.

Mr. Fred Bryant, Assistant Planning Director, stated when the Research District concept was being formulated there was some discussion concerning the advisability of permitting some limited manufacturing within the ditrict; it was decided that the regulations would be drafted initially without any reference to manufacturing uses primarily for the purpose of waiting until some specific proposal came along that they could react to, and at that time amend the regulations in relations to some definite useage.

He stated the objective in considering these recommendations was to permit some manufacturing without destroying the specific character of the area and to attempt to maintain and assure space for research and laboratory activities within the vicinity. It was approached from the standpoint of making this a limited manufacturing availability and at the same time retain enough of the laboratory research characteristics to maintain for this area that type of orientation.

Mr. Bryant pointed out the present boundaries of the Research District and stated there is property within the Research District extending from U. S. 29 to the east over to Mallard Creek Road on the west.

He stated this amendment is recommended by the Planning Commission and the vote was 6 to 1.

Mr. Bryant stated two types of control are installed into the proposal. The first is in the form of regulations that will permit manufacturing within the

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Research District subject to some very specific limitations. Limiting both the type of manufacturing and limiting the amount of manufacturing space that can occur within a particular facility. The first part will amend the table of permitted uses to install two types of regulations within the table of permitted uses (a) Permit manufacture of certain items on a limited basis subject to the restrictions in Section 23-34.05. Under Section 23-34.05 permitted manufacturing shall be limited to the production of items described in Industry Codes 2834 and 3573 of the Standard Classification Manual prepared by the office of Statistical Standards. This will permit only the manufacture of two specific types of products within this area. Industry Code 2834 will permit the manufacture of pharmaceutical drugs. Industry Code 3573 will specifically permit the manufacture of computers and computers components. These are the only two types of items that are proposed to be manufactured at present within this area. The second limitation is in the amount of floor area that can be devoted within a specific facility to pure manufacturing. This will require that at least 55% of the total floor area of the facility be devoted to uses already permitted in the Research District other than manufacturing. He stated in addition at least 10% of the floor area can be devoted to storage without it counting against the actual space utilized for manufacturing. Anything in addition to 10% of the floor area, whether it is storage or not, would be counted as part of the 45% permitted manufacturing space.

He stated this is the type of control that would be installed as a matter of right. A use can be established within the area subject to these controls as a matter of right without any further review.

Mr. Bryant stated the second control in the proposal is to permit manufacture of certain items on a limited basis as a Special Use under Section 23-40.43. It is recognized when establishing a large facility in stages, it is possible there will be temporary periods during which there would be an excess over and above the basic permitted amount. This is one type of situation that could develop. There could be temporary situations when it would be desirable to permit this to be carried beyond the point of the basic limitations. Therefore, they propose to set up a special permit procedure whereby after plans have been submitted, after statements have been submitted as to the type of facility proposed, then City Council after a recommendation of the Planning Commission could grant a special permit to permit something in excess of the basic 45%. He stated there can be situations where a larger amount of manufacturing space can result without damage to the high quality standards set for the Research District, particularly when brought about by staging of the construction. That the establishment of a facility devoting less than 55% of total floor area to permitted non-manufacturing uses may occur after special use approval subject to the following requirements: (1) Only the uses permitted to be manufactured. (2) All other dimensional and applicable requirements of the chapter shall apply. (3) The petitioner shall submit with the request for a special use permit a statement describing the type of manufacturing to occur, the percentage of space which will be utilized and future plans which will change that percentage. (4) Based on this, City Council may find that the proposed amount of manufacturing will still permit the attainment of the purposes of the Research District by retaining a desirable environment for the location of research and laboratory oriented uses. That upon finding this, it would be possible to grant the special permit in excess of the basic 45% manufacturing space.

Councilman Tuttle stated as he understands the operation, it will not be a smoke-filled, nor chemical or noisy operation. He asked Mr. Holiday, Attorney for IBM, if the amendment, as proposed, will fit their needs, and Mr. Holiday replied they have reviewed it and it will fit their needs.

Mr. Bryant stated in the matter of the area consideration in view of some circumstances that have come to their attention in this area, there has been an expressed desire to keep manufacturing out of a certain portion of this

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Research District and the portion he refers to is the portion that lies to the east of I-85, running from I-85 over to North Tryon Street. There are some facilities in this area that would warrant consideration in the direction of setting it up as a non-manufacturing area. Collins and Aikman have established in this area a large facility devoted especially to the laboratory and office type usage; there is some indication that it would be better to keep manufacturing away from that particular type of facility. The property just across Harris Boulevard is zoned Institutional and is owned by the University of North Carolina at Charlotte with the exception that the area will someday be utilized as part of the college facility. This is an additional reason why some thought should be given toward keeping manufacturing out of this area east of I-85.

Mr. Bryant stated because of these facts the Planning Commission proposes in addition two separate districts be made of the one existing Research District, to be called Research 1 and Research 2. In the Research 1 District which will consist of the area east of I-85 the regulations will remain as they are now with no changes. In the portion west of I-85 the installation of the permitted manufacturing activities will take place and the permitted manufacturing will occur in that area. He stated this can be accomplished with ease as in effect all you will be doing is installing the regulations for the portion west of I-85 and calling it Research 2 and leaving the portion east of I-85 as it is and calling it Research 1.

Dr. Joe Embry, resident of Mallard Creek Community, stated the area is just beyond the subject property. He stated this land is in the county and there is the problem of land in the county being decided by the city body. When people have property and there is a zoning ordinance established people expect the zoning to be followed. He stated there is land available for all possible uses; it may cost more to get the land. That the way this is being done is a little dubious, that he finds it a little irregular for the Chamber of Commerce to make the first speech encouraging this group to exceed the request of the corporation. That there is a Research Park and Collins and Aikman say they want to keep theirs the way it is supposed to be and ask that they be protected and then let the others have what they want. He stated it sounds to him as if IBM and Collins and Aikman and the Chamber of Commerce are deciding this proposal.

Dr. Embry stated as a member of the community which is planned residential and the only intrusion in the area is when Council gave into the demands of one man along Highway 29. Outside of that the whole northeast side of Mecklenburg County is residential, and the Research District would not ruin the residential district. He stated the residents of this community would like to keep it residential and keep this as a Research Park, not an industrial tract.

Councilman Whittington asked Dr. Embry what he objects to, and he replied this is a Research Park and he proposes that it be kept as a Research Park; that he has no objection to a small manufacturing of electronic components but if you go to 45% this is a different matter.

Councilman Tuttle stated Collins & Aikman, IBM and Chamber of Commerce is not deciding this issue today; this Council will decide it.

Mr. Allen Tate, Vice-Chairman of the Planning Commission, advised the Mayor and Council that the Planning Commission recommends approval of the petition and it was on a vote of 6 to 1.

Mr. W. T. Harris spoke in favor of the petition and stated this will not be an obnoxious type of operation and it will be the same type of operation as the Research Triangle.

Councilman Whittington moved adoption of an ordinance to amend the text of the Zoning Ordinance to establish new Districts known as Research 1 and Research 2

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with limited manufacturing to be permitted in Research 2 and the adoption of an ordinance amending the zoning map to designate the areas presently zoned Research west of Interstate 85 as Research 2 and the area east of Interstate 85 as Research 1. The motion was seconded by Councilman Tuttle.

Mr. Tom Sykes, a resident of the College Community section of the County, stated this is a wonderful thing to bring IBM into this area or anyone else who can keep a clean operation and perform the things that IBM will do. The area needs developing and it needs the type of development that IBM will bring.

Councilman Short stated upon the advise of the City Attorney, he will not be able to vote on this particular motion because of a conflict of interest.

Councilman Withrow stated he owns property in the area and he will not be able to vote.

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

YEAS: Councilmen Whittington, Tuttle, Alexander, Jordan and Thrower.

NAYS: None.

Councilmen Short and Withrow abstained from voting.

The ordinances are recorded in full in Ordinance Book 17, with Ordinance 683-Z at Page 192 and Ordinance No. 691 beginning at Page 201.

HOUSING AUTHORITY PRESENTS CHECKS TO CITY REPRESENTING PAYMENT IN LIEU OF TAXES ON HOUSING PROJECTS.

Mr. Zeb Strawn, Vice Chairman of the Housing Authority, presented the following checks representing payments in lieu of taxes in the total amount of \$75,880.61:

- (1) Check on the North Carolina National Bank representing payment on Piedmont Court and Fairview Homes in the amount of \$30,684.93.
- (2) Check on the Wachovia Bank and Trust Company representing payment on Southside Homes and Belvedere Homes in the amount of \$23,328.87.
- (3) Check on the First Union National Bank representing payment on Earle Village Homes and Edwin Towers in the amount of \$21,866.81.

He stated each year the Authority pays the City an amount in lieu of taxes; over the years this has amounted to \$1,060,161.49. Together with this \$75,880.61, the Authority has made a total payment in lieu of taxes in the amount of \$1,136,042.09.

Councilman Tuttle expressed Council's sincere thanks to the Housing Authority stating this payment is made on a voluntary basis.

Mayor Belk thanked Mr. Strawn and stated he and all of Council appreciate the fine work the Authority is doing.

ORDINANCE NO. 684-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE AMENDING THE ZONING ORDINANCE BY AMENDING THE ZONING MAP TO CHANGE THE ZONING OF PROPERTY BOUNDED BY UNIVERSITY CITY BOULEVARD AND THE OLD CONCORD ROAD.

The public hearing was continued on Petition No. 70-89 by Charlotte-Mecklenburg Planning Commission for a change in zoning from R-12MF to B-1 of property bounded by University City Boulevard and the Old Concord Road, beginning at the intersection of the two roads and extending approximately 1,100 feet towards Mallard Creek Church Road.

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Mr. Fred Bryant, Assistant Planning Director, stated this petition was continued from the last zoning hearing date for the purpose of giving some other people an additional opportunity to come in and be heard. This is the area near the University of North Carolina - a triangular-shaped area at the intersection of University City Boulevard or N. C. Highway 49, and the old Concord Road. He stated the recommendation is that it be changed from its present multi-family zoning classification to B-1. He stated this is an outgrowth of requests filed as a result of the University Area zoning proposals. That two people appeared at the hearing two weeks ago in opposition to it.

Mr. Clifford Honeycutt, Pastor of College Park Baptist Church, stated they own an acre and 8/10 of land at the intersection of Old Highway 29 and Highway 49; the property is not good for anything but business since it is in the intersection. He stated they have received several offers to sell this property if it is rezoned to B-1; they can get about \$100,000 for the lot if it is rezoned; if it is not rezoned it is worth about \$35,000.00. Mr. Honeycutt stated they are planning to build elsewhere at a cost of half million dollars and the money for the subject property is very important to them.

Councilman Short asked if this is a situation where Council is asked to zone business to help those who are moving out against the expressed wishes of those who are staying? Mr. Honeycutt replied he lives directly across from the property; that he lives as close to the property as the man who opposed it. That he has eight children - 4 girls and 4 boys; he is very much concerned about what goes here; that he will be living there unless the church throws him out; that he will be there and he is very much concerned.

Councilman Short asked if Mr. Otis Burroughs' property is included within the subject petition, and Mr. Honeycutt replied it is not; it is up the road to the right.

Mr. Tom Sykes stated this property is definitely business property; that the college will demand some type of business to take care of the people who attend the college; that he knows of no better location than this particular area for a business zoning. That Alexander Tank is already located in the area, and there are several other small businesses around in the immediate vicinity. He stated he is strictly in favor of this area being made business as the college students will demand facilities in the area for the proper type of clothing outlets and things of that nature.

Mr. Allen Tate, Vice Chairman of the Planning Commission, advised the Planning Commission recommends the petition be approved.

Councilman Tuttle moved adoption of the subject ordinance changing the zoning from R-12MF to B-1 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 17, at Page 193.

STATEMENT BY ALBERT PEARSON ON MODEL CITIES COMMISSION MEETING.

Mr. Albert Pearson stated he attended a Model Cities meeting the other day, and he would like to state publicly that he appreciated the Mayor's patience at the meeting and his willingness to listen, and it was a good job on his part as the presiding officer.

Mr. Pearson stated the meeting was very orderly up to a point, and that point was when a young man got up and used personalities against Mr. Jones. He stated it is a shame when the City has a program like Model Cities and it has to come to a head the way it did come to a head when you have on

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that Committee the Mayor of the City of Charlotte, Chairman of the County Commissioners, Chairman of the School Board, Councilman Alexander, and Commissioner Myers and others who supposedly thought they had some authority to do something which evidently they did not. That when you have men of that caliber on a Board and they sit for three hours and cannot make a definite statement as to whether the group has the authority or not, then Council will have to take the blame for what happened. No one else can take it. This leaves a great deal of doubt in everyone's mind as to why this had to happen. It did not have to happen.

He stated he thinks it is time that we were a little more honest with people; these people are entitled to an honest straightforward answer and they did not get them. This should come out in the open and be explained to the people of Charlotte as to what is the Model Cities Program, and who is running it.

Mayor Belk replied we have to face all issues, including this one, and will continue to face them as best we possibly can. We have nothing to hide and if there is anything anyone would like to know, it will be brought out.

ORDINANCE NO. 685-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE AMENDING THE ZONING MAP BY CHANGING THE ZONING OF THREE LOTS AT 812, 818 AND 830 QUEENS ROAD.

Councilman Whittington stated he has studied the subject request and has talked to the general contractor who has just completed a building similar to this, and has talked to some of the people who are to move in there. He stated he has read the things the petitioner and the developer did in reducing the size of the building and the number of units in order to try to comply with the Planning Board's wishes. That it has been said one of the buildings there does not look good and perhaps it is dated, but this is not the responsibility of Council. This is the responsibility of the man who puts the money in there, and if it is approved by the Building Inspection Department, it is between the owner and the Building Inspection Department.

He stated because of the height of the land, between Bromley Road, Morehead Street and Hensley Place, that the requirements the people have agreed to is sufficient.

Councilman Whittington moved that the Planning Commission's recommendation to deny the subject petition be overruled and the petition be approved changing the zoning from R-6MF to R-6MFH. The motion was seconded by Councilman Jordan.

Councilman Short stated he would like to endorse 100% what the Planning Commission has recommended about the unique opportunities that exist along Queens Road to create an exceptional high quality, high density residential area. We have only one Queens Road, and the community good demands that we protect and control it and he thinks this is the responsibility of this Council. That he hopes we can install the type of facilities that all of us have envisioned there under R-6MFH zoning without creating the type of over-density that prevails on one or two other streets around town. That he would agree with what the Planning Commission has specifically said that high rise on Queens Road is mandatory if we are to use such a zoning as this in that area.

Councilman Short made a substitute motion that the petition be denied as recommended by the Planning Commission. The motion was seconded by Councilman Tuttle.

Councilman Withrow stated he is on a study committee for the study of high rise apartments on Queens Road, and this study is not complete, and this is his reason for holding up this project. He stated he cannot vote for the petition until the study is completed.

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The vote was taken on the substitute motion to deny the petition and lost by the following vote:

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

The vote was taken on the main motion to approve the change in zoning and carried by the following vote:

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

The ordinance is recorded in full in Ordinance Book 17, at Page 194.

ORDINANCE NO. 686-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE AMENDING THE ZONING MAP BY CHANGING THE ZONING OF A LOT AT 800 QUEENS ROAD.

Motion was made by Councilman Whittington, and seconded by Councilman Jordan, to adopt the subject ordinance changing the zoning from R-6MF to R-6MFH, and carried by the following vote:

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

The ordinance is recorded in full in Ordinance Book 17, at Page 195.

PETITION NO. 70-69 BY W. PINKNEY HERBERT, JR. FOR CONDITIONAL OFF-STREET PARKING FOR BUSINESS PURPOSES ON A LOT AT THE NORTHEAST CORNER OF DRIFTWOOD DRIVE, DENIED.

Councilman Whittington moved that the subject petition for conditional off-street parking be approved. The motion did not receive a second.

Councilman Short moved that the subject petition be denied as recommended by the Planning Commission. The motion was seconded by Councilman Tuttle, and carried by the following vote:

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

CONTRACT WITH H. B. MAYNARD AND COMPANY, INC. TO ESTABLISH AN EQUIPMENT MANAGEMENT PROGRAM, APPROVED.

The subject contract with H. B. Maynard and Company, Inc. to establish an Equipment Management Program at a cost not to exceed \$15,610.00 was presented for Council consideration. Council was advised the proposed contract will provide assistance in the following objectives:

1. Detailed analysis of the present organizational structure as it relates to our present needs.
2. Development of a preventive maintenance program.
3. Preparation of guidelines for governing the replacement and disposal of equipment.
4. Defining comprehensive policies relative to the development of specifications for equipment purchases.
5. Developing a parts control system.

Mr. Hopson, Public Works Director, stated in looking into the Motor Transport Department and in the study under the Space Utilization Association contract there is a drastic need for improvement of space, but that is several years ahead.



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He stated there is some \$4.0 million worth of equipment in this area, and there is a need for advice from Maynard and Company or someone similar to bring the City up to date on writing specifications, on developing a good program of preventive maintenance and just improving the image of the whole department. He stated he highly recommends this study.

Councilman Jordan moved approval of the contract as recommended. The motion was seconded by Councilman Tuttle for discussion.

Councilman Whittington asked if this study deals primarily with Mr. Buck Davis's department, and asked if this deals with the Police Department? Mr. Hopson replied it is Mr. Davis's department, and it does not include either the Police or Fire Department but includes all the other equipment of the city. That it is mainly oriented toward the heavy equipment where a lot of money is spent and where a few recommendations can save this cost.

The vote was taken on the motion and carried unanimously.

ORDINANCES AMENDING ORDINANCE NO. 255-X, THE 1969-70 BUDGET ORDINANCE AUTHORIZING TRANSFER OF FUNDS FOR END OF FISCAL YEAR ADJUSTMENT.

Motion was made by Councilman Tuttle and seconded by Councilman Thrower to adopt the following ordinances:

- (a) Ordinance No. 687-X amending Ordinance No. 255-X, the 1969-70 Budget Ordinance authorizing the transfer of \$151,200 within the General Funds.
- (b) Ordinance No. 688-X amending Ordinance No. 255-X, the 1969-70 Budget Ordinance authorizing the transfer of \$113,700 within the Water Funds.
- (c) Ordinance No. 689-X amending Ordinance No. 255-X, the 1969-70 Budget Ordinance authorizing the reduction of revenues and expenditures in the Water and Sewer Debit Service Fund to read \$1,242,100.00.

Councilman Short stated Mr. Fennell has given Council a written explanation of why this money is needed in the sixteen places, but he does not explain why the money is available and left over in the fifteen places from which it is to come.

The City Manager replied around the middle of May we cut back on purchase orders and do not permit any more to go through without good reason, and this is aimed towards keeping the year balances so that it can be carried over into the proposed budget.

Councilman Short stated he is a little leery of one point. The traffic in Charlotte is horrible. That in one instance what Council is being asked to do today comes through to him in one way. Council is asked to take \$25,000 away from traffic control devices and spend an amount up to \$15,000 to air condition the Council Chamber which is already air-conditioned. That he is leery of voting for this; that the traffic problems are worse than the air conditioning problems. Mr. Veeder replied what we set out to do budget-wise was accomplished with this much money not needed by June 30th of this year.

Councilman Whittington stated the public does not understand this; a 22 cent increase is advocated in the preliminary budget and yet there is this amount of money that has not been spent.

Councilman Short made a substitute motion that the item of \$25,000 from traffic controls be deleted as an item that money will be taken away from, and that this be otherwise approved. The motion did not receive a second.

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After further discussion, the vote was taken on the motion to adopt the three ordinances and carried by the following vote:

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

The ordinances are recorded in full in Ordinance Book 17, beginning at Page 196.

ORDINANCE NO. 690-X APPROPRIATING FUNDS FOR PAYING USUAL EXPENSES OF THE CITY PENDING ADOPTION OF THE 1970-71 BUDGET ORDINANCE.

Upon motion of Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, the subject ordinance was adopted and is recorded in full in Ordinance Book 17, at Page 199.

COMPROMISE SETTLEMENT WITH MARGARET E. BRYAN AND FRANCES BRYAN PATTON AND HUSBAND, JOHN R. PATTON, APPROVED.

Councilman Alexander moved approval of a compromise settlement in the amount of \$7,500.00 with Margaret E. Bryan and Frances Bryan Patton and husband, John R. Patton, for the acquisition of 62' x 101.12' x 108.63' of property at 1012-14 Haley Place for the Northwest Expressway. The motion was seconded by Councilman Whittington, and carried unanimously.

PROPERTY TRANSACTIONS AUTHORIZED.

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

- (a) Acquisition of 5.84' x 13.50' x 12.65' of property at 901 Maple Street, from Thomas A. Jenkins and wife, Lillian J. Shute and husband, Mildred J. Williams and husband, Johnsie J. Youngue (widow) and Carrie Jenkins Hines and husband, at \$300.00 for the Northwest Freeway.
- (b) Acquisition of 15' x 1,262.05' of easement in 4800 block of Tuckaseegee Road, from Coatsworth Henderson McCoy, Sr., Heirs, at \$1,263.00, for the Taggart Creek Outfall.
- (c) Acquisition of 107.95' x 114.73' x 73' x 157.53' of property on Tyvola Road at I-77, from Y. L. Honey Interests, at \$2,000.00 for the Tyvola Road Landfill.

SALE OF CITY-OWNED PROPERTY IN THE TYVOLA ROAD AREA TO THE HIGH BIDDER, APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Thrower, and unanimously carried, the sale of 0.443 acres of city-owned property, a portion of abandoned landfill in the Tyvola Road area, to Y. L. Honey Interests, for the high bid of \$2,000.00, was approved.

SALE OF CITY-OWNED PROPERTY AT 720 WESLEY AVENUE TO THE HIGH BIDDER, APPROVED.

Councilman Tuttle moved approval of the sale of 4,275 sq. ft. of city-owned property located at 729 Wesley Avenue to Mr. Bobby R. Morgan for the high bid of \$700.00. The motion was seconded by Councilman Thrower, and carried unanimously.

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SALE OF CITY-OWNED PROPERTY AT 615 WESLEY AVENUE, AUTHORIZED.

Motion was made by Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, authorizing the sale of city owned property at 615 Wesley Avenue at public auction to the highest bidder.

SETTLEMENT WITH MRS. NORA A. TAYLOR FOR PURCHASE OF RIGHT-OF-WAY FOR THE WIDENING OF SOUTH BOULEVARD, APPROVED.

Upon motion of Councilman Thrower, seconded by Councilman Withrow, and unanimously carried, settlement with Mrs. Nora R. Taylor (divorced) in the purchase of right-of-way for the widening of South Boulevard, in the amount of \$2,200.00 was authorized.

CONTRACT WITH SHARON UNITED METHODIST CHURCH FOR INSTALLATION OF SANITARY SEWER TRUNK AND MAIN OFF SHARON ROAD, APPROVED.

Councilman Whittington moved approval of a contract with Sharon United Methodist Church for for the installation of 560 lineal feet of 8-inch sanitary sewer trunk and main, to serve property off Sharon Road, inside the city, at an estimated cost of \$4,660.00. The motion was seconded by Councilman Tuttle, and carried unanimously.

STREETS TAKEN OVER FOR CONTINUOUS MAINTENANCE.

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

- (a) Ashmeade Road, from 875 feet east of Kirkpatrick Road to 1,055 feet east of Kirkpatrick Road.
- (b) Portburn Road, from 160 feet south of Ashmeade Road to 200 feet south of Ashmeade Road.
- (c) Beckett Court, from 205 feet north of Ashmeade Road to 170 feet north of Ashmeade Road.
- (d) Beckett Court, from 225 feet south of Ashmeade Road to 185 feet south of Ashmeade Road.
- (e) Joyce Drive, from 125 feet south of Kildare Drive to 300 feet northwest of Kildare Drive.
- (f) Georgetown Drive, from 161 feet east of Hidden Forest Drive to Monteith Drive.
- (g) Pondella Drive, from 225 feet east of Hidden Forest Drive to Monteith Drive.
- (h) Heatherbrook Avenue, from Georgetown Drive to Pondella Drive.
- (i) Monteith Drive, from 200 feet south of Georgetown Drive to Tom Hunter Road.
- (j) Canterwood Drive, from Monteith Drive to 225 feet east of Monteith Drive.
- (k) Artwin Road, from Monteith Drive to 260 feet east of Monteith Drive.

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TRANSFER OF CEMETERY DEED.

Upon motion of Councilman Thrower, seconded by Councilman Withrow, and unanimously carried, the Mayor and City Clerk were authorized to execute a deed with George Vlahos for Lot No. 259, Section 4-A, Evergreen Cemetery, at \$252.00.

CONTRACT AWARDED BUSINESS SUPPLIES CORPORATION OF AMERICA FOR DATA PROCESSING CARDS.

Councilman Jordan moved award of contract to the low bidder, Business Supplies Corporation of America, in the amount of \$7,627.55, on a unit price basis, for data processing cards. The motion was seconded by Councilman Whittington, and carried unanimously.

The following bids were received:

Business Supplies Corp. of America	\$7,627.55
Globe Ticket Co., Inc.	7,853.00
International Business Machines	8,026.18

CONTRACT AWARDED THOMAS STRUCTURE COMPANY FOR SANITARY SEWER CONSTRUCTION TO SERVE PARKSTONE-FAIRMEADOWS TRUNK RELOCATION.

Motion was made by Councilman Whittington, seconded by Councilman Thrower, and unanimously carried, awarding contract to the low bidder, Thomas Structure Company, in the amount of \$22,737.90, on a unit price basis, for sanitary sewer construction to serve Parkstone-Fairmeadows Trunk Relocation.

The following bids were received:

Thomas Structure Company	\$22,737.90
Sanders Brothers, Inc.	25,695.50
Dickerson, Inc.	30,589.30
Joe R. Abernethy Const. Co.	34,137.50

COUNCILMAN JORDAN LEFT MEETING.

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

REQUEST THAT SPEED OF TRUCKS USING BEATTIES FORD ROAD IN CONNECTION WITH THE CONSTRUCTION OF THE EXPRESSWAY BE REDUCED.

Councilman Alexander stated the big dirt trucks are creating a death trap on Beatties Ford Road by the speed in which they use Beatties Ford Road. That these are the trucks from the construction of the expressway. He stated someone should talk to whomever is in charge immediately to see if they cannot cut down the speed of the trucks. The trucks run 3, 4 and 5 at one time and it needs to be looked into to see if the speed can be reduced.

ESTABLISHMENT OF A FIVE MEMBER CHARLOTTE AMBULANCE ADVISORY BOARD AUTHORIZED WITH APPOINTMENTS TO BE MADE BY THE MAYOR.

Councilman Short stated he is sure the consensus of the City Council is that the municipal ambulance service cannot be afforded in this year's budget. That he feels the City should do what it can to make sure that our citizens are getting top service from the private franchised operator. He stated what

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is needed and what Council can do is to appoint a Mayor's Committee to serve as a Charlotte Ambulance Service Advisory Board. This Advisory Board should include a physician, a hospital administrative person, a lawyer, an accountant and a citizen at large, and the Committee should have some blacks on it.

Councilman Short stated the Board should be asked to study the needs of the Charlotte Ambulance Service immediately in terms of their buildings, quarters, their rolling stock, their equipment and personnel training. He stated the Board should particularly study whether or not a satellite station is needed; the Board should address itself to the question of what rate increase, if any, is needed to keep the franchise operator in good financial condition, and to enable it to purchase whatever additional equipment that the Board might recommend. All of the procedures of the Ambulance Company should be studied and evaluated by the Citizens Advisory Board; they should address themselves particularly to the present governmental subsidy and recommend changes as they see necessary in the subsidy amount. He stated the Board should report back to Council as soon as possible and no later than this Fall.

Councilman Short moved that the Mayor be asked to appoint such a five member Board and charge it accordingly. The motion was seconded by Councilman Tuttle.

Councilman Tuttle stated this is good because the public is aware that here is a public service, and Mr. Thrower has made this point a number of times, but the public is not represented; this is an opportunity to let them know they have a voice in the operation of the ambulance system.

The vote was taken on the motion and carried unanimously.

Later in the meeting, Councilman Whittington stated the Charlotte Observer Editorial Department had an editorial last week and quoted him as saying that Council would make a decision on what it was going to do about ambulance service as it relates to the Fire Department, the present operator, putting it into the Police Department, and so forth. That for the record, Council should state for monetary reasons the operation of the Charlotte Ambulance Service will not be changed in this budget; it will not be considered in this budget.

Councilman Alexander stated he is concerned about the general service of the ambulance system, and if the Committee is not going to look into that and come back with some recommendations, then the committee has not done anything and the committee is not needed. The only thing the committee needs to do is to tell how the service can be improved and if it can do that, then perhaps there is a need for it. That he would like to be sure this is a part of the responsibility of this committee to look into the services of the present ambulance service and come back to Council with recommendations on how it can be improved.

Councilman Short replied if he did not include that, he surely meant to include it. Councilman Tuttle stated this was his impression when he seconded the motion.

**CITY ATTORNEY REQUESTED TO PREPARE RECOMMENDATIONS ON ORDINANCE RELATING TO SAFE SIDEWALKS AND STREETS SUCH AS ATLANTA HAS RECENTLY ADOPTED.**

Councilman Tuttle stated some few weeks ago Mr. Underhill, City Attorney, came up with an ordinance relating to safe sidewalks and streets and Council did not approve it as it. He stated we still need some ordinance giving the police the right to clear sidewalks. That Atlanta has come up with an ordinance that is very simple. It has to do only with standing, sitting, blocking or obstructing entrances into a building.

Councilman Tuttle requested the City Attorney to come up with a proposal on this order for Council to consider.

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HEARING RESECHEDULED ON PETITION FOR REZONING OF PROPERTY ON PARK ROAD,  
BEGINNING AT IDEAL WAY AND EXTENDING 300 FEET.

Councilman Whittington stated last year Council heard a zoning petition for a change from O-6 to B-1 of property on the east side of Park Road, beginning at Ideal Way and extending 300 feet.

Councilman Whittington stated he is going to move that Council reschedule this zoning petition on Council's own motion so that it can be disposed of once and for all. This was brought up before as the man had a hardship as far as parking under office zoning. He stated he believes the man was misled by his contractor and wound up with a paved parking lot on the front of his property that he cannot use.

Councilman Whittington moved on Council's own motion that a hearing be scheduled on Petition No. 70-98 for a change in zoning from O-6 to B-1 of property on the east side of Park Road, beginning at Ideal Way and extending 300 feet. The motion was seconded by Councilman Short.

Councilman Thrower stated by a vote of 6-1 Council denied a petition today where a man asked for conditional parking, and the same holds true on Park Road where the man paved up to the curb. That he sees no reason why this Council should take up the extra time to hear the petition over again.

Councilman Whittington stated he thinks the man deserves another day in Court; he has gone everywhere he could go to get relief, and could not get that relief; that he believes the man is telling the truth when he says the contractor did not get a permit when he made the cuts, and he did not know any better; that he thinks the man is honest and sincere and for that reason he thinks he should be given another day in court.

Councilman Short stated this motion is for a hearing and in seconding the motion he does not mean to imply he is committed to anything other than listening to the man's problem and having the hearing.

Councilman Tuttle stated Council has heard this petition, and asked if it has to have another hearing in order to make a decision? The City Attorney replied if it is to be reconsidered, it will have to be done through the public hearing process. Council, on its own motion, can ask that the rezoning process be followed to review and possibly amend the zoning ordinance, and that is basically what Mr. Whittington is suggesting.

The vote was taken on the motion and carried unanimously.

CITY MANAGER REQUESTED TO INVESTIGATE COMPLAINT OF RESIDENTS ON AMITY PLACE  
CONCERNING USE OF P.A. SYSTEM AT BURROUGHS-LINCOLN COMPANY AND USE OF AMITY  
PLACE TO TRY OUT CARS BY THE THREE AUTOMOBILE COMPANIES FACING ON EAST  
INDEPENDENCE BOULEVARD.

Councilman Whittington stated he had a number of calls last week from the residents of Amity Place about the loud speaker at the Burroughs-Lincoln Mercury Automobile shop on Independence Boulevard; that it was so loud it was disturbing the children and residents on Amity Place. Second, all three of the motor companies - their mechanics and salesmen are checking out the automobiles on Amity Place. Councilman Whittington stated this is one of the reasons Council worked so hard to get the retaining wall to separate the residents from the business development along East Independence Boulevard.

He requested the City Manager to have someone go out and talk to the people to try to keep them off Amity Place, and to get the P. A. System toned down.

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CITY MANAGER REQUESTED TO INVESTIGATE NEED FOR TRANSFERRING TRUCK ROUTE FROM REMOUNT ROAD.

Councilman Whittington stated over the weekend he received complaints about tractor-trailers using Remount Road. This is not a new complaint. That with the Municipal Swimming Pool open and the park being used by a lot of young people, most have to walk to get there. If there is another place to put these trucks the City should consider another route.

SUGGESTIONS OF COUNCILMAN WHITTINGTON ABOUT INCREASING REVENUES FOR THE CITY.

Councilman Whittington stated he does not know when Council will get into the preliminary budget to work towards a tax rate. He requested the City Manager to inform every department head the day or nights Council will discuss his budget, and he should be required to be present to back up anything that he has in the budget that has not been cut.

He requested the City Manager to have the staff make a survey with the local privately owned cemeteries about the charges for lots, opening and closing of graves, erection of foundations for monuments to see if the City is out of line with privately owned cemeteries.

Councilman Whittington stated he made the motion to not do anything about the combined inspections in the Building Inspection Department, but he believes the people who were here expected Council to look at the costs of building inspections, and he requested the City Manager to have someone from his department confer with Mr. Jamison to see if the permit fees should be increased in the next fiscal year, particularly in apartment construction and anywhere else he thinks an increase should be made.

He stated he talked with the City Attorney over the weekend to ask if Council on its own could incorporate a hotel and motel tax in the next fiscal year, and he says it cannot be done without legislation. That perhaps Council should think in terms of increasing the parking meter rates.

Councilman Whittington requested the City Manager to discuss with the County Manager the possibility of the Board of County Commissioners requiring Memorial Hospital to increase their rates for out-of-town residents; and if they agree hopefully Council will concur. That it is not fair to the County residents to pay the same rate as someone from another county.

Councilman Whittington stated these things will not help much but perhaps they will help a little, and as Council approaches the preliminary budget we need all the help we can get.

APPOINTMENTS TO MODEL CITIES LOW INCOME HOUSING CORPORATION BOARD.

Councilman Alexander stated some time ago the Model Cities program submitted the request to establish a Model Cities Housing Corporation; the legal terms of the corporation have been developed and now it is needed to name those persons who will serve on this Model Cities Housing Corporation Board.

Councilman Alexander placed in nomination the following three names for appointment to the Model Cities Low Income Housing Corporation Board:

1. Reverend Norman Kerry
2. Dr. Raymond Wheeler
3. Mr. Jones Masen.

After discussion Councilman Alexander moved the appointment of each of the three. The motion was seconded by Councilman Short, and carried unanimously.

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APPROVAL OF FEDERAL GRANT FOR REDEVELOPMENT PROJECT N. C. R-24 ANNOUNCED.

Mayor Belk stated Mr. Vernon Sawyer, Director of the Redevelopment Commission, talked with Congressman Charles Jonas this morning and learned that the Department of Housing and Urban Development has approved \$550,000 in federal grants for Project N. C. R-24. This increase represents the approval of Amendment No. 3 to the Redevelopment Plan for this project which is primarily for the purposes of taking care of the increased cost for the governmental center site improvement work. That the announcement today represents approval by HUD of federal matching funds.

CITIZEN SUGGESTS THAT DISTRICT JUDGES SHOULD SUPPORT POLICE OFFICERS IN CASES BROUGHT BEFORE THEM.

Mr. L. F. Snyder, 301 West Tenth Street, stated he would like to speak in defense of the police officers of Charlotte. Last Monday a Councilman brought up the fact that beer cans are littering the streets and asked that the Police Department try to catch some of the violators. This overlooked something more important and that is to encourage the district judges to back up the police officers on cases that are brought before them. Such as drunk drivers. He referred to a news article in which two judges made the statement that the reason they do not do any more to drunk drivers than they do is that public sentiment, society and public opinion is against them. He stated courts are supposed to be run by the laws and not by public opinions. He referred to another case where four young men were turned loose a few days ago after they were in a fracas on Providence Road. He stated no doubt it was because of their standing in public or through political pressure. It is high time our police officers were backed up by the courts when they have the courage to go out and bring the violators into court. Mr. Snyder stated he trusts something might be done about this in the near future.

SUGGESTION THAT ORDINANCE BE REPEALED REGULATING THE CONSUMPTION OF BEER IN CAR IF IT CANNOT BE ENFORCED.

Councilman Alexander stated some time ago Council passed an ordinance about beer drinking in cars and evidently we cannot enforce it as there is beer drinking in cars with drivers drinking beer. He stated if it cannot be enforced it should be repealed.

PUBLIC WORKS DIRECTOR REQUESTED TO REPORT ON MEETING WITH STATE HIGHWAY COMMISSION ON PAST THURSDAY.

Councilman Whittington requested the City Manager to have Mr. Hopson and Mr. Birmingham to give Council a report at the next Council Meeting on what was accomplished before the State Highway Commission on last Thursday.

APPOINTMENT OF MR. G. EDWIN PETRO AS AIRPORT MANAGER.

Mr. Veeder, City Manager, announced the appointment of Mr. G. Edwin Petro as Airport Manager. He stated Mr. Petro served as Director of Aviation for the Indianapolis Airport for 12 years; that he has been in the airport management field for some 23 years; he served as Assistant Director of Airports in Indianapolis; he served six years as Manager of the New Castle County Airport in Wilmington, Delaware. He is a Past President of the American Association of Airport Executives. Mr. Veeder stated Mr. Petro is a native of Indiana and is 45 years old.

He stated the Airport Advisory Committee was involved in the process of selecting someone for this position and they concur in the appointment of Mr. Petro as Airport Manager; that Mr. Petro will begin work on July 1, 1970.



SCHEDULE SET FOR COUNCIL MEETINGS FOR SUMMER MONTHS ALONG WITH BUDGET REVIEW SESSIONS.

Motion was made by Councilman Whittington, seconded by Councilman Tuttle, and unanimously carried, scheduling council meetings as follows:

Regular Council Meetings to be held on Mondays, July 13, July 20, August 3, August 17 and August 31. Meetings will not be held on Mondays, July 6, July 27, August 10, August 24 and September 7. The regular schedule will resume with the meeting on September 14.

Budget Review Meetings - Beginning the evening of Monday, July 13 with a public hearing Friday, July 17 on recommendations for Employee Wages and Benefits for fiscal 1970-71, which hearing is in accordance with policy established by Council last year.

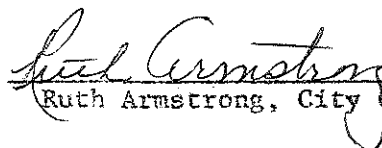
CITY MANAGER REQUESTED TO HAVE CITY STAFF MEET WITH COUNTY STAFF ON CONSTRUCTION OF SEWER OUTFALL ALONG MCALPINE CREEK.

Councilman Short stated the Board of County Commissioners at its meeting this morning discussed the possibility of building a sewer outfall along McAlpine Creek; informal action was to ask their staff to consider the possibilities and to confer with the city staff about this. He stated the County has bond money which was recently voted and the city owns the rights-of-way or easements most of the way for such an outfall.

Councilman Short suggested that the City Manager arrange for the city staff to discuss this with the county staff.

ADJOURNMENT.

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

  
Ruth Armstrong, City Clerk