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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held on Monday, July 30, 1973, at 3:00 o'clock p.m., in the Council Chamber, City Hall, with Mayor John M. Belk presiding, and Councilmembers Fred D. Alexander, Ruth M. Easterling, Sandy R. Jordan, James D. McDuffie, Milton Short, James B. Whittington, and Joe D. Withrow present.

ABSENT: None.

* * * * *

INVOCATION.

The invocation was given by Councilman Joe D. Withrow.

MINUTES APPROVED, AS AMENDED.

Upon motion of Councilman Short, seconded by Councilman Jordan, and unanimously carried, the minutes of the meeting on July 16, were approved, with the following corrections:

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Add the following hearing on Petition No. 73-28 which was inadvertently left out of the Minutes:

"HEARING ON PETITION NO. 73-28 BY JAMES A. SIMMONS FOR A CHANGE IN ZONING FROM R-6MF TO B-1 OF A LOT 76' X 90' AT 3300 RITCH AVENUE, THE CORNER OF 36TH STREET.

The public hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, stated this request involves a single lot located at the intersection of East 36th Street and Ritch Avenue. It is a double frontage lot, fronting both on Ritch and coming all the way through and having frontage on Benard Street, so that, in effect it has frontage on three streets. There is a house on the property at present. There is a vacant lot directly across Ritch Street from it, and the property to the rear across Benard is vacant. Down Ritch Street are single family residences; down Benard Street are also single family residences. The residential portion of the community lies to the northeast along Ritch and Benard. Across 36th Street, directly in front of the property, is a body of light industrial uses. At the corner of Tryon and 36th Streets is a used car lot. On the subject property side of 36th Street across a little branch is a builders supply facility and ice plant coming down to the railroad.

Generally speaking, there is industrial, or light industrial, activities on this side of 36th Street, and principally single family usage on the Ritch and Benard side of the property.

He stated there is I-1 zoning all along the southwest side of 36th Street. There is multi-family zoning down Ritch Street, down Benard Street and a small area of B-1 zoning across Benard Street from the subject property.

The subject lot and the adjacent lot across Ritch Street are the only residentially zoned properties that now exist along 36th Street.

Mr. T. L. Odom, Attorney for the petitioner, stated the property needs constant repair and constant upkeep, and Mr. Simmons has a problem keeping it rented. It is uneconomical for him to continue on that basis. It is for that reason Mr. Simmons asks for the rezoning to B-1. He has had a number of inquiries, primarily from a couple of florists who would like to put in a retail store.

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Mr. Odom stated he thinks the request is reasonable from a zoning pattern in that this lot and the one across Ritch Street, still on 36th Street, are the only two lots remaining on 36th Street in that area, that are not either industrial or business-oriented. The rezoning would bring that area into line with what is already there. The property that would be immediately adjacent to Mr. Simmon's property is also B-1. The change to B-1 would not be incompatible with this neighborhood.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred for a recommendation of the Planning Commission."

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Change the third paragraph which reads: "The vote was taken on the motion and carried unanimously", to read:

"The vote was taken on the motion and carried as follows:

YEAS. Councilmembers Alexander, Whittington, Easterling, Short and Withrow.

NAYS: Councilman McDuffie."

MR. CLAUDE ALBEA PRESENTED PLAQUE IN APPRECIATION OF SERVICE TO THE CITY OF CHARLOTTE.

Mayor Belk recognized Mr. Claude Albea and presented him a plaque in token of appreciation from the City for his many hours of planning and service to our city. He stated Mr. Albea has seen things change through the years and has been instrumental in many of the changes. That he and Council want to thank him for all his kindnesses and his service to all the citizens of this city. He stated Mr. Albea has given outstanding service and it has been appreciated.

Mr. Albea was congratulated by the Mayor and each member of Council.

RESOLUTION APPROVING AMENDMENT NO. 2, REDEVELOPMENT PLAN AND THE FEASIBILITY OF RELOCATION FOR PROJECT NO. N. C. R-78.

The scheduled public hearing was held on Amendment No. 2 to the Redevelopment Plan for Greenville Urban Renewal Area, Project No. N. C. R-78.

Mr. Vernon Sawyer, Director of Urban Redevelopment Department, presented maps of the area and stated the amendment consists of certain physical changes that have been made in the land use plan, certain changes in the text of the plan and described what has been taking place in the area and certain financial changes which reflect some increase in the cost.

First, the physical changes in the plan were made to accommodate either Planning Commission consideration, Traffic Engineering Department or to solve problems relative to the terrain, after they received correct engineering data. That they had completed this based on planning maps only and when they received more accurate data, then it became apparent that certain physical changes should be made in the interest of economy, grading, etc.

He stated beginning just off Oaklawn Avenue at Whisnant Street, they had Whisnant Street coming into Oaklawn Avenue as it was already but because the intersection of Oaklawn Avenue and Interstate 77, the grade was going to change to make it physically impossible to terminate at Oaklawn Avenue. Therefore, they have dead-ended the street by a cul-de-sac.

The next is Burton Street which was offset from Double Oaks Drive. They had realigned Burton Street to make a square intersection with Double Oaks Drive at Oaklawn Avenue which makes for better traffic control.

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Councilman Alexander asked if Double Oaks Road is going to end at Oaklawn and then be picked up as Double Oaks Drive across Oaklawn and Mr. Sawyer replied it will be picked up as Burton Street. That he should have said Double Oaks Road instead of Double Oaks Drive.

Mr. Sawyer stated they are retaining the name Burton Street which is familiar to the residents. The name has been associated with it for many years. This was the request and when they started naming the new streets, they submitted a list of names to a committee of the project area residents and got their recommendation back which was to retain the old names to the extent possible and to the extent that a new street was in the vicinity of the old.

Councilman Alexander stated there were only two through streets through Greenville, from Oaklawn Avenue, one was Burton and the other one was Johnson. That the streets that lay between, many of them have been done away with in the redevelopment and they will not exist anymore. He stated he would hate to see all those streets, that many of those people who plan to move back in, and helped to identify Greenville, as such, be completely done away with. That he would see nothing in the world wrong with keeping Burton Street as a part of this section as originally existed.

Councilman McDuffie stated as part of their concept of changing an area in Urban Renewal, the percentage of folks who lived there should not move back if there is to be any kind of integration as it ought to be in this area of new houses. That leaving the old-named street as part of the philosophy to put back what was so the folks will feel at home, which is good on one hand but bad on the other. Councilman Alexander stated even if we name that street Angel Avenue, he is afraid we are not going to get what Councilman McDuffie is inferring - that it will still be Burton Street in reality.

Councilman McDuffie stated when they agreed with the Court Order, Council agreed not to do the very same thing we are going to do, by putting back what was there with the same people that were there, and the percentages of blacks versus whites. That nothing will be accomplished but putting in new houses.

Councilman Alexander stated if the street was named Angel Avenue, it would still end up Burton Street 100%.

Mr. Sawyer stated the next street is Callahan Street which is a new street and was changed to move it further away from Oaklawn Avenue from the Oaklawn Avenue Statesville Avenue intersection. That they did have the shopping center site at the intersection of Oaklawn and Statesville, a larger area, by moving that street closer to the Oaklawn Avenue intersection. The traffic department requested that it move further away to prevent the possibility of traffic using that intersection backing up into the major thoroughfare.

He stated further down on Statesville Avenue, Dalton Avenue was abandoned and Oliver Street opened. Oliver being a new street, and that was the result of the State Highway Commission and the City deciding that the Graham Street-Dalton Avenue-Statesville Avenue intersection should be studied with the possibility of being interchangeable. That the study was made and the decision was made to interchange it. He stated a portion of the Statesville access was restricted so it cut off the possibility of Dalton Avenue being an access point to the project.

Mayor Belk asked how far this was from Dalton and Mr. Sawyer had it pointed out on the map. That Dalton does not change outside of the project area. The only way out of the project at that point is through the new Oliver Street because the State Highway Commission will restrict the access. Mr. Sawyer pointed out Oliver Street on the map. He stated it is not possible to gain access to the project south of that point. There is an entrance at Callahan and one at Oliver and two major entrances on Oaklawn.

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Councilman Short asked if there would be any consistent traffic movement across Dalton and then into Oliver Street and Mr. Sawyer replied no; that he did not believe a left turn movement will be made at Oliver but the final design has not been completed yet. He stated if you are coming south, you can turn in, there will be some median along Statesville but the final design has not been completed. Councilman Short stated basically it is more of an exit than anything else and Mr. Sawyer replied that is correct.

Mr. Sawyer stated Polk Street has been changed to Hamilton Street as a result of a terrain feature. They had a street paralleling the expressway and defining the park and it went across one of the deepest ravines in the whole project area. It would take a tremendous amount of fill at considerable expense to build up the area and it would also create drainage problems so the decision was made to abandon that one and create a new street that would tie in with Hamilton and serve the same purpose.

Councilman Alexander asked if Polk Street would be taken out all together and Mr. Sawyer replied yes, that portion of it.

Mr. Sawyer stated, in addition, Oaklawn Avenue is to be widened and improved on the project side. There was some improvement planned in the original planning, however, it was not planned to be improved to the extent it now is. This widening will be more in line with the improvements on I-77.

Mayor Belk asked about the widening and Mr. Sawyer replied the widening of Oaklawn Avenue will be uniform now from Beatties Ford Road to Statesville Avenue. The portion here is that leg of it bounding the project between I-77 and Statesville and will be 80-foot wide and most of it on the project side so that land will be dedicated for that purpose.

Councilman Short asked about the cash grants-in-aid mentioned further down on the agenda and if this means we are putting more money in Oaklawn Avenue beyond what was called for in the recent bond issue and Mr. Sawyer replied no, that amount of money was anticipated in the changes here. That this portion of Oaklawn might not have been included in the bond issue. He stated the price is going up some. Councilman Short asked if we are increasing the amount of money to be plowed into the overall distance of this street and Mr. Sawyer replied to some extent, yes.

Councilman Whittington stated we are going to widen Oaklawn from Statesville Road to Beatties Ford Road, which is what we said we were going to do in the bond issue and asked if Mr. Sawyer is saying that we are going to widen Oaklawn on the project side from Statesville Avenue to I-77 and get these grant-in-aids from HUD and Mr. Sawyer replied that is correct.

Mr. Sawyer stated the Statesville Avenue section, from Oaklawn to the project boundary, which is the Seaboard Railroad, has been restudied and a decision has been made to interchange the Dalton-Statesville-Graham Street intersection, using state and federal funds and city funds and the additional right of way has been reserved for that purpose. That this is a major change; it took an additional slice of land.

Councilman Whittington asked even though this land has been reserved, does the state not have any design or plans on it, or the city, and Mr. Sawyer replied that is correct. Councilman Whittington stated he did not want anyone to get the idea the state is going out there to make a big cloverleaf next week because it is twenty-five years too late now and Mr. Sawyer stated no, the engineering studies have been made and design is underway but no commitment for financing, or schedule, has been set on that portion. However, on the portion from Oliver Street north to Oaklawn, the cost of that is in the budget and is expected to be done within the life of the project, which would be in the next three years with state funds and some funds from the project.

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Councilman Alexander asked if you come south on Statesville Avenue, before you get to the railroad overpass where the stoplight is, does that block there where you make a right turn, going into Liddell Street still exist or will it be closed up and Mr. Sawyer replied it is going to be closed up. Councilman Alexander asked if Dalton Street would be up above that area where you can go into the development and Mr. Sawyer replied that is correct; it is as originally planned. Mr. Sawyer stated Dalton Street, coming across in front of the Sealtest Building, would also extend across Statesville into the project. Liddell Street is to be cul-de-sac, or dead-ended.

Councilman Alexander asked if you would enter the project from an extension of Dalton rather than down at the stoplight now where you can make that turn and Mr. Sawyer replied no, you would still have to go further north to Oliver Street and enter at that point; there would be no entrance in the future at either Liddell or Dalton.

Mr. Sawyer stated those are the main, critical changes except for the land use changes and those include the location and the size of the neighborhood shopping site on Oaklawn Avenue. There was just a small shopping center which was purchased; it was inadequate. The widening of Oaklawn Avenue would cut into it so they moved that location across Burton Street, between Burton and Whisnant, and enlarged it to suit the real need. This was partly as a result of the request of people in the area on the other side of Oaklawn Avenue when the businesses along there began to close.

Mayor Belk asked about the sound problems along I-77 and Mr. Sawyer replied the extent of the sound problem is within the buffer, a buffer that has been created to take care of the sound. He stated they have studied this problem by using similar criteria as First Ward with formulas that we have, and they have come to the conclusion, and HUD has approved it, based on the data submitted.

Councilman Alexander asked in moving the shopping center down to across Burton Street, will it come now between Burton Street and the highway and Mr. Sawyer replied that is correct. Councilman Alexander asked to see on the map the point that Oaklawn will be moved across the highway and will it be on ground level and Mr. Sawyer pointed to the map and stated at about that point where the grade begins to change, however, they do not plan an access from Oaklawn Avenue. Councilman Alexander stated he is asking whether or not Oaklawn Avenue, as it begins its grade up over the highway, will be above the shopping center, or will it be on the same level and Mr. Sawyer replied it will not be on the level all the way, but it will be on the level at the intersection and then the grade will begin to change.

Councilman Alexander asked if this poses any problem of the pedestrian traffic coming out of Double Oaks Road and crossing the highway into the shopping center where it is going to come out and where Burton Street begins there at Oaklawn over against the beginning of the rise of Oaklawn and Mr. Sawyer replied the next point, which is another change in the plan, contemplates a pedestrian overpass over Oaklawn and a small public site for that landing has been created.

Councilman Alexander asked if Oaklawn then would go over I-77 and Mr. Sawyer replied that is correct. Councilman Alexander stated then that will take care of the problem of the people living over on the north side of Oaklawn Avenue getting over I-77; the overpass will take care of it.

Mr. Sawyer stated the public site replaces two residential lots which would have otherwise fronted on Burton and would have terrible environment in terms of automobile traffic. Otherwise, they have rearranged some church sites to add land to allow space for meeting the parking requirements and they have eliminated one cul-de-sac. They have substituted one cul-de-sac of single family lots and picked those lots up at another location.

Mr. Sawyer stated that completes all the physical changes. Then, in the text, since they were amending the project anyway, they took advantage of their close work with the Planning Commission, who had brought to their attention that their plan, in some respect, could be more in tune with the zoning ordinances.

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Mayor Belk asked if the Commissioners had approved these changes and Mr. Sawyer replied yes, the Redevelopment Commission has approved it and the Planning Commission approved it at their meeting last Thursday night. They have a letter of approval from them.

No opposition was expressed to the proposed changes in the Plan.

Mr. Sawyer stated the Planning Commission has recommended that a further amendment to the Plan be considered to prohibit outdoor advertising within the Project area. Under the zoning ordinance and under the Plan, outdoor advertising is permitted in the industrial section. It was permitted before and is still permitted but the Planning Commission, in reviewing the changes, recommended this change. Mayor belk asked if this would take a special amendment and Mr. Sawyer replied it could not be included in any action today.

Councilman Withrow asked about the school site in the plan and Mr. Sawyer replied that particular area was proposed as a school site and has been left that way because of the uncertainty of the school situation, however, if within the time that they market the other residential land, there is no possibility that a school might be built, they will plan that for residential use also. He stated this site is about five acres, not large enough for a school site in itself, but considering the park area around it, it is, and has been cleared for a school by the Planning Commission.

Motion was made by Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, to adopt the subject resolution approving Amendment No. 2, Redevelopment Plan and the Feasibility of Relocation for Project No. N. C. R-78.

The resolution is recorded in full in Resolutions Book 9, beginning on Page 234.

RESOLUTION OF THE CITY COUNCIL OBLIGATING ITSELF TO FURNISH THE NECESSARY CASH AND NON-CASH LOCAL GRANTS-IN-AID FOR GREENVILLE URBAN RENEWAL PROJECT NO. N. C. R-78.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, the subject resolution of the City Council was adopted obligating itself to furnish the necessary cash and non-cash local grants-in-aid for Greenville Urban Renewal Project No. N. C. R-78.

The resolution is recorded in full in Resolutions Book 9, beginning on Page 238.

RESOLUTION APPROVING THE CONDITIONS UNDER WHICH RELOCATION PAYMENTS WILL BE MADE FOR PROJECTS NOS. N. C. R-78, N. C. R-79, N. C. A-3 AND N. C. E-9.

Motion was made by Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, adopting the subject resolution approving conditions under which relocation payments will be made for Projects Nos. N. C. R-78, N. C. R-79, N. C. A-3 and N. C. E-9.

The resolution is recorded in full in Resolutions Book 9, beginning on Page 242.

HEARING ON SIGN AMENDMENT REQUESTED TO BE PLACED ON THE AGENDA.

Councilman Alexander stated he would like to suggest that Mr. Sawyer place on the agenda as soon as possible the hearing for an amendment regarding signs being prohibited in the Greenville Urban Renewal Area.

CITY MANAGER INSTRUCTED TO PROCEED WITH BLUE HEAVEN HOUSING AMENDMENT.

Mr. Burkhalter, City Manager, stated the Housing Authority has asked him to ask Council to amend the "Blue Heaven" plan to allow the use of high rise

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housing in certain areas and this would have to go through the same process as today's hearing. In order to save time, he told the Housing Authority he would bring this to the attention of Council today, and if it meets with Council's approval, this amendment could be drafted and advertised for a hearing.

Councilman Alexander stated the Housing Authority has asked the Redevelopment Commission to grant them a certain portion of "Blue Heaven" land for this high rise for the elderly. They have approved the housing part of the request and it is now coming to Council for their authorization. Councilman Alexander moved that the City Manager be instructed to proceed with the Blue Heaven Housing Amendment. Councilman Short stated we have been talking for eight years about what to do with Blue Heaven and Mr. Alexander has often suggested housing for it and he is glad to second his motion. The vote was taken on the motion, and carried unanimously.

Mr. Burkhalter stated he will ask Mr. Sawyer now to start this through the Redevelopment Commission for approval.

DECISION ON PETITION NO. 73-24 BY MICHAEL D. HERNDON FOR A CHANGE IN ZONING FROM O-6 TO I-2 OF TWO LOTS FRONTING 100 FEET ON THE SOUTH SIDE OF CHARLES AVENUE, BEGINNING 50 FEET NORTHWEST OF YADKIN AVENUE, DEFERRED UNTIL NEXT COUNCIL MEETING.

Councilman Alexander stated at the request of the petitioner's attorney, he would move that decision on the subject petition be deferred until the next meeting of Council. The motion was seconded by Councilman Jordan, and carried unanimously.

PETITION NO. 73-27 BY GUS COLLIAS FOR A CHANGE IN ZONING FROM R-6 TO O-6 OF A PARCEL OF LAND 193' X 150' AT 2008 AND 2010 FLORAL AVENUE, DENIED.

Upon motion of Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, the subject petition for rezoning was denied, as recommended by the Planning Commission.

PETITION NO. 73-25 BY ELTON B. TAYLOR FOR A CHANGE IN ZONING FROM O-6 TO B-2 OF A PARCEL OF LAND 100' X 120' AT 2541 DEHERRADORA STREET, DENIED.

Motion was made by Councilman Withrow, seconded by Councilman Whittington, and unanimously carried, to deny subject petition for a change in zoning, as recommended by the Planning Commission.

ORDINANCE NO. 871-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE OF THE CITY OF CHARLOTTE AMENDING THE ZONING MAP BY CHANGING THE ZONING OF PROPERTY AT 3300 RITCH AVENUE, THE CORNER OF 36TH STREET, AS PETITIONED BY JAMES A. SIMMONS.

Councilman Short moved adoption of the subject ordinance by changing the zoning of property from R-6MF to B-1 at 3300 Ritch Avenue, the corner of 36th Street, as recommended by the Planning Commission. The motion was seconded by Councilman Whittington, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 20, at Page 176.

ORDINANCE NO. 872 -Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE OF THE CITY OF CHARLOTTE AMENDING THE ZONING MAP BY CHANGING THE ZONING OF PROPERTY FROM R-9MF TO B-2 OF LAND LOCATED EAST OF SOUTH BOULEVARD, WEST OF LONDONDERRY AND NORTH OF EMERYWOOD DRIVE, AS PETITIONED BY EDWARDS LUMBER CO.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, the subject ordinance was adopted changing the zoning from R-9MF to B-2 of 4.49 acres of land located east of South Boulevard, west of Londonderry and north of Emerywood Drive, as recommended by the Planning Commission.

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The ordinance is recorded in full in Ordinance Book 20, at Page 177.

PETITION NO. 73-23 BY EDWARD C. GRIFFIN, J. T. POLK, AARON T. BAKER, HUGH K. EAGLE AND OLETTA RUBY DEESE FOR A CHANGE IN ZONING FROM R-9 TO O-6 AND R-9MF OF PROPERTY LOCATED ON THE NORTH SIDE OF MONROE ROAD, ADJACENT TO THE WEST SIDE OF LOTS FRONTING ON GLENDORA DRIVE AND EXTENDING ALONG THE END OF LANTANA AVENUE, REFERRED BACK TO THE PLANNING COMMISSION.

Councilman Withrow moved that the subject petition be referred back to the Planning Commission for restudy and consideration for R-15 zoning and that the protestors of the zoning change be notified so they would have an opportunity to come to the Planning Commission. The motion was seconded by Councilman Jordan and unanimously carried.

RESOLUTION PROVIDING FOR PUBLIC HEARINGS ON ZONING PETITIONS ON AUGUST 27, 1973.

Councilman Short moved adoption of the subject resolution providing for public hearings on Monday, August 27, 1973, in the Council Chamber, City Hall, on Petitions No. 73-30 through 73-37. The motion was seconded by Councilman Whittington, and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Page 244.

RESOLUTION FIXING DATE OF PUBLIC HEARING ON PETITION OF URBAN REDEVELOPMENT DEPARTMENT TO CLOSE A PORTION OF KENDRICK STREET.

Upon motion of Councilman Withrow, seconded by Councilman Short, and unanimously carried, the subject resolution was adopted fixing date of public hearing on Monday, August 27, 1973, on petition of Urban Redevelopment Department of the City of Charlotte to close a portion of Kendrick Street in the City of Charlotte.

The resolution is recorded in full in Resolutions Book 9, on Page 245.

RESOLUTION FIXING DATE OF PUBLIC HEARING ON PETITION OF URBAN REDEVELOPMENT DEPARTMENT TO CLOSE PORTIONS OF POLK STREET, OLIVER STREET AND SPRATT STREET.

Motion was made by Councilman Withrow, seconded by Councilman Short, and unanimously carried, adopting the subject resolution fixing date of public hearing on Monday, August 27, 1973, on petition of Urban Redevelopment Department of the City of Charlotte to close portions of Polk Street, Oliver Street and Spratt Street in the City of Charlotte.

The resolution is recorded in full in Resolutions Book 9, at Page 246.

ACTION ON PROPOSED CHANNELIZATION OF EAST THIRD STREET AND INDEPENDENCE BOULEVARD, DEFERRED UNTIL THE NEXT MEETING OF COUNCIL.

Mr. Bob Deaton of the Traffic Engineering Department explained their work to date on the subject intersection and their proposal for the next step. He pointed out on a chart that in mid October, the Traffic Engineering Department made Third and Fourth Street one way, with Fourth Street one-way westbound, and Third Street one-way eastbound.

He stated at that time there were certain locations where channelization would be needed. This particular intersection is at Third and Independence where they felt certain channelization should be put in but at the time they were involved in other intersection improvements with the State Highway so they were not able to put in channelization at that time.

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That one particular piece of channelization they felt had to be installed was on the west side of the intersection of Third Street. At the time, they put up temporary channelization in the form of barrels to separate the traffic flow.

Mr. Deaton stated when they put in the one-way pattern, they had three lanes on Third Street that continued east across Independence Boulevard into three lanes on Third Street on the east side of Independence Boulevard. That these three lanes and a continuous right turn lane off Independence later have to merge into two lanes. He stated that, in itself, creates a traffic problem and just as soon as they became aware of what all the problems were several months later, they realized that had to put in some sort of permanent channelization to try to eliminate the three lanes from coming from Third Street eastbound across Independence.

He stated back in the spring, they put in temporary channelization on the east side of Independence, on Third, in the form of barrels to block out one of those through-moving lanes and, in effect, created a left turn lane for eastbound traffic on Third Street. At the same time, they went in and prohibited left turns in every direction except from the west on Third Street.

Then they had to take certain steps to eliminate the hazard in this particular area, which is commonly called the "merge area". They put up a yield condition on this particular ramp rather than give them a merge condition. This is the right turn off Independence so they now have to yield, they do not merge. They eliminated one of the lanes from coming straight through with a temporary channelization, with the recommendation for permanent channelization.

That they now have two moving lanes into two moving lanes. There was one other problem and that was the left turn from the east when a vehicle was traveling west and wanted to turn into either of the two driveways - one being a carwash and the other to Winchester Surgical Supply Company. The left turn into the carwash had approximately 50 feet of pavement that they had to cross. A motorist who wanted to make that left turn had to first make the decision if there was any traffic coming on Third Street, across Independence, and if they could negotiate that turn safely. Once they made that decision, that they could make that left turn, they were then faced with another decision, whether anyone making a right turn off Independence Boulevard onto Third Street, eastbound in a continuous right turn - they had to make two decisions at one time.

He stated the Traffic Engineering Department then decided to put up a raised concrete median on Third Street to protect the traffic coming up Third and the traffic turning right off Independence and to eliminate this hazardous condition in the merging area.

After further explanation by Mr. Deaton, Councilman Whittington stated in 5 1/2 hours, there are 849 cars making a left turn, going west from Third Street into this carwash. That more than half of these come east. According to record, they are washing nearly 850 cars in a 5 1/2 hour period; approximately 378 cars make a left turn, coming from the east to go in there. That over ten years ago, Winchester moved from a downtown location, at Seventh and College Street, to get out of the downtown business district so that their service trucks and customers could get in and out of their location and they have been out there eight to ten years and here we come up with the proposed channelization and not allow people to get into this facility or the carwash if they are going west on Third Street.

Councilman Whittington moved that the Traffic Engineer be allowed to put in the proposed channelization, shown in red on the chart, only to the depth of the proposed channelization, shown in green on the chart, so that traffic going west could turn into Winchester Surgical Supply Company's lot and also be able to turn into the carwash; also, when they exit from Winchester, they would have to go back east and if they exit from the carwash, they would have to go into Independence Boulevard; that traffic going west on Third Street would be allowed to continue to turn left to go into Winchester or to go into the carwash. The motion was seconded by Councilman McDuffie.

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Mr. Herman Hoose, Traffic Engineer, stated the carwash moved in after another business had gone into bankruptcy and they did not come down to his office to find out anything about the proposed movement of traffic. He stated this was designed to take care of one-way streets back in 1968 and we cannot protect 300 cars against four or five thousand who could have an accident potential because of a carwash. He stated you can get into either one of these driveways by moving down and around and back in.

After further explanation of the proposed channelization by Mr. Hoose, Councilman Alexander asked Councilman Whittington if his motion meant in making a left turn movement on Third Street, coming west, does he mean that some type of traffic control be placed there to control the traffic coming west on Third for those cars that attempt a left turn movement or is it a chance situation they would take, making that left turn and Councilman Whittington replied according to the information he has, there has been only one rear end collision in the area under discussion and what he is concerned about is that all of us who are in business, or go and buy real estate, or a home in a nice wooded area, and then the realtor tells you that nothing is going to happen behind you or in front of you, and then one day all of your investment is gone because something is behind you, that you did not want there, or that you did not think would ever be put there.

Councilman Whittington stated the BP Oil Company was there first, at quite an investment and Auto Bell is there now. That he contends that Winchester Surgical Supply moved out of a heavily congested area to get to an area where their customers and their service trucks could get to and from more easily. That the people who want to use either one of these facilities, coming from the east on Third Street, should be allowed to make a left turn movement; when they come out of the Auto Bell, they can come out on the Independence Boulevard side and go north to wherever they want to go. If they come out of the Winchester lot, they would have to turn right and go around to get back to Fourth Street, or Myers Park, or wherever. He stated just beyond this area, you have the Charlotte Eye, Ear, Nose and Throat Hospital at the corner of Lillington and Fourth Street and they have the privilege of entering from Fourth Street and entering from Lillington and he has to be sympathetic with the businesses that are there; their hard ^{earned} money is in these facilities; and, if you do this, you are going to put the Auto Bell out of business and you are going to have a vacant lot that is not going to be productive from the ad valorem tax standpoint, an employee standpoint, or anything else.

Councilman McDuffie stated they have been turning there all along and if the channelization was going to be installed, it should have been put there a long time ago. If it was going to be a safety factor, he would not vote for it but there has only been one accident and the street is plenty wide, according to the map. That one accident in three years does not justify the proposed channelization.

Councilman Short asked if this type of divider was planned there in 1968 and if Mr. Hoose said the Auto Bell people should have come in and asked him about this before making their investment and Mr. Hoose replied yes, the only reason it had not been done before now is that they could not get to it. Mr. Hoose stated the barrels have been out there since before the Auto Bell moved in after October.

Councilman Withrow stated he hopes Council will not let personalities enter into something that might save one's life and rather than vote on this today, and take the chance it might lose, he would like to make a substitute motion that Council defer action on this until the next council meeting so each Councilmember can have a chance to go out there and make up his own mind, individually, as to how he wants to vote. The motion was seconded by Councilwoman Easterling.

Councilman Jordan asked if there is an entrance into Winchester Surgical from Torrence Street and Mr. Hoose replied yes. Councilman McDuffie stated Winchester is not going to lose any business because if people are looking for Winchester, they are going to find it if they have to go around the block.

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Councilman Withrow stated he would personally like to go out to the site before this item is voted on and look at the situation and make up his mind.

Councilman Short asked whether this is really basically different from a thousand left turns in Charlotte, since he has been at this site and he could make this turn 10,000 times without any danger because it is simply wide open as far as the eye can see and he cannot see it as different from any other service station that he might be turning into. That he has to make a left turn to go into his own business every morning against Providence Road traffic. Mr. Hoose replied it is like putting a left hand turn on a ramp, off an expressway, and has to be handled differently than on some other streets; that you are at an intersection, not in the middle of the block.

After further discussion, the vote was taken on the substitute motion to defer action until the next meeting of Council, and carried unanimously.

ORDINANCE NO. 873 AMENDING CHAPTER 5 OF THE CODE OF THE CITY OF CHARLOTTE, ENTITLED BUILDINGS, BY ADDING A NEW SECTION, SECTION 5-423 TO PERMIT THE USE OF BITUMINIZED FIBER SEWER PIPE.

Motion was made by Councilman Alexander and seconded by Councilman Jordan, to adopt subject ordinance amending Chapter 5 of the Code of the City of Charlotte, entitled Buildings, by adding a new section, Section 5-423, to permit the use of Bituminized fiber sewer pipe.

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

YEAS: Councilmembers Alexander, Jordan, Easterling, McDuffie and Withrow.
NAYS: Councilmen Whittington and Short.

Councilman Whittington stated he would like for the record to state that he is voting no. He stated the North Carolina League of Municipalities, of which this city is a member of, went on record of being in opposition to the change in the Code. That he has discussed this with building contractors and some of our own folks, and they think that his decision to vote against it is right and he has stated for the record before that he resents and damns the federal government when they try to tell us what kind of pipe we have to use and then cause the public the inconvenience that they will have with this type of pipe. That he hopes in the near future, this Council will consider amending this Code and take this bituminous pipe out of the Code.

Councilman Alexander stated he based his motion on the information in the last paragraph as it is stated on today's agenda - that attempts are going to be made to remove this material from the Southern Building Code - which will give the City a chance to rescind the order.

He stated that is what he made his motion on, not to argue with the federal government but to go ahead with what we have before us, hoping that the North Carolina Building Code Council would set the stage as so suggested and make it possible to come up with an ordinance that could get rid of it.

Mr. Bill Jamison, Superintendent of the Building Inspection Department, stated the State code is based on the Southern Standards Code and is one of the extreme model codes in the country and as long as all three model codes permit this type of pipe, this is the reason the federal government says that it should be permitted in the local ordinances.

Councilman Whittington stated the last time Mr. Jamison was here before Council about this pipe, he was not in favor of using it. Mr. Jamison stated he would not favor this type of pipe for his own use; this is made of a cheap material and like a lot of other cheap materials that are permitted by the code, for instance, roof covers; you can get a roof cover that will last for five years or one that will last for ten or more years.

Councilman Short stated you do not bury these roof covers in the walls where you cannot get it out again, Mr. Jamison stated this pipe is not to be used in the walls, it is only underground. Councilman Short stated this is not easy to get at either.

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Councilman Alexander stated we are just fighting windmills sitting up here taking punches at the federal government; that no one can tell the federal government where to go anymore than he can. But that the point here is that he is concerned with the steps which have been suggested here as an out for us. He stated until that happens, Council is not getting anywhere trying to cuss out the federal government.

Councilman Short stated he would like to make sure the record shows that he has voted no on this matter and he would like to say he endorses what Councilman Whittington has said. That he just cannot see, even for just a temporary period, burying in the ground of Charlotte homes, a pipe which the North Carolina League of Municipalities says about it... "the quality, strength and durability of this pipe remains uncertain and it has not been adequately tested".

Councilman McDuffie asked if this ordinance is not passed and the workable program is not acceptable, then would we still qualify for federal funds; that he would vote against it too, if it would do any good; that he does not agree with the pipe but he feels it has to be in the program.

Mr. Jamison replied it means getting the workable program approved or not getting it approved.

Councilman Short stated if Council does not express their desire for a change, it will not be changed. Councilman Withrow asked if the change had to come through the Legislature or the North Carolina Building Code and Councilman Alexander replied through the North Carolina Building Code Council.

Councilman Withrow stated he will go on record as making a motion to go to the Building Code Council and make the recommendation that this code be changed. The motion was seconded by Councilman Jordan, and carried unanimously.

Mayor Belk asked Mr. Burkhalter to handle this recommendation for Council.

Councilman McDuffie asked if we had to adopt this ordinance to have the workable program and Mayor Belk stated the letter stated this was part of their code and if we did not go according to all the guidelines of their code, they will have to throw it out; then you have to come back again and argue about it. That it is just another guideline you have.

Mr. Burkhalter stated every major building code in the country permits this pipe. That city codes are usually more stringent but the federal government says this pipe is useable in their code.

Councilwoman Easterling asked if this type of pipe is only added to the list of permitted materials and does not have to be used; that it is one of the materials that can be used. Councilman Short replied you can get a building permit with this kind of pipe.

Councilman McDuffie stated in the past there have been powerful lobbies that have prevented new products from being on the market so he would hope that somewhere down the road, it is proven whether this pipe is good or bad, and that arbitrarily a product is not left out, like plastic pipe for plumbing. That maybe this argument will generate something and hopefully the pipe will work out.

Councilman Short stated this pipe is used in sewer pipes running off from homes, toilets, etc. and this is the thing we are faced with all along when we have these claims that sewers have backed up into their houses. If limbs grow into this pipe, it is a serious thing when it backs sewerage up into the house. That it seems to him Council would want a very proven item for this kind of purpose.

Councilman Alexander asked if there is any way it can be stated, when you are purchasing a home, that your sewer lines were constructed out of this kind of pipe and Mr. Jamison replied this material has been in our code for a number of years and was taken out in December. That Charlotte has not had any of this pipe used.

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He stated in some areas where this pipe has been used, it was not installed in accordance with the manufacturer's recommendation. It was thrown in the ditches and covered over, but when properly installed according to the recommendations, you have to hand pack this in fine soil and this department put the word out a long time ago, that if any of this pipe is used in Charlotte, his department is going to have a man there to look to see if this pipe is put in properly. That he does not think a plumber is going to want to hand tamp the sand, or soft material, around this pipe to a foot above it because it is going to cost more than to use cast iron.

Mr. Jamison stated this is probably the reason Charlotte has not had any of this pipe used here; you cannot put stones, stumps, or brickbats around this pipe because the weight of the earth will crush it. The fine materials packed around it will protect the pipe and it is his understanding when this procedure is followed, it will hold up pretty well. But to do it this way, you are going to run into a very large labor cost.

The ordinance is recorded in full in Ordinance Book 20, on Page 193.

ORDINANCE NO. 874-X AMENDING THE 1973-74 BUDGET ORDINANCE TRANSFERRING FUNDS FROM THE GENERAL FUND CONTINGENCY TO COVER THE COST OF BUS SIGNS.

Councilman Alexander stated in the last sentence under this docket item it states a meeting is planned with City Council and bus company officers in the near future to discuss improvement in bus scheduling and headways and asked, if this meeting is planned in the immediate future, he would like to know if Council would be able to discuss the total service capacity of the bus company, or if it would be just dealing with certain specifics and Mr. Burkhalter replied it will be up to Council what they want to discuss in this meeting.

Councilman Alexander stated the reason he raised this specific question is that it is his desire to propose that Council ask a meeting of bus officials to discuss the direct service capacity and improvement of the bus company. If a meeting is already planned and if Council can discuss any item which they feel pertains to the improvement of the bus system from a service capacity, this meeting can serve the purposes to which he is concerned about. He stated he has no objection to purchasing the bus signs but he wanted to be sure that in this meeting between the Council and bus company officers, Council can discuss the complete service capacity of the bus company.

Mr. Burkhalter stated they had a meeting with all of Council and had some reports and just about everybody got up and walked out and they had to do something and discussed it the next day and decided from the conversation heard from Council, this meeting was set up.

Councilman Jordan asked if we are going to have a meeting with the Council and the bus company officers, would there be anything to come up which might pertain to radical changes in the bus system with those people that might make these signs worthless as far as doing it now? Would it be better to wait until after this meeting to get these signs and Mr. Burkhalter replied a bus sign is a bus sign and can be easily moved and you are not lost; that we need more signs than this and they will not be wasted.

Councilman Whittington stated from the beginning, the Council's Short Range Transit Committee did exactly what Council asked them to do and made a report on the Wilbur Smith Short Range Transit Needs. They took that report and did exactly what Council asked them to do and took the recommendations that Wilbur Smith gave to Council in the report except one deviation in that they recommended a terminal. That Council is aware of this.

He stated at the breakfast meeting last week with Mr. Hoose and Mr. McIntyre, they discussed Mr. McIntyre's recommendation which is involved with the Long Range Plan that Council is going to get in September, or early October, and Mr. Hoose said that whatever Council does now will be holding action and he mentioned improvements such as a study of "headway time" and a study of the routes that the bus companies now operate on. That he has proven

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to them many times that they are running buses on streets and not picking up passengers and have been doing this for years. He stated what Mr. Hoose is saying and what the Transit Committee is saying is that neighborhoods change, traffic patterns change, working places change, and these routes have to be continually updated.

Councilman Whittington stated he would recommend that Council approve the purchase of these bus signs with the understanding that at the proper time Mr. Hoose and the Transit Committee and the City Council would meet with the bus companies to discuss whatever they have on their minds and hearts about bus needs. That Mr. Hoose will be coming back to Council at short intervals recommending other points such as shelters, turn-outs, etc. that they believe will be more of a holding action and will be causing better bus service in Charlotte. That is basically what we are all interested in - dependability and availability of bus service on the short range until we get into the long range.

Councilman Whittington moved adoption of the subject ordinance with the understanding that a meeting is planned by Council in the future to discuss improvement in bus scheduling and headways. The motion was seconded by Councilman Alexander.

Councilman Withrow stated it is his understanding that there are certain things the City has not done that they were supposed to do under the charter franchise we have and these signs are part of our responsibility right now. He would like to know if there is anything else the City has not kept their part of the bargain on and, if so, Council should know it. He stated if we have fallen down on our obligation, he would like to know about it. Councilman Whittington stated it is in the report.

Councilman Short stated he has no objection to voting the \$7,500 for 600 bus stop signs because they will be useful, but he does not understand the reasoning that goes on on this subject. That Councilman Whittington is saying we need to do everything we can to guarantee the availability of bus service but buying the signs does not seem to be related to the availability of buses.

He stated Council had a young man in here last week talking on this subject and trying to urge Council to do something about it. The essence of what he said was he felt there should be some improvement in a system whereupon just missing the bus at the square, he could walk home faster than if he had waited for the next bus. That the citizens would like to see action on the bus stop signs.

Councilman Short stated he cannot follow this logic. Council is spending this money but not getting at the problem. They are not doing anything to increase the service. He is going to vote for it but it does not respond to what everybody seems to say is the problem. Everybody keeps saying that bus service is the problem but everybody keeps voting to provide something else, other than bus service.

Mayor Belk stated in Minneapolis they hired experts to work on their problem but we do not seem to get to the experts - we are the experts. We need to have some traffic experts to come in and get to the traffic problem. That we are only voting today to get some bus signs you can read.

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

Councilman Alexander moved that staff be instructed to arrange a meeting with Council and the necessary bus company officers as soon as possible to discuss the immediate service improvement capacity of our bus service. The motion did not receive a second.

Councilman Alexander stated the reason he is making this motion is because he is aware of the fact that we have a long term bus problem that needs some study and some professionalism. That the bus companies can immediately improve their service to a certain extent and we do not have to wait until the technicians tell us what we need to do for our total transportation improvement system in the City of Charlotte.

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He stated he is concerned about finding out if the bus system can improve its immediate service capacity while we are waiting for professional information as to how we should go if it means for the City to take over, or whatever, and we cannot do that as fast as the bus company can do some immediate service improvements.

Councilman Withrow stated we have asked the Transit Study Committee to study this, and they have, and gave Council one part of the study and said they will give us the second part later on. He asked if we do not wait, are we giving them a slap in the face and Councilman Alexander replied he did not think so. Councilman Withrow stated he agrees we need the meeting but questions whether we need the meeting right now or wait for their second report.

Councilman Alexander stated we need to ask the bus officers some direct questions right now about whether they feel they can give us some immediate improvement. Councilman Withrow stated if we appoint a committee and ask them to do some certain things and then do not wait until they give us the second part, it is wrong.

Councilman Alexander stated for the past six weeks, he has walked and talked with people who ride the buses and there are some immediate service changes that the companies can make for these people. This is the only way we can get immediate improvement for the people who ride the buses is with this meeting.

The ordinance is recorded in full in Ordinance Book 20, on Page 194.

AGREEMENT WITH NORFOLK SOUTHERN RAILWAY COMPANY AUTHORIZING INSTALLATION OF CROSSING SIGNAL FLASHER AT TIPPERARY PLACE, APPROVED.

Motion was made by Councilman Short, seconded by Councilman Withrow, and unanimously carried, authorizing an agreement between the City of Charlotte and Norfolk Southern Railway Company authorizing the installation of a crossing signal flasher at Tipperary Place and the railroad, at a cost of approximately \$12,000.00. The City's share will be \$10,800 plus \$350.00 per year for 90 percent of the cost, and 50 percent of the maintenance cost.

Councilman McDuffie asked Mr. Hoose to give Council a list of railroad crossings inside the city and Mr. Hoose stated he would give them a list in the near future.

JAMES C. HEMPHILL, JR.'S FIRM APPROVED AS ARCHITECT FOR THE PUBLIC SAFETY TRAINING FACILITY.

Councilman Short moved approval of James C. Hemphill's firm as architect for the Public Safety Training Facility, which motion was seconded by Councilman McDuffie, and carried by the following vote:

YEAS: Councilmembers Short, McDuffie, Alexander, Easterling and Jordan.
NAYS: Councilmen Whittington and Withrow.

Councilman Withrow stated he is not voting against Mr. Hemphill but against the training facility being built to begin with.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE ESTABLISHING THE CHARLOTTE ADVISORY COMMISSION OF URBAN REDEVELOPMENT.

Councilman Alexander moved adoption of the subject resolution of the City Council of the City of Charlotte establishing the Charlotte Advisory Commission of Urban Redevelopment. The motion was seconded by Councilwoman Easterling.

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Councilman Short asked if Councilman Alexander wanted to include in his motion a comment that the present active members would constitute the members of the new Commission and Councilman Alexander stated he wanted a separate motion for this.

Councilman Whittington stated where it states on the docket that the Commission will be composed of five members appointed by the City Council to serve for a term of three years provided that no member shall be eligible to serve more than two consecutive terms, he would like for the record to show that Council does not agree with this. That the request that was made of the delegation was that Council would have the prerogative to allow an individual, whomever it may be, to serve longer than two terms. He stated the wording here should be "may" and the way it was requested to be written into the law at a breakfast meeting when all were present, including the press. Councilman Whittington stated he does not want to vote for saying that a member of this Commission shall not be eligible to serve more than two consecutive terms.

Mr. Burkhalter stated the law was changed to permit Council to set those terms. The State Act simply says Council can change the length of the terms of any Board that their Charter has. He stated the reason Council went back to them was because there were certain boards set up by state acts. This Committee happens to be one that Council has control of.

After further discussion, Mr. Underhill, City Attorney, stated at the breakfast meeting of Council, the majority vote of Council was to delete the number of terms served from what they asked the Legislature to pass. So now the General Assembly says you have the right to establish the length of the terms, like a reduction from five to three years, or an increase of from three to five years, but there is no provision in the state law which gives Council the prerogative to limit the number of terms served on those commissions and boards, agencies, committees that are established by state law.

The vote was taken on the motion and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Page 249.

ORDINANCE NO. 875 AMENDING CHAPTER 22, "TREES", OF THE CITY CODE OF THE CITY OF CHARLOTTE TO ESTABLISH A TREE ADVISORY COMMISSION IN LIEU OF THE PRESENT TREE COMMITTEE, AND TO ALLOW THE COMMISSION TO HEAR COMPLAINTS AND TO REVIEW AND MAKE RECOMMENDATIONS FOR THE MASTER STREET TREE PLAN PRIOR TO PUBLICATION OF THE PLAN.

Upon motion of Councilman Withrow, seconded by Councilwoman Easterling, and unanimously carried, the subject ordinance was adopted amending Chapter 22, "Trees", of the City Code of the City of Charlotte to establish a Tree Advisory Commission in lieu of the present Tree Committee, and to allow the Commission to hear complaints and to review and make recommendations for the Master Street Tree Plan prior to publication of the Plan.

The ordinance is recorded in full in Ordinance Book 20, on Page 195.

MEETING RECESSED AND RECONVENED.

Mayor Belk called a recess at 5:15 o'clock p.m. and reconvened the meeting at 5:25 o'clock p.m.

BOARD OF ELECTION OFFICE AUTHORIZED TO REMAIN OPEN FOR VOTER REGISTRATION PRIOR TO CITY PRIMARY AND ELECTION FOR SEVEN SATURDAYS.

Motion was made by Councilman Alexander, seconded by Councilman Withrow, and unanimously carried, authorizing the Board of Election's Office to remain open for voter registration prior to City Primary and Election, for seven Saturdays, beginning Saturday, August 25 through Saturday, October 6, 1973, between the hours of 10:00 a.m. and 4:00 p.m.

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LEAA APPLICATION FOR FEDERAL FUNDING TO CARRY OUT A STUDENT INTERNSHIP PROGRAM FOR THREE COLLEGE STUDENTS, APPROVED.

Councilman Whittington moved approval of LEAA application for federal funding, in the amount of \$7,948, to carry out a student internship program for three college students in the area of criminalistics. The motion was seconded by Councilman Jordan, and carried unanimously. See attached resolution.

ORDINANCE NO. 876-X AMENDING THE 1973-74 BUDGET ORDINANCE INCREASING THE APPROPRIATION FOR THE LEAA FUNDED REGIONAL CRIME LABORATORY PROJECT TO COMPLETE THE APPROPRIATION OF THE PROJECT.

Upon motion of Councilman Jordan, seconded by Councilman Alexander, and unanimously carried, the subject ordinance was adopted amending the 1973-74 Budget Ordinance, increasing the appropriation for the LEAA funded Regional Crime Laboratory Project by adding \$15,858 to complete the appropriation of the project.

The ordinance is recorded in full in Ordinance Book 20, at Page 197.

RESOLUTION AUTHORIZING THE MAYOR TO FILE AN APPLICATION WITH THE FEDERAL AVIATION ADMINISTRATION FOR A 2/3 COST AIRPORT PLANNING GRANT TO CONDUCT AN AIRPORT LAND USE STUDY.

Motion was made by Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, adopting the subject resolution authorizing the Mayor of the City of Charlotte, North Carolina, to file an application with the Federal Aviation Administration for a 2/3 Cost Airport Planning Grant to conduct an Airport Land Use Study.

The resolution is recorded in full in Resolutions Book 9, at Page 250.

ORDINANCE NO. 877-X TRANSFERRING FUNDS FROM THE UNAPPROPRIATED BALANCE OF THE AIRPORT FUND FOR THE CITY'S SHARE OF A COMPREHENSIVE AIRPORT LAND USE STUDY, TO PAY THE CITY'S SHARE OF A FEDERALLY ASSISTED COMPREHENSIVE AIRPORT LAND USE STUDY.

Councilman Jordan moved adoption of the subject ordinance transferring \$46,305.00 from the unappropriated balance of the Airport Fund for the City's share of a Comprehensive Airport Land Use Study, to pay the City's share of a federally assisted Comprehensive Airport Land Use Study. The motion was seconded by Councilman Withrow, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 20, at Page 198.

Mayor Belk asked the Airport Manager his opinion of the city annexing the airport property and Mr. Birmingham replied it would be fine. Councilman Short stated then the City could tax those firms that have merchandise out there. Mayor Belk asked that the City Manager prepare a report on this possibility.

ORDINANCE NO. 878-X TRANSFERRING FUNDS WITHIN THE CAPITAL IMPROVEMENT ACCOUNTS TO WIDEN PORTIONS OF NORTH CLARKSON STREET AND CATES AVENUE, AND INSTALLING A CULVERT IN NORTH CLARKSON STREET AS PART OF THE MOTION, INC. DEVELOPMENT IN THE AREA.

Upon motion of Councilman Alexander, seconded by Councilman Whittington, and unanimously carried, the subject ordinance was adopted transferring \$81,000 within the Capital Improvement Accounts to widen portions of North Clarkson Street as part of the Motion, Inc., development in the area.

The ordinance is recorded in full in Ordinance Book 20, at Page 199.



WHEREAS, the CITY OF CHARLOTTE herein called the "Applicant" has thoroughly
(Governing Body of Unit of Government)
considered the problem addressed in the subgrant application entitled STUDENT INTERNSHIP
and has reviewed the project described in the application; and

WHEREAS, under the terms of Public Law 90-351 as amended, the United States of America has authorized the Law
Enforcement Assistance Administration, through the North Carolina Division of Law and Order to make federal grants to assist
local governments in the improvement of the criminal justice system,

NOW THEREFORE BE IT RESOLVED BY THE CITY OF CHARLOTTE
(Governing Body of Unit of Government)
IN OPEN MEETING ASSEMBLED IN THE CITY OF CHARLOTTE, NORTH CAROLINA,
THIS DAY OF , 1973, AS FOLLOWS:

1. That the project referenced above is in the best interest of the Applicant and the general public.
2. That David Burkhalter, City Manager authorized to file, in behalf of the Applicant, an application in the form
(Name and Title of Representative)
prescribed by the Division of Law and Order for a subgrant in the amount of 7,948 to be made to the
(federal dollar request)
Applicant to assist in defraying the cost of the project described in the application. This individual shall act as the
authorized representative of the Applicant in connection with all aspects of the application process.
3. That if the subgrant is made, the Applicant shall provide or make arrangements to provide, a local cash matching contri-
bution in the amount of \$398 and a local in-kind matching contribution valued under LEAA
(local cash match)
guidelines at \$1,589 (or proportionately reduced local matching contributions if the subgrant amount
(local in-kind match)
is reduced) as required by the Act to defray the cost of the project.
4. That the Project Director designated in the application form shall furnish or make arrangements for other appropriate
persons to furnish such information, data, documents and reports pertaining to the project, if approved, as may be required
by the Division of Law and Order.
5. That certified copies of this resolution be included as part of the application referenced above.
6. That this resolution shall take effect immediately upon its adoption.

DONE AND ORDERED in open meeting.

by John M. Balk
Chairman/Mayor

~~Commissioner/Councilman~~ Whittington offered the foregoing resolution and moved its adoption,
which was seconded by ~~Commissioner/Councilman~~ Jordan and was duly adopted.

Date:
ATTEST:
by Ruth Armstrong
Clerk

Seal

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CONTRACT AWARDED THE LOW BIDDER, CROWDER CONSTRUCTION FOR STREET IMPROVEMENTS TO NORTH CLARKSON STREET.

Motion was made by Councilman Jordan, seconded by Councilman Short, to award contract to the low bidder, Crowder Construction Company, in the amount of \$70,192.20, on a unit price basis, for street improvements to North Clarkson Street.

Councilman Whittington stated he was the one who asked that this item be delayed at the last meeting as he was concerned that we wanted to spend this much money on Clarkson Street and Cates Street from a traffic-carrying standpoint. That he did not think it could be justified. He stated he has since been told the reason that this work needs to be done which is because this is a MOTION project and he would like for someone to put in the record, before it is voted on, the reason these two streets need to be widened and improvements made.

Reverend Paul Leonard, Executive Director of Motion, Inc., stated about two years ago MOTION, INC., in conjunction with the Redevelopment Commission, planned and coordinated the development of planning of a 40-unit apartment in the proposed Third Ward Urban Renewal Area; this is the project of North Clarkson Street. Their plan was to coordinate with Urban Renewal to develop a relocation facility prior to actual redevelopment in that area.

He stated in cooperating with Redevelopment and with the City, one of the items that the Federal Housing Administration required was that there be improvements along North Clarkson Street. There was money in the Model Cities Street Improvement Fund which could be set aside for making these improvements and a year ago last August, the details on this particular coordination were worked out and the FHA gave them a feasibility letter on this project and, they are now in the process of getting firm commitment.

Reverend Leonard stated he was in contact with Congressman Martin about a week ago and was told this firm commitment would be forthcoming in about three weeks. That this is just part of a cooperative effort of the City, Redevelopment Commission and Motion to provide low income housing in the Model Neighborhood as part of their commitment to MOTION to help in the development of model neighborhoods.

The vote was taken on the motion and carried unanimously.

The following bids were received:

Crowder Construction Co.	\$70,192.20
Blythe Brothers Company	73,291.50
T. A. Sherrill Const. Co.	75,167.00
Rea Construction Co.	78,887.50

SETTLEMENT AUTHORIZED IN CLAIM FILED BY MRS. BERTHA U. FUNDERBURKE FOR DAMAGES TO HER PROPERTY AS A RESULT OF THE EASTWAY DRIVE WIDENING PROJECT.

Councilman Whittington moved approval of settlement, in the amount of \$2,050.00, to Mrs. Bertha U. Funderburke, 3745 Eastway Drive, for damages to her property as a result of the Eastway Drive Widening Project. The motion was seconded by Councilman Short, and unanimously carried.

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

Upon motion of Councilman Whittington, seconded by Councilman Short, and unanimously carried, the following contracts for the construction of sanitary sewer lines and water lines, were authorized:

- (a) Contract with Harry W. Kole, Developer, for the construction of 530 linear feet of trunk and main to serve a portion of Knolewood Sub-division, outside the city, at an estimated cost of \$5,600.00. The applicant has deposited 100% of the estimated cost, and refund will be made as per the agreement.

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- (b) Contract with Jack Robinson, Jr. for the construction of 1,250 linear feet of 8-inch sewer to serve Belaire Motel at 6300 North Tryon Street, outside the city, at an estimated cost of \$12,708.14, and will be refunded as per the agreement.
- (c) Contract with Camp Greene Church of God for the installation of 120 feet of 6-inch C. I. water main to serve church property on Ranch Road, inside the city, at an estimated cost of \$700.00. Funds will be advanced by the applicant under the terms of the existing city policies.
- (d) Contract with William Trotter Development Company for the construction of 1,330 feet of 8-inch C. I. water main and two fire hydrants, to serve University Commercial Center, Section 2, outside the city, at an estimated cost of \$8,100.00. Funds will be advanced by the applicant under the terms of the existing city policies.
- (e) Contract with Kenway Corporation for the construction of 11,800 feet of water mains and five fire hydrants to serve Five Knolls Subdivision, Phase I, outside the city, at an estimated cost of \$81,600.00. Funds will be advanced by the applicant under the terms of the existing city policies.

RENEWAL OF CONTRACT WITH KISER'S MOBIL AUTO CRUSHERS INCORPORATED FOR THE DISPOSAL OF ABANDONED AUTOMOBILES AT NO COST TO THE CITY.

Motion was made by Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, authorizing the renewal of a contract with Kiser's Mobil Auto Crushers Incorporated, for the disposal of abandoned automobiles at no cost to the city.

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.

Councilman Jordan moved adoption of the following ordinances ordering the removal of weeds and grass, which motion was seconded by Councilman Whittington, and carried unanimously.

Ordinance No. 879-X ordering the removal of weeds and grass adjacent to 2525 Knollwood Road.

Ordinance No. 880-X ordering the removal of weeds and grass adjacent to 1707 Parker Drive.

Ordinance No. 881-X ordering the removal of weeds and grass 2024 New Hope Road.

Ordinance No. 882-X ordering the removal of weeds and grass adjacent to 304 South Summit Avenue.

Ordinance No. 883-X ordering the removal of weeds and grass 2209 Booker Avenue.

The ordinances are recorded in full in Ordinance Book 20, beginning on Page 200.

ORDINANCES AFFECTING HOUSING DECLARED "UNFIT" FOR HUMAN HABITATION UNDER THE PROVISIONS OF THE CITY'S HOUSING CODE.

Upon motion of Councilman Whittington, seconded by Councilman Short, and unanimously carried, the subject ordinances were adopted affecting housing declared "unfit" for human habitation under the provisions of the City's Housing Code, as follows:

- (a) Ordinance No. 884-X vacate and close dwelling at 2023 Custer Street.
- (b) Ordinance No. 885-X demolition and removal of dwelling at 2569 Hemphill Street.
- (c) Ordinance No. 886-X vacate and close dwelling at 2015 Custer Street.
- (d) Ordinance No. 887-X demolition and removal of dwelling at 606 East 18th Street.

The ordinances are recorded in full in Ordinance Book 20, beginning on Page 205.

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RESOLUTIONS AUTHORIZING THE REFUND OF CERTAIN TAXES COLLECTED THROUGH ILLEGAL LEVY.

Motion was made by Councilman Jordan, seconded by Councilman Alexander, and unanimously carried, adopting the following resolutions:

- (a) Resolution authorizing refund of certain taxes in the total amount of \$870.31 which were levied and collected through illegal levy against six tax accounts.
- (b) Resolution authorizing refund of certain taxes in the total amount of \$1,059.27 which were levied and collected through illegal levy against one tax account.

The resolutions are recorded in full in Resolutions Book 9, beginning on Page 251.

RESOLUTION APPROVING AN ENCROACHMENT AGREEMENT WITH SEABOARD COASTLINE RAILROAD COMPANY.

Councilman Alexander moved adoption of subject resolution approving an encroachment agreement with Seaboard Coastline Railroad Company, permitting the City to construct an 8-inch sanitary sewer line within the right of way of the Seaboard Coast Line Railroad to serve McClintock Woods III. The motion was seconded by Councilman Jordan, and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Page 253.

PROPERTY TRANSACTIONS AUTHORIZED.

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

- (a) Option with Joseph Erwin Moore and wife, Dorothy P., for 26.80' x 95.02' x 75.77' x 31.03' of property at 1244 East Morehead Street, at \$1,900.00, for Kenilworth and East Morehead Intersections Improvements.
- (b) Acquisition of 60' x 837.01' of easement at 10601 Erwin Lane, near Old Pineville Road, from Blythe Brothers Company, at \$6,100.00 for Irwin Creek Crossover.
- (c) Acquisition of 12.5' x 312.02' and 25' x 104.53' of easement at 6612 Pence Road, from B. Lee Holland and wife, Brenda F., at \$420.00, for McAlpine Creek Outfall Extension.
- (d) Acquisition of 15' x 123.80' of easement at 7529 Linda Lake Drive, from Joseph T. Barwick and wife, Jane B., at \$125.00 for Hickory Grove Area Trunks.
- (e) Acquisition of 15' x 34.14' of easement at 4701 Hedgemore Drive, near Abbey Place and Park Road, from Hedgemore Corporation, at \$1.00, for sanitary sewer to serve Graham Office Park.
- (f) Acquisition of 15' x 179.50' of easement at 6404 Treeline Place, from William Trotter Development Company, at \$1.00, for sanitary sewer to serve Green Forest.
- (g) Quitclaim deed between the City of Charlotte and Tree Top Two, at Joint Venture, to deed back all of the property acquired by authorization of City Council on June 12, 1972 for sanitary sewer to serve Treetop II Apartments.

After the transactions of June 12, 1972 was completed and the easement recorded, the Tree Top Two, a Joint Venture, asked that the line be relocated. The City Attorney recommended that all of the property acquired be deeded back and a new sewer easement be drawn for the property needed due to the relocation of the line.

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- (h) Acquisition of 10' x 245.13' x 325.34' x 242.95' x 132.72' x 53.16' x 260.0' x 219.05' x 262.30' x 73.12' of easement at 701 Farmhurst Drive, from Tree Top Two, a Joint Venture, at \$1.00, for sanitary sewer to serve Tree Top Two Apartments.

SPECIAL OFFICER PERMITS, APPROVED.

Motion was made by Councilman Alexander, seconded by Councilman Jordan, and unanimously carried, approving a Special Officer Permit for a period of one year to each of the following:

- (a) Renewal of permit to Miles Edwin Robbins for use on the premises of Charlotte Park & Recreation Commission at Freedom Park.
- (b) Renewal of permit to Madison Allen for use on the premises of K-Mart, 2701 Freedom Drive.
- (c) Renewal of permit to Willie Joel Vincent for use on the premises of K-Mart, 6025 Pineville Road.
- (d) Issuance of permit to Robert W. Bankhead for use on the premises of One Jefferson First Union Plaza and 308 South Tryon Street.
- (e) Issuance of permit to Robert Louis Keber for use on the premises of One Jefferson First Union Plaza and 308 South Tryon Street.
- (f) Issuance of permit to Harvey Lee Grose for use on the premises of One Jefferson First Union Plaza, and 308 South Tryon Street.
- (g) Issuance of permit to James Alexander Bush for use on the premises of Douglas Municipal Airport.
- (h) Issuance of permit to David R. Minnich for use on the premises of Douglas Municipal Airport.
- (i) Issuance of permit to Sammie Lee McCorkle for use on the premises of Johnson C. Smith University, 100 Beatties Ford Road.

MR. LARRY TOMLINSON APPOINTED TO AUDITORIUM-COLISEUM-CIVIC CENTER AUTHORITY FOR A TERM OF FIVE YEARS.

Councilman Withrow moved the appointment of Mr. Jim Hartman to the Auditorium-Coliseum-Civic Center Authority for a term of five years. The motion was seconded by Councilman McDuffie.

The vote was taken on the motion, and failed to carry by the following vote:

YEAS: Councilmen Withrow and McDuffie.

NAYS: Councilmembers Alexander, Easterling, Jordan, Short and Whittington.

Councilman Short moved the reappointment of Mr. Larry Tomlinson to the Auditorium-Coliseum-Civic Center Authority for a term of five years, which motion was seconded by Councilman Jordan.

Councilman McDuffie stated at the last Council Meeting he brought up the resolution that this Council unanimously passed about changing the Airport Authority from five year terms to three years and limiting terms to two terms on the basis of providing new leadership and the opportunity to involve more citizens and Council asked the State Delegation to change the Charter. That this goes against all of the principles that Council approved in changing other boards and commissions and asked the State Delegation to change the Charter so Council could change this kind of appointment.

He stated he would like to see written in the record Councilman Short's reasons for going against this stated policy and reappointing someone who had been on the Board for twelve years. Councilman Short replied he attempted to explain this to him in the airport in Minneapolis, or maybe Chicago, and he does not have anything else to say about it.

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Councilman McDuffie stated he would like to record to show that Councilman Short told him it was nothing he could do about it; that it just had to be and he could not explain any further.

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

YEAS: Councilmembers Alexander, Easterling, Jordan, Short, Whittington and Withrow.

NAYS: Councilman McDuffie.

MR. LEROY MILLER AND MRS. JOHN J. RODGERS APPOINTED TO TREE COMMISSION.

Councilman Withrow moved the appointment of Mr. Leroy Miller to fill the unexpired term of Clinton Blake (deceased) to expire on December 13, 1974 and the appointment of Mrs. John J. Rodgers to fill the unexpired term of Mrs. Harry James, who asked to be replaced on the commission, to expire on December 13, 1974. The motion was seconded by Councilman Alexander, and carried unanimously.

DISCUSSION OF NEED FOR GOVERNMENTAL CENTER PARKING FACILITY REQUESTED PLACED ON NEXT COUNCIL AGENDA.

Councilman Alexander moved that the concept of the need for a parking facility in the Governmental Center Area be approved and that the staff be authorized to come back to Council with the necessary information for the confirmation of this project and that it be placed on the agenda for Council consideration. The motion did not receive a second.

Councilman Short asked if Councilman Alexander is laying the ground work for the next meeting and Councilman Alexander replied his motion is for this matter to be placed on the agenda with backup information from the staff which will lead toward the possibilities of approval by Council.

Councilman Short stated what is being requested here is basically the permission to proceed with discussions leading to authorization to seek proposals for a parking facility near the governmental center.

Councilman Alexander stated that is correct and that it be placed on the agenda for discussion of the parking concept idea with the backup information which the staff is being asked to give so that Council can make some decision if they so desire.

Mr. Underhill, City Attorney, stated what the staff was desirous of today was just some informal approval of Council to proceed with firming up this concept. That then they could do the necessary work to prepare specific specifications that would lead toward coming back to Council and asking them for authorization to go out to bids.

Councilman Alexander stated he is asking that it be placed on the agenda and that staff bring Council the necessary information for consideration as to whether Council crystallizes the concept by putting it out for bids or just what.

Councilman Short moved that nothing further be done on this matter and that it be put on the Council agenda for consideration at the next meeting; that he does not expect to vote against this project but would prefer that nothing be done today on it or no authorization be given to it to pursue it further and that Council put it on the agenda of the next Council meeting with nothing done in the interim except that Council have a chance to think about it and discuss it. The motion was seconded by Councilman Whittington.

Councilman Short stated if the City Manager brings up a matter on the agenda and asks for Council reaction, it would seem to him that a motion can be made responsive to that.

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Mr. Burkhalter stated what he is asking for, and he assumes they are delaying, is that Council may think a lot of things have progressed but they have not done anything toward the preparation of bids, contracts, etc, which are necessary before they know whether they can come back to Council with a concept.

He stated the reason for the architect was because he is a self-appointed individual who has drafted this and is working for a developer; that the City did not hire him.

Councilman Alexander stated the point is to get this matter before Council so they can do something with it. Either move it forward, cut it out or whatever. That he is ready for it to become an item on the agenda, with backup information, that can lead him to making up his mind as to whether he wants it to be or whether he wants to cut it out now and come up at a later date for consideration. He stated just delaying it is not doing anything but getting it on the agenda brings Council information to help determine what to do. That he wants to know a lots of things about cost, etc. and to defer it does not accomplish anything.

Councilman Short stated to defer it until the next meeting is very valuable and helpful and will give Council a chance to get some readings.

Councilman McDuffie asked why we cannot talk to the County about building a garage that both the city and county can use?

After further discussion, Councilman Whittington stated the only reaction he has is that the timing for this is premature. That everyone knows that we need parking facilities in the Governmental Plaza Area but we ought to think of three of four things and it all ought to be presented at one time.

He stated number one is the Governmental Plaza Concept. The County Commissioners were committed to building an elevated parking garage; the City Council, in the Governmental Plaza Concept, was committed to building an elevated parking garage and the Board of Education was supposed to do the same thing when their ground level parking became inadequate.

Councilman Whittington stated these three commitments ought to be considered. Then, we ought to know what part the County is going to participate in this facility, if it is going to be just a garage for governmental vehicles; if it is going to be for employees of the city and county government, are they going to pay to use it, and to what extent we are going to be involved in a joint venture in the cost of it. When you get all these factors together, then you have something to present to Council and Mr. Hemphill will have something to go to a developer with.

He stated it is premature today and it is unfortunate that it was in the newspaper before it was presented on the agenda.

Councilman Alexander stated his motion is only to put this on the agenda so Council can decide what to do when our staff comes to Council with all the necessary information. That his motion is that these ideas be incorporated and placed on the agenda.

Councilman Whittington stated Councilman's Short motion, which he seconded, asked that these things be incorporated and presented to Council in two weeks. That Councilman Alexander's motion did not receive a second for the concept to be presented in two weeks.

A vote was taken on Councilman Short's motion and carried unanimously.

Mr. Burkhalter stated what was presented to Council today in the Conference Session was to ask Council what they thought of this sort of thing and the reason he has not worked out the details is because he was trying not to anticipate Council and let Council make the decision. That he wanted Council to tell him to go to work on it and talk to the County and see what their plans were. He stated he knows what the County is talking about and how it might fit into the city's picture but if he came to Council today with the whole thing wrapped up, then Council would have been upset.

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Councilman Alexander stated what he is trying to say is that Council believes they do have to move in a direction to give some consideration to parking in the Governmental Area and to get it on the agenda and come back with facts so Council can begin to make a decision; this is what he thought he was doing with his motion.

Mr. Burkhalter stated the reason he did not want this on the next agenda is that Mr. Bobo, Assistant City Manager, would be on vacation at that time.

Councilman Short stated this is not any matter of taking a credit or any matter of feelings being hurt by the newspaper article. That the essential point here is if anybody presented him, on any subject, with several sensitive features in it and private parties involved and had expenditures of perhaps two or three million dollars of public money, and he had first heard of it on Friday, through the graciousness of Mr. Hemphill, and the agenda, he would want a little more time to think about it.

He stated he does not spend money that fast and it is for this reason that he feels it would be wise for this Council to have an opportunity to say, let us not do anything about it for the moment and let us talk about it at the next meeting.

Councilman Short stated this is not an unreasonable suggestion and it is not an attempt to gripe about newspapers or anything else.

Councilman Alexander stated he would like the record to show that the presentation that Mr. Hemphill made to Council today was on his own volition. That this is not anything that has been directed by Council. He stated Council has not authorized Mr. Hemphill to come with a proposal.

MR. D. GRIER MARTIN'S NAME PLACED IN NOMINATION FOR TERM ON CIVIL SERVICE BOARD.

Councilman Short placed in nomination the name of Mr. D. Grier Martin for appointment to the term that is available on the Civil Service Board.

DISCUSSION OF LITTLE CHAPEL AT THOMPSON ORPHANAGE.

Councilman Jordan stated there has been quite a bit of discussion concerning the Little Chapel at Thompson Orphanage and, according to the paper this past week, someone else is interested in this and is anticipating raising some \$500,000 to buy this property.

He stated he does not know if Council is interested in the Chapel remaining where it is and having to spend millions of dollars to buy this piece of property, or if it is just the Chapel Council is interested in, would it not be wise to take the Chapel and move it on some of the urban renewal property where the City would not have to buy the property and they could go ahead and do this.

Councilman Jordan stated if it is buying the property for a park and leaving the Chapel there, then that is a different question. That he would see no problem in moving the Chapel to some of our urban renewal property close by with very little expense.

Councilman Alexander replied since the two committees have now been legally established, staff has been asked to make contact with the members of the committee to ascertain when a suitable time would be for the committees to meet so Mr. Underhill can inform Council of what they can legally do.

He stated, in his opinion, the Chapel without the grove would lose its significance.

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EXECUTIVE SESSION TO BE HELD IMMEDIATELY AFTER COUNCIL MEETING.

Councilman Jordan moved that City Council hold an Executive Session immediately at the conclusion of this meeting, in the second floor conference room, for the purpose of discussing with the City Attorney the status of a lawsuit entitled "Home Furniture Company vs. City of Charlotte, et al." The motion was seconded by Councilman Alexander, and carried unanimously.

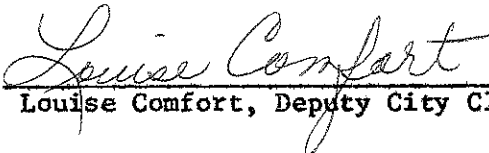
APPROVAL OF NAME CHANGE IN MUNICIPAL AGREEMENT WITH NORTH CAROLINA BOARD OF TRANSPORTATION.

Mr. Burkhalter stated about three weeks ago, Council approved a contract with the North Carolina Highway Commission to put down some plastic markings. He stated the name of this organization has now changed to North Carolina Board of Transportation. That they are having their meeting on August 2 and this name change must be made or they will not consider the agreement.

Councilman Whittington moved that the subject contract reflect a change in name to read with the North Carolina Board of Transportation, which motion was seconded by Councilman Jordan, and carried unanimously.

ADJOURNMENT.

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



Louise Comfort, Deputy City Clerk