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The City Council of the City of Charlotte, North Carolina, met in regular session on Monday, November 19, 1973, at 2:00 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.

The Charlotte-Mecklenburg Planning Commission sat with the City Council, and as a separate body, held its public hearings on the zoning petitions, with Chairman Tate, and Commissioners Boyce, Finley, Jolly, Ross, Royal and Turner present.

ABSENT: Commissioners Drummond, Ervin and Kratt.

INVOCATION.

The invocation was given by Councilman Milton Short.

WEEK OF NOVEMBER 11-18 PROCLAIMED AS WORLD PLAN WEEK.

Mr. Gary Frantz, representing the International Meditation Society was present and presented two of his colleagues, Miss Pat Borden with the Charlotte Observer, and Mr. John Shaw, a teacher associated with the International Meditation Society.

Mr. Frantz and Mr. Shaw explained the technique of transcendental meditation, and booklets were presented to each member of Council and the Audience, and the significance of the booklet was explained.

Mr. Frantz stated the Mayor has signed a proclamation stating the goals of the World Plan Week USA, and that November 11 through 18 was proclaimed as World Plan Week USA. He thanked the Mayor for supporting this activity and stated as a result of their activities last week there were 25 new meditators in the City of Charlotte, which brings to more than 700 the number of meditators in the Charlotte area.

CITY MANAGER TO MEET WITH COMMITTEE OF COUNTY COMMISSIONERS ON SECURITY FORCE FOR CHARLOTTE-MECKLENBURG BOARD OF EDUCATION.

Mayor Belk recognized Mr. Peter Foley and Mr. Phil Gerdes, two of the County Commissioners, and welcomed them to the Council Meeting.

Mr. Foley stated at the County Commissioners' regular meeting this morning, the Charlotte-Mecklenburg Board of Education presented them with a request to grant \$116,890 to fund 13 security investigators and provide them with necessary equipment. The purpose of this request was to allow the Board of Education to create an internal police department. He stated this request has a great deal of merit, but at the same time, the Board of County Commissioners is deeply concerned that a request such as this needs to be made, and also the proper implementation of this type of security force if the county should fund it.

He stated they realize that schools exist both within the city and without and that buses travel both in and out of the city. They are concerned about the possible jurisdiction of some special police officers or the lack of that jurisdiction.

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Mr. Foley stated because of the questions they decided they would take the request under advisement to determine whether or not they did want to make this outlay, whether they wanted to create an internal police department inside the Board of Education, or whether or not the need might be better met by funding additional county police officers. A number of questions came to their minds because of this dual jurisdiction, and they thought it might be advisable if one or two or more of the City Council would agree to meet with Mr. Gerdes and himself, who were appointed from the County Commissioners to meet with the Board of Education representatives and the City and County police chiefs, and the Sheriff, and any other persons who might discuss this with them.

He stated they would like to have the input of the Council and the advice of Council. That they realize the consolidated schools are not within the Council's immediate jurisdiction, but at the same time, they realize the great concern Council has for the overall well being and welfare of the citizens of the community. He stated they are requesting Council to consider appointing some members of the Council to meet with the County Commissioners' appointees at a time they hope will be as soon as possible to take this under advisement.

Mayor Belk replied he felt sure that all members of Council would like to meet with anyone from the County Commission. But his feeling is this is an operation that should come under the City Manager or Major Stone, and then bring a report back to Council as a group. He stated he would not like to see Council split up as a group and one or two running around. Anything of this importance should be considered by all members of Council. He stated the City Manager will be glad to meet with Mr. Foley and Mr. Gerdes at any time. That he would not like to see anything this important being split up and one or two members bringing it back; that he would like to keep Council as a joint body so they can be equal in their judgement on such an important decision.

Mayor Belk requested the City Manager to bring back a report on this from the Police Department, and then meet with the Committee of the County Commissioner's at any time.

Mr. Foley stated they appreciate Council's cooperation, and they realize the pressing need the School Board feels, and they feel an immediate need to take this step. Also they realize the difficulty it causes sometimes in bringing a large number of people together to discuss this matter, and that is why they felt some smaller number, other than the entire membership of the County Commissioners and City Council, might be able to gather together and discuss the matter with some members of the Board of Education and the law enforcement agencies.

Mayor Belk replied he feels that any member of Council would be glad to meet with the County Commissioners at any time, and he cannot see the wisdom of picking one or two to meet with them as the city's operation comes under the City Manager, and he can start working with them now, rather than waiting for the new Council to take office.

Councilman Short asked if they have in mind some policy decision as to whether or not to have police or plainclothes police within the schools which would be made by the County Commissioners and the School Board and the City's involvement in this would be just one of providing some help through the police chief and the city would not have a policy? Mr. Foley replied that is correct; and whether the County wants to or not, it is going to have to make this policy decision by voting yes or not in this appropriation and before they did this they wanted to seek Council's advice. The decision will be the county's and before they make it they would like to have some input from the city. Mr. Gerdes stated the policy considerations in structuring such a force are going to be very important, because of the varying jurisdictions, and it is a little bit of a departure from law enforcement as we know it.

Mayor Belk stated that Mr. Burkhalter, City Manager, will meet with this Committee.

MINUTES APPROVED.

Upon motion of Councilman Short, seconded by Councilman Withrow, and unanimously carried, the minutes of the last meeting on Monday, October 29, were approved as submitted.

COUNCILMAN WITHROW LEAVES MEETING.

Councilman Withrow left the meeting at this time and was absent during the hearing on the following petition.

HEARING ON PETITION NO. 73-45 BY WOODLAWN REZONING COMMITTEE FOR A CHANGE IN ZONING FROM R-9 AND R-9MF TO B-1 OF PROPERTY ON BOTH SIDES OF WOODLAWN ROAD, EXTENDING FROM PARK ROAD TO SOUTH BOULEVARD.

The scheduled hearing was held on the subject petition on which a protest petition has been filed and found sufficient to invoke the 3/4 Rule requiring six (6) affirmative votes of the Mayor and City Council in order to rezone the property.

Mr. Bryant, Assistant Planning Director, stated this request has been filed by a number of property owners along that section of Woodlawn Road, between Park Road and South Boulevard, and most of the property between these two major arteries has been requested rezoned to a B-1 district. There are a few exceptions. There is some existing land usages principally churches and newer apartment developments that have been left out of the request. But with those exceptions it does include the majority of the property between Park Road and Woodlawn Road.

He stated the land uses are principally single family. Beginning at Park Road is the Park Road Shopping Center, Exxon Office Building, and various commercial establishments on the east side. On the west side of Park Road is predominately light office types of activities, with a service station at the northwest corner. Coming down Woodlawn Road, the predominate uses are single family residential, not only along Woodlawn Road, but the areas behind including the various subdivisions in that area. There are some several fairly new apartment facilities along Woodlawn Road. The Woodlawn House, a four story apartment building is located on the north side of Woodlawn; at the intersection of Scaleybark Road and Woodlawn is a complex of apartments known as Charlotte Woods which is just about completed and mostly occupied. Forest Hills Church, Grace Methodist Church, and a day care center is located along Woodlawn Road; at Rockford Court and Woodlawn is a small existing B-1 zoned area. With these exceptions the other properties along Woodlawn Road are basically single family residentially used. On South Boulevard there is a predominance of commercial activity.

Mr. Bryant stated beginning at Park Road there is a B-1 zone to accommodate the Park Road Shopping Center area. There is O-6 zoning along the west side of Park Road and going down Woodlawn Road there is a predominance of single family zoning with some scattered multi-family zoning around Park Road and the Scaleybark intersection. The entire area is zoned for single family residential purposes generally speaking.

He stated out of a total of 104 parcels of land represented in the petition, the signatures represent 40 of those parcels of land.

Councilman Short asked Mr. Bryant how notice was given to the property owners in the area of the pending petition, and Mr. Bryant replied they scattered signs along the way, perhaps half dozen or so. But the most effective form of notification was through the sending of registered letters to all property owners within the area being requested for a zoning change.

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Mr. Bill Echols, Attorney for the petitioners, passed around pictures of the area for Council to view. He assured Council that he would be glad to get a petition signed by more people requesting the rezoning if Council should desire. That under these particular circumstances and in view of time, and the time for filing this petition, it was incumbent upon them to have a meeting and get as many signatures as they could so they could get the petition filed in order to have the hearing today. He stated everyone along the 1400 block has been notified of the petition, and as many as 100 people have shown up at community meetings to voice their support of the petition.

Mr. Echols stated Mr. Clontz is a fellow member of the bar and is also a homeowner along there and will give you the viewpoint of a homeowner on Woodlawn Road. The petitioner is the Woodlawn Rezoning Committee. This is a committee which was formed many months ago to organize an effort to rezone this area and it consists of families and homeowners of property between these blocks.

He stated that many of these people have lived on Woodlawn Road for a great number of years, some as many as twenty years. Most of the people who are here today lived on Woodlawn Road at the time it was simply a two lane road, one which would accommodate the traffic and which was ideal for single family living. But what a great impact the last ten years have had in this area.

Mr. Echols pointed out the development of the area for the last decade in this area:

1. Woodlawn Road between Park Road and South Boulevard has become a major four lane thoroughfare I-77, I-85 and the increased traffic pattern on Highway 21 have caused Woodlawn to be a belt that literally ties these areas together. It is a very convenient means of travel for those coming from Park Road to and from South Boulevard and vice versa.
2. The speed limit along Woodlawn Road has been increased from 35 miles an hour, as provides for residential districts, to 45MPH.
3. Park Road at or near its intersection with Woodlawn Road has become literally a bustling business community. At that intersection there are doctors' offices, Park Road Shopping Center, Regional office for the Exxon Company, service stations, insurance companies, apartments and many others just to name a few.
4. South Boulevard or near its intersections like Park Road has also grown tremendously in the last 10 years.
5. Woodlawn Road itself has experienced a great influx of business, office and multi-family uses in the last decade. At various points along Woodlawn Road you will find a Holiday Inn, Howard Johnson Motel, a Days Inn, the Woodlawn Green Office Building, Regional Office for Exxon Company, Dry cleaning establishments, doctors' offices and other such related uses. This is all to point there has indeed been a change in this area within the last ten years and these changes have rendered this area unfit for single family residential usage.

A survey by the ladies at various different hours of the day found that as many as 100 cars a minute passed on Woodlawn Road. They also made a count of trucks on Woodlawn Road on November 7, 1973 from 7:00 a.m. until 9:30 a.m. and that particular time 355 trucks passed along Woodlawn Road. The statistical data concerning the survey made between November 3 and 9 at sampling times of the day start out with a 15 minute interval on November 4, where 587 vehicles passed a particular point on Woodlawn Road and you get to November 9 where you have in a one hour period 1844 vehicles. They believe these figures add to the inescapable conclusion that Woodlawn Road is not a fit place for residents.

Since this rezoning effort began, there has been a lot of effort put in and we can assure you that we do have the support of the people along Woodlawn Road. He has heard comments from people in the group, out of the group and here that these people are reaching too high in their request for zoning.

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Mr. Echols assure Council that each member of this group and of this committee, the homeowners that are involved in this petition, are willing to compromise if Council or any of the protestants that are here today have some suggestions that they would like to make to them, that they would welcome them with open ears. They are willing to compromise and there is one thing, however, that they are not willing to agree upon, and that is that they simply do not believe Woodlawn Road is still best suited for residential purposes.

Mr. Clontz, a homeowner on Woodlawn Road, stated he has a couple of acres of land and his house is 250 feet back from Woodlawn Road, so he does not have it as rough as the other homeowners, but he has been there more than 12 years. The neighborhood has completely changed. They had a class street and children played around on the sidewalks, and since that time government has moved and has trapped the people. First, Woodlawn was expanded to four lanes and that lessened the front yard space - the street is practically in the living rooms. Then the speed was increased to 45 MPH. The noise of the trucks running 50, 55 and 60 MPH is almost unbearable for the residents in the small houses on Woodlawn Road. Mr. Clontz stated with the noise, air pollution and with all the government has done in providing this 45 MPH speed limit, he feels they are entitled to some type of relief.

Mr. Marshall Maddox stated he lives on Murrayhill Road, just off Woodlawn Road from the area requested rezoned. They have prepared a survey in opposition to the petition and they found that 491 people live in the immediate area who are opposed to rezoning Woodlawn Road. They found the support against this petition overwhelming; nearly 90% of the people contacted did not have to be convinced this was undesirable. They came out readily and signed the petition, so they feel they represent a fairly large segment of the community and of the Woodlawn area. They would like to oppose this petition as they feel it would be disastrous to the entire city. It would set a precedent in strip zoning which would affect every other major area of the city such as Sugar Creek Road, and Sharon Amity, which would be subject to strip zoning. It could affect such areas as Eastway.

Another point they would like to make involves the mud plain. Flooding conditions occur along Murrayhill Road from the long stream which parallels Woodlawn and the other branches that empty into Sugar Creek. They know that these streams come out every time it rains. In the year and two months he has lived in this area the streams have come out of their banks 18 times. One time the 75 to 100 flood plains on Murrayhill Road covered the culvert. This stream right now cannot possibly handle the water that is required because of the South Boulevard construction. He stated they feel that Woodlawn is a part of the major thoroughfare system; it was designed and it is being expanded with that idea in mind to provide fast, efficient, unencumbered traffic moving from the airport eventually as far over as Wendover Road. Should this area be rezoned for business or for commercial, or B-1 it would become another South Boulevard, or another Independence.

Also speaking in opposition to the rezoning was Mr. Williams of 5001 Murrayhill Road and Mr. L. F. Meisenheimer of 4443 Halstead Drive. Council decision was deferred for a recommendation of the Planning Commission.

(Councilman Withrow returned to the meeting at this time, and was present for the remainder of the session.)

HEARING ON PETITION NO. 73-44 BY D. L. PHILLIPS FOR A CHANGE IN ZONING FROM O-6 TO B-1 OF 2.16 ACRES OF LAND ON THE SOUTHEAST SIDE OF COLONADE DRIVE, BETWEEN MONROE ROAD AND BRIAR CREEK ROAD.

The scheduled hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, stated the subject property is located on both sides of Colonade Drive, between Monroe Road and Briar Creek Road and at present is vacant. The principal use nearby is the Briar Creek Apartment complex. On the Monroe Road side there is a number of office and commercial establishments; there is an office at the corner of Colonade and a real estate office next to that; at the intersection of Briar Creek and Monroe Road is a Mini-Market; there are some single family houses along Briar Creek Road adjacent to the property. He stated the zoning pattern is one of non-residential zoning and consists of business zoning along Monroe Road, with a large pattern of O-6 zoning which includes the subject property and extends to Independence Boulevard. There is a small area of B-1 zoning on the north side of Colonade Road in the vicinity of the subject property.

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Mr. Tom Phillips, Vice President of D. L. Phillips Investment Builders, stated their request is a simple one and the prime purpose is they are asking that this piece of property be zoned for business and they would like to lease it to be used as a horticulture nursery on the property. He stated they have not found any specific use for this property until they were approached with this request.

Mr. Bill Wilson, one of the principals in the horticulture business, stated their store will be known as the Garden House, and they intend to develop and grow the plants outside Charlotte, and then sell them in this store together with some gifts. The area will be planted and landscaped to make it one of the beauty spots in Charlotte.

Councilman Short asked if they intend to incorporate this with some of the business property fronting on Monroe Road or if it will be strictly on Colonade and Mr. Wilson replied it will be strictly on Colonade.

No opposition was expressed to the proposed change in zoning.

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

CITY OF CHARLOTTE EMPLOYEE PLAQUE PRESENTED TO FRED J. ARTIBEE.

Mayor Belk recognized Mr. Fred J. Artibee, Labor Foreman I, of the Traffic Control Division of the Traffic Engineering Department, and presented him with the City of Charlotte Employee Plaque for his services from March 16, 1961 until his retirement October 24, 1973.

PRESENTATION OF PLANS FOR INDEPENDENCE PARK BY THE INDEPENDENCE SQUARE ASSOCIATES.

Mr. Luther Hodges of the North Carolina National Bank explained the history of the Plaque located in the Square, and stated for generations we have referred to the historic intersection of Trade and Tryon as Independence Square. He stated we now have an opportunity to provide our city a most suitable tribute to the virgin vision of the early leaders who recognized the future greatness of America as a union of free states.

Mr. Hodges stated in the development of Charlotte's number one block, the parcel of land at the southeast corner of the intersection of Trade and Tryon Streets is reserved for dedication as a public area. He stated they at NCNB have felt a strong commitment to Charlotte, its traditions, its progress and the quality of its people, and its continued good health. There was a time when you well knew when the city's health was in question, particularly that of the central city. They expressed their commitment in the early 1960's when they built their present headquarters building at Fourth and Tryon and again in the late 60's when they built their corporate services center at Second and College Street. Their total devotion to the future of Charlotte and to the strength of its central city is now expressed in the NCNB Plaza development of nearly the entire number one block. Here, they are building together with Crow, Carter and Associates their new 40-story corporate headquarters and companion structures that will include a major hotel, an impressive retail center and a parking facility.

He stated as they have been involved in this major development, NCNB and Crow, Carter have given a great deal of thought to the directly related matter. They have asked themselves in what way they can give something to Charlotte that will permanently tie her future to her past with full regard for both. In what way they can celebrate with all of Charlotte, the feelings they have for Charlotte, and the pride they feel in their own role and the economy of this city and state? What they can do in the way of celebration that will have enduring value for those who love Charlotte? He stated their thoughts settled on Independence Square and the parcel of land preserved for commemorative purposes by the Urban Redevelopment Commission.

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Mr. Hodges stated that brings them to the proposal they would like to bring today. It is their wish to develop as a gift to the people of Charlotte, the Independence Square site, a joint venture of MNCB and Crow, Carter and Associates, who propose to bear the full cost of the design, construction and maintenance. The design calls for development of this historic plaza into an oasis in the midst of urban activity; a place for people, a place for trees, flowers, works of art and reminders of our tradition. The Square will be adjacent to and in fact enlarged by their own plaza area of some 25,000 additional square feet that will extend through the interior of the block. Together they will give something that we do not have in the midst of our city. A place of restful sounds, exciting visitors and open space. It is their hope that the historical interest in the city will make suggestions for the wording for a large plaque commemorating the proud origins of our freedom.

He stated one major part of their proposal that will draw the attention of art interest around the world; they have commissioned a major work of art, a monumental structure for placement in Independence Square. They retained the art advisory service of the Museum of Modern Art in New York to assist them in viewing the works of contemporary sculptures the world over. He stated they selected the famous Italian Sculptor, Arnaldo Pomodoro, and commissioned him to provide a major outdoor work. Mr. Pomodoro will supervise the delivery and installation of his sculpture next spring. He stated the sculpture is a large polished bronze disc that weighs several tons; it is mounted on a single post in such delicate balance that it can move by the force of the wind or by the touch of a single person; thus it assumes various positions relative to the viewer, to the sun and to its surroundings during the day and night. The sculpture will provide a visual focal point for Independence Square, and a lovely study in contrast for all of us to contemplate.

Mr. Hodges stated it is their proposal to develop and maintain Independence Square fully at the expense of MNCB Plaza's partners, and to place the sculpture on indefinite loan to the publicly owned Independence Square.

Mr. Frank Carter, President of Crow, Carter and Associates gave further details and showed some designed illustrations for the Independence Square site, and for the Pomodoro sculpture.

He stated the plans for Independence Square are an effort to create openness, airiness and a pleasant atmosphere. The trees behind the sculpture are to provide for an element of contrast, a delightful spot, a place for a moment of rest, for a moment of meditation. They are committed to the introduction of color. They think particularly because of the mirror glass buildings on this property, that the greenery and colored flowers and shrubbery will add quite an attraction to Independence Square. Architectural attractive cubes will be placed among the trees on which one might rest and enjoy the Square and the sculpture.

Mr. Carter stated Independence Square will be a two level development - the plaza level or the Tryon Street level, and the lower level. The two level sub-structure is designed to gain access to the mechanical elements and the structure of the sculptures. The second is to provide an underground walkway area, a part of the downtown development plan. During the interim period they propose to use the under-structure for storage purposes until such time the City desires to create underground pedestrian walkways.

Mr. Hodges presented the Mayor with the official proposal for Council's consideration, and stated they look forward to making this a reality.

Mayor Belk thanked Mr. Hodges and Mr. Carter, and requested the City Manager to place the proposal on the agenda for the City Council's next meeting.

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Councilman Short stated he would like to suggest that this be placed on the agenda in the form of a public hearing and this will make it possible for someone to come and speak about this matter while Council is considering it rather than having to wait until citizens are called upon at the end of the meeting. That he thinks the public should be entitled to comment; this is public property and it is at the crossroads of the Carolinas and should be made in the format of a public hearing in the event someone wishes to comment on this.

MEETING RECESSED AND RECONVENED.

Mayor Belk called a recess at 3:25 o'clock p.m., and reconvened the meeting at 3:45 o'clock p.m.

ORDINANCE NO. 996-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE ZONING ORDINANCE BY AMENDING THE MAP TO CHANGE THE ZONING OF AN AREA GENERALLY KNOWN AS THE ELIZABETH NEIGHBORHOOD.

Council was advised that protest petitions were filed against the subject petition but were not sufficient to invoke the 3/4 Rule. Also, the Planning Commission recommended that a portion of the area be approved and other portions be denied.

Councilman Short stated there are apparently 400 to 450 parcels of land still involved in this petition after the Planning Commission's deletions. It is interesting that there were only eighteen ownerships expressing protest at the public hearing and four of these have been obviated by the Planning Commission. The small amount of formal protest seems to indicate an overwhelming majority in favor of single family zoning for Elizabeth. The Planning Commission's questionnaire indicates a better than two to one majority having single family. This fact, and the fact it is now almost impossible to build additional medium priced single-family housing, says rather strongly to Council that it should return Elizabeth's zoning to single family.

The deliberation of Council members has mostly centered on the 14 protested properties in view of the fact that more restrictive zoning is asked for these properties against the will of the owners. Four of the objecting properties are saying they do not want either multi-family or single family, but hope eventually to have business or office zoning. This appears to be a limited argument when the only question presented is single family versus multi-family and the sentiment appears to be decidedly for single family. Another protestor is concerned that a non-conforming duplex will be created on his property if it is zoned single family. The disadvantage here is the duplex could not then be enlarged. Since the protestor is apparently not seeking to enlarge this would appear to be only a technical and nominal disadvantage, and the public interest seems to lie toward more uniform single family zoning. Four protestors owning single family properties abutting Laurel Avenue felt the traffic was so heavy they should have the opportunity for converting to apartments. It seems questionable whether multi-family zoning along Laurel Avenue would improve either the traffic situation or the living environment. It should be noted that seven families abutting Laurel Avenue joined in the petition for single family zoning.

There are four cases where a protestor owning one single family home on a lot 50 to 70 feet wide says he would like to have an apartment on his property. None of the four mentions any specific plans for doing this. The lots are shallow and the homes are bungalows. On these facts the public interest seems to lie in single family zoning, since the owners can ask for rezoning if they can develop practical plans for apartments on these lots. There are nine protestors who made no comment at the hearing on August 27th, but expressed their objections to single family zoning some ten weeks later, on November 15, in a personal letter to the councilmembers which they received only this past weekend. To consider deleting these 14 lots at the last minute, after the Planning Commission has reported, and when there was no opportunity for public discussion at the hearing, does not appear to be in order.

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There are two protesting properties still included in the petition whose owners did appear at the hearing on August 27th, and who say they would like to have the multi-family zoning, and whose properties are large enough and suitable for this usage, and are contiguous to other multi-family property. These are the Hicks' property at 500-506 Clement Avenue, and the Cuthbertson properties along Clement Avenue and East Ninth Street. There is also one property, the Brenizer property along Clement and Bay Street which represents an unusual hardship case.

Councilman Short moved that the Hicks, Cuthbertson, and Brenizer properties as mentioned be left with their present zoning, and that the remainder of the property in Petition 73-37 be rezoned as recommended by the Planning Commission. The motion was seconded by Councilman Whittington.

Councilman Alexander stated his position is no new position in regard to this type of zoning as he has been opposed, ever since he has been on Council, for an individual having the right to rezone someone else's property without their consent. He thinks it is the navigation of the right of the ownership of the property as handed down by the Constitution, and he has stated this consistently and has not varied in his consistency about that philosophy. He stated if he is to vote and give consideration to any one of these properties, then he should give the same consideration to the others.

Councilman Alexander stated there are some of the people involved who said they did not have the opportunity for contact that the purpose for delaying this petition was granted. There are conflicting statements as to whether they did or did not, but he is willing to give any citizen the benefit of the doubt in a piece of property transaction where one person is doing a thing as rezoning another person's property against their will. Some of these persons have no other means of livelihood.

Councilman Alexander made a substitute motion to amend the motion that the recommendation of the Planning Commission be approved but leave out all properties in green as shown on the map before him. The motion was seconded by Councilman McDuffie.

Councilman McDuffie asked if he would accept a condition that the multi-family be R-12MF in the whole area of the petition as opposed to R-6MF? Councilman Alexander asked if the motion to amend fails, does he have the right to make another motion to incorporate the philosophy as stated by Councilman McDuffie? Mr. Underhill, City Attorney, replied that he would have the right to offer another amended motion.

Councilman Short stated if the intent of the amendment is to consider this on the basis of who is involved and who is protesting rather than practical land use and good use of the land, and if the intent is simply to avoid a situation where someone's property is rezoned in effect against his will, it would appear to him that the substitute that Councilman Alexander brings up does not accomplish this. For example, there is a Mr. Pettit at Laurel and Fifth Streets, and he is not on there in green, and there are quite a number of others. So the amendment that he suggests does not accomplish what he is seeking.

At the request of Council, Mr. Bryant, Assistant Planning Director, stated the recommendation of the Planning Commission involves a tremendous amount of effort toward understanding and analyzing and getting some of the facts of what constitutes the stability and character of the Elizabeth neighborhood. Recommendations were based primarily on an attempt to establish patterns of zoning and patterns of land use they felt would be in the best interest of the community as a whole. When you start picking out individual property within the area and eliminating them from a change because they have objected to the overall change, then you are departing from the logic of the pattern of change, the pattern of planned land use in zoning from which the Planning Commission approached it. He stated the logic that Councilman Short has expressed in terms of relating a decision as to what properties would not be changed to specifics of the property itself, rather than approaching it from the broad scale of just whether or not objections were raised is a legitimate approach to it. On the property mentioned by Councilman Short, there is a

definite plan to utilize it for multi-family purposes and keep in mind these are properties that are adjacent to areas which the Planning Commission has recommended for multi-family. The Planning Commission by no means feels the future of all of this section of Elizabeth is necessarily pure single family. They were concerned about the lack of control of development there now under present zoning, and they felt over a period of time tracts of land and parcels of land should be considered for rezoning on specific proposals to develop.

Councilman Jordan asked now near we are to rezoning the city as a whole. That he thinks zoning is needed but he thinks we should take a complete look at the city and stop some of these constructions of shopping centers next to houses that cost \$100,000. He stated also he resents the fact that someone on the other side of town can rezone his property without his consent. Mr. Bryant stated they are looking forward to the time when the comprehensive plan will be accepted and approved and the next step will be the preparation of a comprehensive review of all zoning in all of Mecklenburg County.

After much discussion, Councilman McDuffie made a substitute motion that all the multi-family zoning in the Elizabeth petition be rezoned to R-12MF rather than remaining as R-6MF. The motion was seconded by Councilwoman Easterling.

Mr. Bryant stated if you change the zoning from R-6MF to R-12MF that means you change the lot area and a number of properties will be non-conforming.

Councilman Whittington stated he thinks Council is about to make a very serious mistake, and he moved that Councilmen Alexander and Short be made a part of a Committee of Council to meet with Mr. Bryant and try to resolve their differences, and bring a recommendation to Council next Monday.

Councilman Jordan stated the election is over now and four of the present members will be on Council; but he would like to see a real decision made on this and not a hurried decision to get it over with.

Councilman Whittington moved that the decision be postponed until the next meeting, and the suggestion he made still stands that Mr. Alexander and Mr. Short meet with Mr. Bryant. The motion was seconded by Councilman Jordan.

The vote was taken on the motion of Councilman Whittington, and failed to carry as follows:

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

The vote was taken on the motion of Councilman McDuffie and failed to carry as follows:

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

The vote was taken on the motion by Councilman Alexander, and failed to carry as follows:

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

The vote was taken on the main motion by Councilman Short, and carried as follows:

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

The ordinance is recorded in full in Ordinance Book 20, at Page 335.

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ORDINANCE NO. 997-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE ZONING ORDINANCE BY AMENDING THE ZONING MAP TO CHANGE THE ZONING OF SIX ACRES OF LAND ON THE NORTH END OF HOLABIRD LANE TO THE SOUTHERN RAILROAD, AND PUBLIC HEARING BE HELD ON THE REMAINDER OF THE PROPERTY ZONED R-6MF TO CHANGE TO SINGLE FAMILY.

Councilman Withrow moved adoption of the subject ordinance changing the zoning from R-6MF to B-D, and that Council, on its own motion, petition to rezone the remainder of Mr. Smith's property from its present zoning of R-6MF to single family. The motion was seconded by Councilman Short, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 20, at Page 336.

RESOLUTION PROVIDING FOR PUBLIC HEARINGS ON MONDAY, DECEMBER 17, 1973 ON PETITIONS NO. 73-46 THROUGH 73-50 FOR ZONING CHANGES.

Councilman Jordan moved adoption of the subject resolution, which motion was seconded by Councilman Alexander, and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Page 333.

PETITION OF MERCY HOSPITAL TO CHANGE NAME OF COLONIAL AVENUE TO MERCY LANE, DENIED.

Council was advised that a petition has been filed by Sister Mary Jerome, R.S.M., Administrator of Mercy Hospital; to change the name of Colonial Avenue to Mercy Lane, and that a protest to the petition has been filed signed by some 33 property owners and residents of Colonial Avenue. The staff of the Planning Commission investigated the petition and recommends the petition be denied.

The City Clerk advised a request to withdraw the petition was received this morning.

Councilman Jordan moved that the petition be denied. The motion was seconded by Councilman Whittington, and carried unanimously.

RESOLUTION ESTABLISHING SATURDAY, DECEMBER 1, 1973 AS THE FIRST REGULAR SESSION FOR CITY COUNCIL FOR THE MONTH OF DECEMBER, 1973, ADOPTED.

Councilman Alexander moved adoption of the resolution establishing Saturday, December 1, 1973 at 9:00 A.M., as the first regular session for City Council for the month of December, 1973, said session to be held in the Council Chamber. The motion was seconded by Councilwoman Easterling, and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Page 334.

CONTRACT AUTHORIZED WITH A. G. ODELL ASSOCIATES FOR ARCHITECTURAL SERVICES IN CONNECTION WITH THE DEVELOPMENT OF THE PROPOSED TERMINAL BUILDING AT DOUGLAS MUNICIPAL AIRPORT.

Motion was made by Councilwoman Easterling and seconded by Councilman Alexander to approve the contract with A. G. Odell & Associates for development of the proposed terminal building at Douglas Municipal Airport.

Speaking for the award of the contract was Ben Douglas, Chairman of the Airport Advisory Committee, and other members of the Committee, Stan Brookshire, C. B. Street, and Herbert Spaugh, Jr.

Mr. Birmingham, Airport Manager, explained the process for selecting the Odell firm as architect.

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Councilman McDuffie stated in the two and half years he has been on Council the procedures for selecting architects has been batted around, and Council finally came up with a written procedure administered by the City Manager's office.

He stated he would like to ask a question. Why for the past 10-20 years and continuing now do all the really big projects involving the city go to the same architectural firm? The list goes from libraries, coliseum, and the civic center to the master plan for downtown. This Council adopted a policy statement to be used in the selection of architects for building involving city funds to insure, he thought, that all qualified local firms would have a chance to get the city business. There has been progress in dividing up fire stations and utility buildings, and the small projects for the city. The selection process is what he would like to discuss; that he is deeply distressed. If the public and the news media allow this kind of action to continue in Charlotte, he can understand many of the architectural firms being reluctant to object, for fear they may never be considered for future work. That he believes there has been some rigging of procedures and methods of communication and information to local firms about this particular project. That he understands a number of firms were written to confirm an interest in the airport project, and some firms were asked to present written data about their staff and previous work and experiences and they were told that no previous airport design work was necessary for consideration. That fit all local companies except Freeman and White, who did the present airport. But from that point on it seemed the requirements to do the job narrowed the field. When they were told by the Airport Advisory Committee or other people out there that no outside consultants or teamwork would be considered, that left three firms - J. N. Pease, Freeman and White and Odell for consideration. Only these three were invited to give presentations and answer questions to the Committee. That not allowing outside consulting teams of engineering firms, designers of world famous airports prevented many others from participating.

Councilman McDuffie stated since learning of this item on the agenda on Friday, he made inquiries on his own; that no one called him, he began the process himself. He has strong feelings, shared by many citizens, and many architects off the record, that there have been few considerations given in this selection; it is now based on qualifications and staff that enter into the awarding of this kind of contracts. If the size of the local firm is to be used in determining whether they are qualified or not, then one might require a list of employees and their length of service. That he understands most any firm could have an adequate staff if they had this contract. What he really questions is the format that excludes outside experienced firms, world renown firms, from participating in team work with local architects.

Councilman McDuffie stated he is asking Council today to show its good faith and willingness to show the community that selections of this kind are not based on politics, and other factors that have importance in elections such as contributions.

Councilman McDuffie stated he would like to delay the awarding of this contract until the new council takes office, and that the new City Council and Airport Committee sit together to hear the presentations of the three companies involved, and that these other companies such as Ferebee and Associates and Clark, Goodwin, Harris and Lee be extended the courtesy of an interview, and that the City Council and Airport Committee, behind closed doors if appropriate, discuss the merits of who gets this \$20.0 million project, and how you arrive at the decision to give it to the same firm, unless we do, indeed, have a city architectural firm.

Councilman McDuffie made a substitute motion that this be delayed until the new City Council takes office. The motion did not receive a second.

Also speaking against the awarding of the contract was Mr. Tom Sykes.

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After further discussion, the vote was taken on the motion and carried by the following vote:

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

AGREEMENT WITH AMERICAN TELEPHONE AND TELEGRAPH COMPANY TO RELOCATE CERTAIN AERIAL CABLE FACILITIES OWNED BY THE COMPANY LOCATED ALONG PINEY TOP ROAD CROSSING THE SOUTHERN CLEAR ZONE FOR THE NEW RUNWAY TO NEW DIXIE ROAD (NC 160), AUTHORIZED.

Motion was made by Councilman Short, seconded by Councilman Withrow, and unanimously carried, approving the agreement with American Telephone and Telegraph Company to relocate certain aerial cable facilities, obligating the city in an amount estimated to be \$54,244.

RESOLUTION AUTHORIZING THE CHARLOTTE-MECKLENBURG HISTORIC PROPERTIES COMMISSION TO SOLICIT AND RECEIVE FUNDS IN THE NAME OF THE COMMISSION, ADOPTED.

Councilman Alexander moved adoption of the resolution authorizing the Charlotte-Mecklenburg Historic Properties Commission to solicit and receive funds in the name of the Commission, which funds will be held and administered by the Commission pursuant to the North Carolina General Statutes and resolution of the City Council. The motion was seconded by Councilman Jordan, and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Page 335.

ORDINANCE NO. 998 AMENDING CHAPTER 19, ARTICLE III, "BICYCLES" OF THE CODE OF THE CITY OF CHARLOTTE.

Councilman McDuffie stated this is an ordinance that basically requires the dealer selling bicycles to issue permanent bicycle licenses. It also requires persons operating bicycles to have proper brakes.

Councilman McDuffie moved adoption of the ordinance, which motion was seconded by Councilman Withrow.

Councilman Short stated he has discussed this matter with the Chairman of the Chamber's Bicycle Committee, and he says he, Mr. McDuffie, and others have taken this up with the merchants and the police and have received the green light from everyone.

The vote was taken on the motion and carried unanimously.

The ordinance is recorded in full in Ordinance Book 20, at Pages 337-339.

RESOLUTION AUTHORIZING REFUND OF CERTAIN TAXES LEVIED AND COLLECTED THROUGH CLERICAL ERROR.

Councilman Withrow moved adoption of a resolution authorizing refund of certain taxes in the total amount of \$115.32, which were levied and collected through clerical error against three accounts. The motion was seconded by Councilman Alexander, and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Page 336.

CLAIM OF JAYNE C. SMITH FOR PROPERTY DAMAGES APPROVED.

Councilman Short moved that claim of Mrs. Jayne C. Smith, 717 Belton Street, in the amount of \$760.90 for property damages be paid as recommended by the City Attorney. The motion was seconded by Councilman Alexander, and carried unanimously.

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EASEMENT-AGREEMENT GRANTING DUKE POWER COMPANY RIGHT AND PRIVILEGE TO GO IN AND UPON CITY PROPERTY IN GREENVILLE RENEWAL AREA TO CONSTRUCT UNDERGROUND ELECTRICAL SERVICE TO RESIDENTIAL STRUCTURES AND CITY STREET LIGHTING.

Councilman Alexander moved approval of the subject agreement granting the right and privilege to go in and upon city property in the Greenville Renewal Area to construct, maintain and operate underground electrical service to residential structures and city street lighting. The motion was seconded by Councilman Jordan, and carried unanimously.

COUNCILMAN MCDUFFIE LEAVES MEETING.

Councilman McDuffie left the meeting at this time and remained absent until his return as noted in the minutes.

ORDINANCE NO. 999-X AMENDING THE 1973-74 BUDGET ORDINANCE AMENDING TABLE OF ORGANIZATION FOR PARKS AND RECREATION COMMISSION TO ADD THREE POSITIONS.

Councilman Short moved adoption of an ordinance amending the 1973-74 budget ordinance amending the table of organization for Parks and Recreation Commission to add three positions to form a skeleton crew to provide maintenance for the six mini-parks, the R. H. Frazier Park and eleven small parks now receiving minimum maintenance. The motion was seconded by Councilman Whittington, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 20, at Page 340.

ORDINANCE NO. 1-X AMENDING THE 1973-74 BUDGET ORDINANCE AMENDING THE TABLE OF ORGANIZATION FOR THE PUBLIC WORKS MOTOR TRANSPORT DIVISION TO ADD TWO CLERK II POSITIONS TO BE UTILIZED AS VIDEO DATA TERMINAL OPERATIONS.

Councilman Alexander moved adoption of the subject ordinance amending the table of organization to add two positions in the implementation of the IMIS Equipment Management Module. The motion was seconded by Councilman Short, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 20, at Page 341.

RESOLUTION AMENDING THE PAY PLAN AND ORDINANCE AMENDING THE BUDGET ORDINANCE TO ADD AIRPORT MAINTENANCE SUPERVISOR.

Councilman Jordan moved adoption of a resolution, amending the pay plan of the City to add Class No. 103, Airport Maintenance Supervisor, assigned to Pay Range 19, pay steps A-F. The motion was seconded by Councilman Short, and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Page 337.

Councilman Alexander moved adoption of Ordinance No. 2-X amending the 1973-74 Budget Ordinance amending the table of organization for the Airport by adding Class No. 103, Airport Maintenance Supervisor. The motion was seconded by Councilman Short, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 20, at Page 342.

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ORDINANCES TRANSFERRING FUNDS FOR VARIOUS PROJECTS, ADOPTED.

Councilman Withrow moved adoption of Ordinance No. 3-X amending Ordinance No. 828-X, the 1973-74 Budget Ordinance transferring \$4,000 from the general fund contingency to provide a supplemental appropriation to cover the cost of storm damages to the Mint Museum of Art. The motion was seconded by Councilman Whittington and carried unanimously.

The ordinance is recorded in full in Ordinance Book 20, at Page 343.

Mayor Belk requested the City Manager to have someone check to see if the Mint cannot get additional parking while they are talking about the flood plain area.

Motion was made by Councilman Withrow, seconded by Councilman Short, and after discussion the vote was taken on the motion and carried unanimously to adopt Ordinance No. 4-X transferring \$424,000 from the unappropriated balance of the Powell Bill Fund to the Capital Improvement Account to provide funds for the contract award for improving storm drains on Tremont Avenue, Colville Road, Stoneybrook Road and Cumberland Avenue.

The ordinance is recorded in full in Ordinance Book 20, at Page 344.

Upon motion of Councilman Whittington, seconded by Councilman Short, and unanimously carried, Ordinance No. 5-X amending Ordinance No. 828-X, the 1973-74 Budget Ordinance, to provide supplemental appropriations for the purpose of carrying out approved annexation plans for the Albemarle-York Road, Statesville-Derita Road, and Hickory Grove Areas.

The ordinance is recorded in full in Ordinance Book 20, at Pages 345-347.

RESOLUTIONS AUTHORIZING THE MAYOR TO SUBMIT APPLICATIONS FOR LEAA GRANT AWARDS.

Upon motion of Councilman Alexander, seconded by Councilman Whittington, and unanimously carried, the following resolutions were adopted authorizing the Mayor to submit applications for the LEAA grant awards:

- (1) Resolution authorizing submission of application for Comprehensive Drug Abuse Program in the amount of \$74,630.00 with the local match to be \$5,567.00.

The resolution is recorded in full in Resolutions Book 9, at Page 338.

- (2) Resolution authorizing the submission of application for Regional Crime Laboratory in the amount of \$68,391.00 with local match to be \$2,565.00.

The resolution is recorded in full in Resolutions Book 9, at Page 339.

- (3) Resolution authorizing submission of application for Planning and Research in the amount of \$12,571.00, with the local match to be \$1,337.00.

The resolution is recorded in full in Resolutions Book 9, at Page 340.

- (4) Resolution authorizing the submission of application for Home of Assurance (Prison Halfway House), in the amount of \$45,946.00 with the local match to be \$1,662.00.

The resolution is recorded in full in Resolutions Book 9, at Page 341.

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Councilman Whittington asked if Cabarrus County pays anything into the Regional Crime Laboratory? Lieutenant Carpenter replied they do not at present. Councilman Whittington stated he brought this up because we have approved funds for this regional training center, and everything we talk about now is regional. That he thinks those who participate in it at all should pay their share. That he does not think Mecklenburg or Charlotte should do all these things for these other counties unless they are participating financially.

AGREEMENT WITH CHARLES E. OWENS FOR ACQUISITION REVIEW SERVICES IN THE FIRST WARD URBAN RENEWAL PROJECT NO. N. C. R-79, SUBJECT TO AVAILABILITY OF FUNDS TO PAY FOR THE SERVICES.

After discussion, Councilman Whittington moved approval of the agreement with Charles E. Owens for acquisition review services, which motion was seconded by Councilwoman Easterling, and carried unanimously.

CONTRACT WITH MCCLENEGHAN, MILLER, CREASY & JOHNSTON, ATTORNEYS FOR LEGAL SERVICES IN CONNECTION WITH ACQUISITION OF LAND IN FIRST WARD URBAN RENEWAL PROJECT NO. N. C. R-79.

Councilman Whittington moved approval of the subject contract with McCleneghan, Miller, Creasy and Johnston, subject to the availability of funds to pay for these services. The motion was seconded by Councilman Jordan.

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

CONTRACT WITH MCCLENEGHAN, MILLER, CREASY & JOHNSTON, ATTORNEY FOR LEGAL SERVICES IN CONNECTION WITH DISPOSITION OF LAND IN THE FIRST WARD URBAN RENEWAL PROJECT NO. N. C. R-79.

Upon motion of Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, the subject contract was authorized subject to the availability of funds to pay for these services.

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

Council was advised that each property owner had indicated the following orders will not be contested.

Councilman Whittington moved adoption of the following ordinances declaring housing unfit for human habitation, which motion was seconded by Councilman Withrow and carried unanimously:

- (a) Ordinance No. 6-X ordering the demolition and removal of dwelling at 416-A West 9th Street.
- (b) Ordinance No. 7-X ordering the demolition and removal of dwelling at 106 Dupree Street.
- (c) Ordinance No. 8-X ordering the demolition and removal of dwelling at 410 West 9th Street.
- (d) Ordinance No. 9-X ordering the dwelling at 421 East 17th Street to be vacated and closed.

The ordinances are recorded in full in Ordinance Book 20, beginning at Page 348.

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ENCROACHMENT AGREEMENTS WITH DEPARTMENT OF TRANSPORTATION AND HIGHWAY SAFETY.

Upon motion of Councilman Alexander, seconded by Councilman Whittington, and unanimously carried, the following encroachment agreements with the Department of Transportation and Highway Safety, were authorized:

- (a) Agreement permitting the City to construct an 8-inch VCP sanitary sewer line in the right of way of Monroe Road to serve 5431 Monroe Road.
- (b) Agreement permitting the City to construct an 8-inch VCP sanitary sewer line within the right of way of US 29 and NC 49 to serve 6300 North Tryon Street.

PROPERTY TRANSACTIONS AUTHORIZED.

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

- (a) Acquisition of construction easement at 1840 Sharon Lane, from Pinkney Ray Rankin and wife, Ruby S., at \$150.00 for Sharon Lane Widening.
- (b) Option at 630 Linden Lane on 45.0' x 100.0' x 45.0' x 100.0' from Peggy J. Goode (single), at \$1,500.00 for increase in curb radius at Linden Lane and Alexander Street.
- (c) Acquisition of easement of 15' x 2,468.05' at 8200 Monroe Road, from Westminster Company, Inc., at \$1.00 for various trunks to eliminate Stonehaven Lift Stations sanitary sewer.
- (d) Acquisition of easement of 15' x 258.31' at 1326 Ann Arbor Place, from Harry W. Kole and wife, Mary Ann, at \$360.00 for sanitary sewer to serve Ann Arbor Place.
- (e) Acquisition of easement of 15' x 791.29' at 6101 North Tryon Street, from Blake P. Garrett and wife, and others, at \$1.00 for sanitary sewer to serve BiLo Plaza.
- (f) Acquisition of easement of 15' x 31.07' at 7116 Plott Road, from Robert F. Grubb and wife, at \$131.00 for Hickory Grove Area sanitary sewer trunks.
- (g) Acquisition of easement of 15' x 169.57' at 1290 Melody Lane, from Robert F. Grubb and wife, at \$420.00 for Hickory Grove Area sanitary sewer trunks.
- (h) Acquisition of easement of 15' x 20.01' at 6901 Pencade Lane from Roy E. Dellinger and wife, at \$25.00 for Hickory Grove Area sanitary sewer trunks.
- (i) Acquisition of easement of 67.22' x 67.19' x 3.83' at 7112 Lakeside Drive, from First Union National Bank of N.C. as trustee under will of E. J. Carney, at \$70.00 for Hickory Grove Area sanitary sewer trunks.
- (j) Acquisition of easement of 15' x 367' at 6324 Grove Park Boulevard, from First Union National Bank of N.C. as trustee under will of E. J. Carney, at \$460.00 for Hickory Grove Area sanitary sewer trunks.
- (k) Acquisition of easement of 15' x 27.19' at 6727 Lakeside Drive, from James E. Tyndall and Joyce U. Tyndall, at \$30.00 for Hickory Grove Area sanitary sewer trunks.
- (l) Acquisition of easement of 15' x 152.17' at 6415 Robinson Church Road, from Mary Ester C. Foster and husband, at \$202.17 for Hickory Grove Area sanitary sewer trunks.
- (m) Acquisition of easement of 15' x 200.24' at 6601, 6613, 6323 Linda Lake Drive, from Paul A. Jordan and wife, at \$400.00 for Hickory Grove Area sanitary sewer trunks.

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LEASE-AGREEMENT WITH FAIRFAX ENTERPRISES, INC. FOR LEASING OFFICE SPACE IN CAMERON-BROWN BUILDING FOR ACCOUNTING DIVISION OF FINANCE DEPARTMENT.

Councilman Withrow asked how much dollar value are we now spending in leasing space? Mr. Hopson, Public Works Director, replied \$436,000.

Motion was made by Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, approving a lease-agreement for a term of three years, with Fairfax Enterprises, Inc. for leasing 14,450 square feet of office space, at the rate of \$5.74 per square foot, in the Cameron-Brown Building to house the Accounting Division of the Finance Department.

CONTRACTS FOR CONSTRUCTION OF WATER MAINS AND INSTALLATION OF SANITARY SEWER MAINS, AUTHORIZED.

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

- (a) Contract with Quality Inns International, Inc. for the construction of 1740 feet of 8" C. I. water mains and one fire hydrant to serve a motel complex west of Sugar Creek Road and Interstate-85, outside the city limits, at an estimated cost of \$12,500.00. Funds will be advanced and refunded under the terms of existing city policies.
- (b) Contract with Key Homes for the construction of 5,950 feet of 6" and 2" water mains and seven fire hydrants to serve the Marlwood Forest Subdivision, outside the city limits, at an estimated cost of \$27,000.00. Funds will be advanced and refunded under the terms of the existing city policies.
- (c) Contract with Century Properties for the construction of 2,000 feet of 8" C. I. water mains and three fire hydrants to serve the Ameron Industrial Park, inside the city limits, at an estimated cost of \$12,200.00. Funds will be advanced and refunded under the terms of the existing city policies.
- (d) Contract with Bob Godley Enterprises for the construction of 1550 feet of 8" C. I. water mains and one fire hydrant to serve the Planters Industrial Park, inside the city limits, at an estimated cost of \$10,000.00. Funds will be advanced and refunded under terms of the existing city policies.
- (e) Contract with John Crosland Company for the installation of 2,013 linear feet of 8-inch sanitary sewer trunk to serve Ramblewood Townhouses, outside the city limits, at an estimated cost of \$52,600.00. The Applicant will finance the project and refunds will be made as per the agreement.
- (f) Contract with Carras Realty Company for the installation of 60 linear feet of 8-inch sanitary sewer mains in Robin Road, inside the city limits, at an estimated cost of \$1,045.00. The applicant will finance the line and contract is non-refundable.
- (g) Contract with Quality Inns International, Inc., for the installation of 3,935 linear feet of 12" and 8" sanitary sewer trunk along Derita Branch north to service road to a site at Sugar Creek Road and I-85, inside the city limits, at an estimated cost of \$99,460.00. The applicant will finance the entire project and refund will be made as per the agreement.
- (h) Contract with Eastland Limited for the installation of 9,202 linear feet of 12", 10" and 8" sanitary sewer mains to serve Eastland Mall, at Albemarle Road and Central Avenue, outside the city limits, at an estimated cost of \$300,225.00. The applicant has deposited 10% of the estimated construction cost, plus the estimated cost of right of way, and the remainder of the necessary monies will be deposited by the applicant upon the opening of bids. No money will be needed from the city.

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CONTRACT WITH BROOKRIDGE FOR CITY TO PURCHASE WATER MAIN IN DELTA ROAD, AUTHORIZED.

Councilman Short moved approval of a contract with Brookridge, a limited partnership, for the city to purchase an existing 850 feet of water main in Delta Road, outside the city, at a final purchase price of \$3,815.00. The motion was seconded by Councilman Withrow, and carried unanimously.

CHANGE ORDERS IN CONTRACTS FOR OPEN SPACE PROGRAM IN MODEL CITIES NEIGHBORHOOD.

Motion was made by Councilman Withrow, seconded by Councilman Whittington, and unanimously carried, approving the following change orders in contracts, as follows:

- (a) Change Order No. G-2 in the general contract with Crowder Construction Company, increasing the contract price of \$139,025 by \$6,318.00 to develop the seventh park site located on Kenny Street adjacent to the southwest portion of the Double Oaks Park by constructing basketball court, fencing, and path and landscape.
- (b) Change Order No. G-1 in the general contract with Moretti Construction Company, increasing the contract price of \$85,308.00 by \$1,015.00 to aluminize fencing for softball and baseball backstops; install additional vent pipe for venting wading pool system; installing additional water and sewer lines to drinking fountain; and installing concrete headwalls at the entrance and discharge end of the drainage culvert for the Reverend Frazier Memorial Park.

SPECIAL OFFICER PERMITS AUTHORIZED.

Upon motion of Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, the following special officer permits were authorized:

- (a) Renewal of permit to Glad H. Browning for use on the premises of Charlotte Rehabilitation Hospital.
- (b) Issuance of permit to Bettie D. Burnett for use on the premises of Coplon's, 4400 Sharon Road.
- (c) Renewal of permit to Joseph Albert Greene for use on the premises of Charlottetown Mall, One Charlottetown Center, Cargill Building and Cinema I & II.
- (d) Renewal of permit to Howard W. Halberstadt for use on the premises of Sharon Memorial Park.
- (e) Renewal of permit to Paul E. Halberstadt for use of the premises of Sharon Memorial Park.
- (f) Renewal of permit to Frank N. Kale for use on the premises of Charlotte Rehabilitation Hospital.
- (g) Renewal of permit to Walter C. Thomas for use on the premises of Sharon Memorial Park.
- (h) Renewal of permit to James Lester Warren for use on the premises of Charlotte Rehabilitation Hospital.
- (i) Renewal of permit to Donald R. Barrett for use on the premises of Charlotte Branch-Federal Reserve Bank of Richmond.
- (j) Renewal of permit to Ralph J. Beatty for use on the premises of Charlotte Branch-Federal Reserve Bank of Richmond.
- (k) Renewal of permit to Thomas L. Carrick, Jr. for use on the premises of Charlotte Branch-Federal Reserve Bank of Richmond.
- (l) Renewal of permit to Earl A. Frady for use on the premises of Charlotte Branch-Federal Reserve Bank of Richmond.

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- (m) Renewal of permit to Paul E. Haefling for use on the premises of Charlotte Branch-Federal Reserve Bank of Richmond.
- (n) Renewal of permit to David S. Harilee for use on the premises of Charlotte Branch-Federal Reserve Bank of Richmond.
- (o) Renewal of permit to W. Frank Helderman for use on the premises of Charlotte Branch-Federal Reserve Bank of Richmond.
- (p) Renewal of permit to Robert H. Horne for use on the premises of Charlotte Branch-Federal Reserve Bank of Richmond.
- (q) Renewal of permit to Jack H. Jacobus for use on the premises of Charlotte Branch-Federal Reserve Bank of Richmond.
- (r) Renewal of permit to Alfred H. Kitchin, Jr. for use on the premises of Charlotte Branch-Federal Reserve Bank of Richmond.
- (s) Renewal of permit to Willie E. Lynn for use on the premises of Charlotte Branch-Federal Reserve Bank of Richmond.
- (t) Renewal of permit to Conder L. McCoy for use on the premises of Charlotte Branch-Federal Reserve Bank of Richmond.
- (u) Renewal of permit to George W. Morgan for use on the premises of Charlotte Branch-Federal Reserve Bank of Richmond.
- (v) Renewal of permit to Johnnie C. Mumford for use on the premises of Charlotte Branch-Federal Reserve Bank of Richmond.
- (w) Renewal of permit to Donald R. Oshinski for use on the premises of Charlotte Branch-Federal Reserve Bank of Richmond.
- (x) Renewal of permit to Rolland Lee Roy Overturf, Sr. for use on the premises of Charlotte Branch-Federal Reserve Bank of Richmond.
- (y) Renewal of permit to J. Wesley Parks for use on the premises of Charlotte Branch-Federal Reserve Bank of Richmond.
- (z) Renewal of permit to Amos C. Pellerin for use on the premises of Charlotte Branch-Federal Reserve Bank of Richmond.
- (aa) Renewal of permit to James E. Porter for use on the premises of Charlotte Branch-Federal Reserve Bank of Richmond.
- (bb) Renewal of permit to Joe L. Puckett, Jr. for use on the premises of Charlotte Branch-Federal Reserve Bank of Richmond.
- (cc) Renewal of permit to Barry L. Reid for use on the premises of Charlotte Branch-Federal Reserve Bank of Richmond.
- (dd) Renewal of permit to William S. Rhodes, Sr. for use on the premises of Charlotte Branch-Federal Reserve Bank of Richmond.
- (ee) Renewal of permit to Jackie Lee Thomas for use on the premises of Charlotte Branch-Federal Reserve Bank of Richmond.
- (ff) Renewal of permit to Daniel H. Trezevant, Jr. for use on the premises of Charlotte Branch-Federal Reserve Bank of Richmond.
- (gg) Renewal of permit to James R. Wall for use on the premises of Charlotte Branch-Federal Reserve Bank of Richmond.

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RESOLUTION AUTHORIZING THE CHIEF REAL ESTATE AGENT TO BE THE PROCLAIMER FOR PROPERTY ACQUIRED BY THE CITY IN WHICH STATE AND/OR FEDERAL FUNDS ARE BEING USED IN ORDER THAT APPROPRIATE CERTIFICATION CAN BE MADE TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

Motion was made by Councilman Alexander, seconded by Councilman Whittington, and unanimously carried, to adopt the subject resolutions.

The resolution is recorded in full in Resolutions Book 9, at Page 342.

BIDS RECEIVED FOR SANITARY SEWER CONSTRUCTION TO SERVE WILKINSON BOULEVARD MOBILE HOMES, REJECTED.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, all bids received for sanitary sewer construction to serve Wilkinson Boulevard Mobile Homes were rejected as requested by the applicant.

CONTRACT AWARDED SOUTHEAST SERVICE EQUIPMENT COMPANY FOR BRAKE DRUM LATHE FOR MOTOR TRANSPORT DIVISION.

Motion was made by Councilman Short, seconded by Councilwoman Easterling, and unanimously carried, awarding contract to the low bidder meeting specifications, Southeast Service Equipment Company, in the amount of \$4,900.00, on a unit price basis, for brake drum lathe for Motor Transport Division.

The following bids were received:

Southeast Service & Equipment Co.	\$4,900.00
Brake Service Company	5,137.00

Bid received not meeting specifications:

Joint & Clutch Service Company	3,031.50
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CONTRACT AWARDED BLYTHE BROTHERS COMPANY FOR CONSTRUCTION OF STORM DRAINAGE IMPROVEMENTS ON TREMONT AVENUE, COLVILLE ROAD, STONEYBROOK ROAD AND CUMBERLAND AVENUE.

Councilman Alexander moved award of contract to the low bidder, Blythe Brothers Company, in the amount of \$385,557.95, on a unit price basis, for construction of storm drainage improvements on Tremont Avenue, Colville Road, Stoneybrook Road and Cumberland Avenue, which motion was seconded by Councilman Short, and carried unanimously.

The following bids were received:

Blythe Brothers Company	385,557.95
Crowder Construction Company	396,370.30
Thomas Structure Company	421,008.00
T. A. Sherrill Construction Co., Inc.	439,201.00

CONTRACT AWARDED T. A. SHERRILL CONSTRUCTION COMPANY, INC. FOR CONSTRUCTION OF SIDEWALKS ON VARIOUS STREETS WITHIN THE CITY.

Upon motion of Councilman Short, seconded by Councilman Withrow, and unanimously carried, contract was awarded the low bidder, T. A. Sherrill Construction Company, Inc., in the amount of \$235,930.00, on a unit price basis, for construction of sidewalks on various streets within the city.

The following bids were received:

T. A. Sherrill Construction Co., Inc.	235,930.00
Crowder Construction Company	237,761.00
Blythe Brothers Company	244,522.00

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CONTRACT AWARDED ITT GRINNELL CORPORATION FOR FIRE HYDRANTS.

Motion was made by Councilman Jordan, seconded by Councilman Short, and unanimously carried, awarding contract to the low bidder, ITT Grinnell Corporation, in the amount of \$20,261.06, on a unit price basis, for 100 fire hydrants.

The following bids were received:

ITT Grinnell Corporation	20,261.06
American C. I. Pipe Co.	21,310.00
Davis Meter & Supply	21,810.00

CONTRACT AWARDED PRISMO UNIVERSAL FOR PAVEMENT MARKING COMPOUND.

Councilman Short moved award of contract to the low bidder meeting all requirements, Prismo Universal, in the amount of \$26,840.00, on a unit price basis, for 10,000 gals. pavement marking compound, which motion was seconded by Councilman Withrow, and carried unanimously.

The following bids were received:

Prismo Universal	26,840.00
Bid received not meeting specifications:	
William Armstrong	26,560.00

CONTRACT AWARDED POTTERS INDUSTRIES, INC. FOR GLASS SPHERES.

Upon motion of Councilman Alexander, seconded by Councilman Withrow, and unanimously carried, contract was awarded the low bidder, Potters Industries, Inc., in the amount of \$13,728.00, on a unit price basis, for 100,000 lbs. glass spheres.

The following bids were received:

Potters Industries, Inc.	13,728.00
Cataphote Corporation	14,326.00
Wm. Armstrong Co.	16,500.00

COUNCILMAN MCDUFFIE RETURNS TO MEETING.

Councilman McDuffie returned to the meeting at this time and was present for the remainder of the session.

CITY ATTORNEY TO PREPARE LEGISLATION FOR CONSIDERATION BY COUNCIL TO DISPOSE OF MATTERS LEFT PENDING AT TIME COUNCIL GOES OUT OF OFFICE.

Mayor Belk asked the City Manager if this Council will clear all the pending matters that are listed in the agenda? That one of the items has been pending since August, 1972.

Councilman Alexander asked if there are any regulations that directs Council as to what it does with left-over matters? That Council should ask the Legal Department to come up with an ordinance to control this; that Council should not have matters hanging over that become the responsibility of another Council. There should be some way to resolve them; there should be some limit as to how long Council can defer matters.

He suggested that some control be placed over this type matter for future action. There should be some consideration for some Council so we can have some rules as to its operation. After a certain length of time all pending matters should be adjudicated.

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Mr. Underhill, City Attorney, stated we will soon be faced with putting together the 1974 Legislative Program, and he would list that as one of the items for Council to consider, as it will probably require a change in the Charter, and only the General Assembly can do that.

CITY MANAGER REQUESTED TO FIND NEW LOCATION FOR DOUGHBOY MONUMENT NOW LOCATED ON KINGS DRIVE.

Mayor Belk stated eventually Kings Drive, to Central Piedmont, is going to be moved. There is a monument there which was placed for the Doughboys of World War I, and he would like for the City Manager to bring a recommendation to Council on relocating this monument. That he thinks the veterans should be in on this. Sometime we forget other people who have served this country. With Kings Drive being moved, he would like for Council to come up with a plan to move this Doughboy to a prominent place that will be justifiably suited to them in honor of those who served in World War I.

BOY SCOUT ORGANIZATION TO BE REQUESTED TO TAKE ON CAMPAIGN OF ANTI-LITTER AND GRANT WHITNEY TO BE REQUESTED TO COORDINATE PROGRAM.

Mayor Belk stated he would like Council to sanction him to talk informally with the Boy Scouts on a campaign of anti-litter, and to have everyone to have pride in the city, and to clean up the city. He stated he would like to work this over a period of years; to have it started in February, and have the program go into the May 20, 1975 Mecklenburg Declaration Celebration. He also suggested that the garden clubs become involved in the Spring and start their planting.

Councilman Withrow moved approval of the Mayor's request and suggested that a coordinator be named. The motion was seconded by Councilman Whittington.

Councilman Withrow stated we impose upon Mr. Grant Whitney often, but he would like for him to be the coordinator. Mayor Belk replied if Council would like for him to serve, he feels sure Mr. Whitney will volunteer his services. He stated further, this should not stop with our local celebration of May 20, 1975, but should continue with the national celebration of 1976.

Councilman Withrow stated he hopes this will entice people to help in the program and when they see someone throw litter out of their car, they will blow their horn at them.

Mr. Burkhalter, City Manager, stated this is the best effort Council has made in this direction because it is an educational thing. If we can get all the Scouts in the area involved in this, staff can furnish the mechanical things; but 1,500, 2,000, or 3,000 people getting involved and calling attention to the littering will really put the program over.

The vote was taken on the motion and carried unanimously.

PETITION NO. 72-44 BY ASHLEY PARK, WESTERLY HILLS IMPROVEMENT COMMITTEE FOR CHANGE IN ZONING TO BE PLACED ON AGENDA FOR DECISION FOR NEXT MEETING.

Councilman Withrow stated he has no objections to the subject petition being placed on the formal agenda for the next Council Meeting provided both parties are notified of this action.

PHILIP GARRICK PRESENTS SUGGESTION ON AUTOMATIC PARKING UNITS.

Mr. Philip Garrick stated he would like to make a suggestion on parking garages. He handed out literature on his suggestions, and stated you can park 22 cars where you now park only two. The idea is space saving, eliminates air pollution, eliminates vandalism, theft and damages. It requires less maintenance; no security guards are required because gates are kept locked at the bottom.

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He stated it takes approximately one minute to get the car up, around and down. The units can be financed by lease basis or joint ownership. They are clean, safe and economical to operate. It only occupies 1/13 of space ordinarily needed. Units can be installed in short time; they can be removed and re-installed at another location if there is a change in plans. He stated he has approval from Mr. Kern Church of the State, and he has discussed it with the City and County Inspections Departments.

Mayor Belk thanked Mr. Garrick for his suggestion and stated Council will take it under advisement.

CITY MANAGER REQUESTED TO BRING REPORT TO COUNCIL ON SYSTEM OF PAYING AMBULANCE BILLS ON 60-90 DAY BASIS.

Mayor Belk called on Mrs. Shuford of Mt. Holly, North Carolina, and stated she has requested to speak to Council on Ambulance Service. Mrs. Shuford did not respond.

Councilman Short requested the City Manager to study and report back to Council as to whether or not we can go to a system of paying emergency ambulance service bills, which are not paid, within a certain period of time. In some cities, this is stated as 60 days and in other as 90 days. He stated other cities have this procedure and he feels it is a necessary and needed thing for Charlotte. That he would like it put into effect very quickly, as he feels it will be very helpful to the community.

He stated the idea is that the City and Council will pay the ambulance bills for emergency calls if they are not paid within a certain period of time, and the city will then attempt to collect them.

Councilman McDuffie asked that the report include something on the wording of the ordinance that has to do with the number of people and amount charged for each, when there is more than one person being transported in the ambulance.

REQUEST THAT NO PARKING SIGNS BE REMOVED FROM BOLLING ROAD.

Mr. Bob Burroughs, Attorney for Mr. and Mrs. Charles Pellerin, stated his clients have a business on Huntley Place and they are having a problem with off-street parking. Certain of their employees have been using a section of Bolling Road for on-street parking to supplement the off-street parking they provide. The first week in November, the City posted both sides of Bolling Road for no parking.

He stated they are asking that the posting of both sides of Bolling Road be reconsidered; there are houses on Bolling Road approximately 250 to 300 feet from the Bolling Road-Huntley Place intersection. They ask that Council consider unposting one side of Bolling Road to allow parking. They do not care which side it is. They do not feel it would impose any hardship on the residents and they feel it would cut down on some of the congestion that has now been created on Huntley Place.

Mayor Belk stated he has received a call on this, and a survey is being made.

Councilman Withrow stated he thinks it should be taken off on one side of the street.

Mr. Burroughs stated there are no houses for approximately 250 feet on either side of Bolling Road, and that is why they felt the no parking signs could be removed on one side.

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REQUEST AGAIN MADE TO REOPEN OLD ASHLEY ROAD.

Mr. Tony Sipe stated he has been before Council at two previous Council Meetings, and has discussed with each member personally the re-opening of Old Ashley Road to two-way traffic. He stated they have presented petitions representing both the businesses and the private citizens of the area, and it should be apparent that the community of the Ashley Road area is dissatisfied with the present plan.

He stated they have been assured by the Engineering Department that the present plan is drawing board correct. But the aspects of realism and future needs have been overlooked.

He asked how many petitions must be filed and how many complaints must be made before it is clear that the present road system in the Ashley Road area is unworkable, and is contrary to the wishes of the people of the area? How many times must they ask Council to represent the people? He stated they want a compromise and they want some help out there.

Councilman Withrow asked if the road can be opened on a trial basis, and if it does not work, then close it up - that he is talking about two way traffic from Tuckaseegee Road over to the new Ashley Road. Mr. Sipe replied they would welcome it on a trial basis but in his own mind, he believes it will work. And, he will be the first one to face Council again and say it did not work.

Mr. Burkhalter, City Manager, stated he will be glad to have the engineers check this again. At the question of Council, he stated they are very busy but he will try to have an answer in a week.

Councilman Short stated the one thing that worries him is the backup of traffic on I-85. Mr. Sipe replied this is what he was trying to point out. Before there was no other way for the traffic to flow; now there is a highway down by Richway. Everyone coming from the Ashley Hills Area, at Wilkinson Boulevard, if they want to get on Highway 27, or Tuckaseegee Road, they do not have to go through the new intersection; they could go on Old Ashley Road and relieve the congestion at the new intersection. As far as the traffic coming off the ramp, this is the reason he states by splitting the flow of traffic, you would not have the problem of traffic backing up off the ramp. Councilman Short stated he thought this matter was still up for consideration in another form. That he thought Mr. Hoose, through a conversation involving Mr. Sipe and his associates and himself, was seeking to reorganize the ramp or to get the State to do it, and it would be a longer ramp, and give a greater opportunity for traffic off I-85. That he may have misunderstood this.

Councilman Whittington asked Mr. Burkhalter if he can bring this answer to Council by next Monday.

CITY MANAGER TO INVESTIGATE ZONING OF PROPERTY AT 2241 PARK ROAD AND LOT AT BASCOM STREET AND SEABOARD RAILWAY OWNED BY F. B. GARRISON, AND TO HAVE SOMEONE CHECK CONDITION OF TREE ON PARKING STRIP AT 2241 PARK ROAD.

Mrs. Floyd Garrison, 1600 Hertford Road, appeared before Council and asked why their property at 2241 Park Road is the only property on Park Road, from Ideal Way to Kenilworth Avenue zoned for residential. All other properties are zoned for business or office.

She stated they would like to be treated as others and have office or business zoning also.

She stated several years ago a tree fell across Park Road and onto their property, and they had all their trees removed. That two trees were left on the parking strip, and they have been told by a tree man that the tree is going to fall across their apartment. That she tried to get the city to take it down or to permit her to take it down; they did not and the tree fell across their apartment house, and they had to pay for the damages. She stated there is one left at the driveway that is going to fall, and it is going to fall on the four unit apartment house, and a rather new duplex.

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Mrs. Garrison stated they also own a lot at Bascom Street and Seaboard Railway, next to the side tracks of the railroad. The lot has always been industrial and they had opportunity to sell it for industry but they wanted it used for a nice office and warehouse. Then, they had the opportunity to sell it and they found it had been changed to single family zoning. They do not know how this happened but it is totally worthless with this zoning.

She stated now the Community Improvements Division want them to cut it twice a year. She stated the Railroad controls most of the lot but they pay the taxes. They cannot spend money on this lot above taxes. That it looks better with the greenery than it does when cut.

Mayor Belk requested the City Manager to have these situations investigated and report back to Council.

COUNCIL REQUESTED TO PASS ORDINANCE PROHIBITING ABORTIONS IN CHARLOTTE.

Mrs. Clara Skurla stated when she called to make this appointment to appear before Council, she said the subject would be "the most important problem facing City Council today", and she meant every word of it. That the problem is abortions, which is the killing of unborn children who are not wanted by someone for some reason.

Mrs. Skurla spoke at length on the subject of abortions and requested Council to pass an ordinance prohibiting abortions in Charlotte.

MEMBERS OF U. S. LABOR PARTY SPEAK ON HARRASSMENT BY THE POLICE DEPARTMENT, AND REQUEST AMENDMENTS TO CITY ORDINANCES TO PROHIBIT INTERFERING WITH THEIR PERSONNEL AND HARRASSMENT OF THEIR ORGANIZATION.

Mr. James Rumley stated last Friday night, at their office downtown, three police cars and officers came running up to their door, attempting to intimidate them and to intimidate several of their people who attended a meeting earlier that night. That this type of continuous political harrassment on their organization is going to be dealt with from this point on; and they intend to take every means possible to defend themselves in this city to survive.

Mr. Michael McGill stated he is a member of the National Steering Committee for the Revolution Youth Movement, and he is running for the School Board for the U. S. Labor Party. That they insist that all city laws and rules be amended immediately so that their personnel will not be interfered with or harrassed in any way.

Also speaking was Ms. Marion Porter who stated she is a U. S. Labor Party candidate for the School Board, and she talked about the right to organize. She also stated the demand by Michael McGill to amend all city laws is a serious demand and they expect to have it acted on at once.

COUNCILMAN SHORT REQUESTS THAT HE BE ALLOWED TO MAKE A MOTION CREATING A BICYCLE LANE ON THE SOUTH SIDE OF THIRD STREET, BETWEEN INDEPENDENCE BOULEVARD AND MCDOWELL STREET.

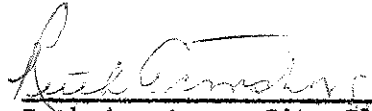
Councilman Short stated he would like to be able to make a motion at the next Council Meeting to create a bicycle lane of some sort of the sidewalk adjoining

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Third Street, on the south side, between Independence Boulevard and McDowell Street. This is sort of an experimental program; there are almost no pedestrians in that area, but there are sidewalks on each side of the street, and bicyclists can use this to advantage.

ADJOURNMENT.

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



Ruth Armstrong, City Clerk