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The City Council of the City of Charlotte, North Carolina, met in regular session convened on Monday, the 4th day of March, 1974, at 3:00 o'clock p.m., in the Council Chamber, City Hall, with Chairman pro tem Fred D. Alexander presiding, and Councilmembers, Pat Locke, Milton Short, and Joe D. Withrow present.

ABSENT: Mayor John M. Belk, Mayor pro tem James B. Whittington, Councilmembers Kenneth R. Harris and Neil C. Williams.

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CHAIRMAN PRO TEM ELECTED.

Councilwoman Locke moved the election of Councilman Fred D. Alexander as Chairman pro tem. The motion was seconded by Councilman Withrow, and carried unanimously.

INVOCATION.

The invocation was given by Councilman Joe D. Withrow.

MINUTES APPROVED.

Upon motion of Councilman Short, seconded by Councilman Withrow, and unanimously carried, the minutes of the last meeting on Monday, February 25, 1974, were approved as submitted.

CITY OF CHARLOTTE EMPLOYEE PLAQUE PRESENTED TO LONNIE MOORE.

Chairman pro tem Alexander recognized Mr. Lonnie Moore and presented him with the City of Charlotte Employee Plaque for his services in the Central Services Division of the Public Works Department from March 1, 1960 until his retirement February 26, 1974.

Appreciation was expressed to Mr. Moore by all members of Council, and each wished him well in his retirement.

ORDINANCE NO. 96 AMENDING CHAPTER 23, AMENDING THE TEXT OF THE ZONING ORDINANCE TO PERMIT CERTAIN RECREATIONAL USES IN RESIDENTIAL DISTRICTS AS CONDITIONAL USES.

The public hearing was held on the petition of City Council to consider an amendment to the text of the zoning ordinance to permit certain recreational uses in residential districts as conditional uses.

Mr. Fred Bryant, Assistant Planning Director, stated today the agenda contains several matters related to the process of the city moving into the newly annexed areas with city regulations. They are the proposed enactment of zoning controls within that area, and consideration of making effective city subdivision requirements in the area.

He stated the subject hearing is related to the process of taking over the annexed area in an indirect way. As staff started looking at the effective county zoning, which is still in effect in this area, they found there were very few conflicts between the city regulations and the county regulations. There is one area that constitutes some difficulty and they felt the best way to overcome this was to ask Council to consider an amendment to the text of the city ordinance which would set up a process of allowing certain types of uses in residential districts that are present in the county ordinance, but have not been installed in the city ordinance.

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Mr. Bryant stated he is referring specifically to the provision contained in the county ordinance to allow certain types of recreational type uses as conditional uses in residential districts. He stated there are three instances that fall within the area that has been annexed where the county has already approved under these provisions some outdoor recreational uses which causes some problems if we cannot find some way to make these legitimate.

Mr. Bryant stated as a result of the growing interest in tennis and some other outdoor recreational uses such as golf driving ranges, Par-3 Golf Courses and so forth they felt there was sufficient reason to investigate the possibility of setting up a procedure whereby these uses could be allowed in residential areas short of rezoning to a business classification. These uses are by and large of an open nature; they can be amenable to residential surroundings; but if you have to rezone to business to allow them, more problems are raised than are solved.

A process was established in the county ordinance so that these limited uses could be considered as conditional uses in residential uses. This means they can be permitted only after a public hearing, a favorable decision by the governing body, and developed only in accordance with a plan of development. This was installed in the county ordinance sometime ago, and Planning had planned to propose this to the city apart from the annexation procedure.

He stated there are three areas involved. One is a tennis facility at Providence Road and Sardis Lane. This is an outdoor tennis facility with a club house developed under the proposed regulations. There is a golf driving range and a Par-3 golf course that is partially opened and partially under construction on Pineville Road across from Gowen Oldsmobile area. There is an indoor tennis building now being built on Sharon Lakes Road, off Sharon Road West. He stated all three have been approved under the provisions of the conditional use process. All three are within the area that has been annexed into the city.

Mr. Bryant explained the ordinance, stating it is proposed to set up a conditional process for golf driving ranges, Par-3 golf courses, swimming pools, tennis courts and horse riding rings, as well as uses accessory to those as far as club houses and pro shops may be considered as conditional use in a residential area.

There are certain safe guards included. It is proposed to say that no part of the property so used shall be close enough to any residential district to create a nuisance to uses which may locate there. Distance, topography, screening and other criteria shall be used in determining what should constitute a suitable relationship. Lighting must be shielded from residential areas; noises are mentioned; vehicular access to the site is mentioned as a factor to consider. He stated these are the sorts of specific areas that are mentioned.

He stated it does require the submission of a site plan and it would have to be followed through as approved. The site plan is somewhat standard and must show all the uses of the property, any buildings and their exterior dimensions, traffic parking and circulation plans, location of walls, fencing or screening; concepts of landscaping or treatments of significant natural features, and the location and orientation of lighting poles where applicable.

He stated as a prerequisite to approval of any application for this conditional use, the City Council shall find that the proposed use of the site will conform to the above requirements and will be generally compatible with nearby residential property and will generally conform to the development plan for the neighborhood.

Mr. Bryant stated the Planning Commission has considered this amendment and does recommend it for Council's approval.

Following was a general discussion of the amendment. No opposition was expressed to the proposed change in the text.

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Councilwoman Locke moved adoption of the ordinance amending Chapter 23, to amend the text of the zoning ordinance to permit certain recreational uses in residential districts as conditional uses. The motion was seconded by Councilman Short, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 20, beginning at Page 442.

COUNCIL ADVISED THAT PLANNING STAFF IS UNDER INSTRUCTIONS FROM PLANNING COMMISSION TO TRY TO COME UP WITH AMENDMENTS TO REGULATE THE SALE OF BEVERAGES AND FOODS IN APARTMENT AREAS.

During the discussion on the previous petition, Councilman Withrow stated when some of the Council members were in Europe several years ago, they saw some of the mini drugstores and food stores where the people could get the necessities. He asked if Charlotte has not come to that place now during this energy crisis where Council needs to look at the possibilities of allowing some of the apartment complexes to have small facilities to sell bread and milk and some of the necessities so they will not have to get into their cars and drive out somewhere.

Mr. Bryant, Assistant Planning Director, replied in his personal opinion he does not think we have arrived at that point. He stated the question came up at the time the petition to sell beer in apartment complex club houses was before Council and the Planning Commission. They wanted to be able to sell food as well. This has come up again, and the Planning Staff is now under specific instructions, from the Planning Commission, to give this a thorough investigation as far as any wording or any amendment to see if there is any text amendment they can come up to make the sale of beverages and foods legitimate. That this would be mostly to control it in apartment areas.

ORDINANCE NO. 97 AMENDING CHAPTER 23 OF THE CITY CODE ESTABLISHING ZONING IN THOSE AREAS ANNEXED BY THE CITY OF CHARLOTTE ON JANUARY 25, 1974, AND COUNTY COMMISSIONERS REQUESTED TO CONTINUE AUTHORITY WITHIN THE 10 FOOT STRIP ADJACENT TO ROADWAYS USED AS BOUNDARIES IN THE ANNEXATION AREA.

The public hearing was held on the petition of the Charlotte City Council to consider an ordinance to establish zoning in those areas annexed by the City of Charlotte on January 25, 1974.

Mr. Fred Bryant, Assistant Planning Director, called Council's attention to the maps depicting what represents the Planning Commission recommendation for Council's adoption of zoning within the area that was annexed by the City of Charlotte.

He stated the State Statutes provide that where property is annexed, which is already under the control of a governmental unit, in this case the County, the City has up to a 60 day time period during which it can adopt its own zoning regulations. If at the end of 60 days no regulations have been adopted, then the County's right to control that area ceases. In effect, unless the City has adopted regulations, that area would become unzoned and uncontrolled.

Mr. Bryant stated in considering the zoning of this area, they started with the assumption they would want at this time to disturb the status quo as little as possible in as much as the Planning Commission will be doing a very comprehensive re-analysis of all zoning in Mecklenburg County very shortly. They did not feel this was the proper time to get serious about any drastic changes. He stated by and large what is before Council now represents the same zoning that was in effect several years ago when the perimeter area was lost. About the only changes that have occurred in this area are those specific rezoning decisions the Board of County Commissioners has made since that time.

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He stated there are a few instances where some changes are necessary because of ordinance differences. Actually there are only two types of situations. In the county ordinance in the case of office zoning there is no 0-6 zone. The county ordinance has an 0-9 and 0-15 classification. The City ordinance has an 0-6 and 0-15 classification. When the area was taken over by the county, most of the areas zoned 0-6 were recommended for 0-9 zoning and have been zoned accordingly for some time. Now that the City is taking the area back over, it becomes necessary to consider an alternative to the 0-9 classification. For the most part these areas are being recommended to revert back to 0-6. There must be as many as a dozen or so of areas that fall into this category. The only other instance for a change, other than that, recommended is one location on Nations Ford Road which is zoned Rural. The reason for that rural zoning is related to a horse riding area - this is the Porter's Stables. At the time this property was assumed from the City it was zoned for a multi-family classification. Mr. Porter wanted to add one small building to the facility about a year and half ago; he was unable to do so as the facility was non-conforming under residential classification. In an attempt to do something for Mr. Porter and the operation he had there, the County agreed to zone the property as a rural classification which made it a legitimate use, and the restrooms could be added. Since that time the addition has been made, and he knows of no talk about any further expansion, or adding to the operation at this point.

Mr. Bryant stated the Planning Commission is recommending that property be rezoned R-9MF, and in effect the riding stable will become non-conforming again. It cannot remain as a rural zone as that classification is not included in the city's zoning classifications. The only alternative to that would be to rezone it to a B-2 classification. But the B-2 classification would be directly across the road from a developing single family subdivision, and it would be improper.

Councilman Short asked if the people that are affected know of this hearing today? Mr. Bryant replied they have not been given specific notification; it is being treated as initial zoning rather than rezoning. He stated no one will be rendered non-conforming. The only difference in the office classification is the matter of spacing requirements. Those areas now zoned 0-9 they are recommending changed to 0-6, and the 0-6 is actually less restrictive. In effect nothing is being changed. They have checked each and everyone of these locations, and they find there would be no non-conforming building locations created by these changes.

No one spoke for or against the petition.

Mr. Bryant stated if this is approved Council will be adopting an ordinance that in effect adopts a set of zoning maps. The ordinance refers to the maps by number.

Mr. Bryant stated the statutory requirements dealing with the annexation process prescribe that where you define a boundary you are encouraged to define it along a natural boundary - a creek or some other type of natural boundary. It goes so far as to say that where you choose to use a road or a street as a boundary you must include the property on both sides of the street. However, it places a restriction which says in effect on the short side where you follow along parallel to the street, you cannot go more than 200 feet away from the street right of way. It was found this caused all sorts of problems because there are some lots 250 feet deep; some 300 feet deep, and acreage parcels even deeper than that. In effect you set up a situation where you have inside the city, property on which decisions must be made as to how that property will be taxed; what services will be provided and all sorts of things. The solution found in this annexation process was in order to get away from that situation where you set up a 200 foot line that splits property and raises all sorts of questions, the line has been drawn away from the right of way line of the street. There is one instance where the city limit line basically follows Sardis Road; technically that line is drawn 10 feet north of the right of way line of Sardis Road. This meets the State law requirement that both sides be annexed. By annexing only a 10 foot strip the tax department has decided this would cause them no problem as they would disregard it, and would not figure out a separate tax bill for 10 feet of frontage. The same is true with Public Works; they know they will provide garbage service on one side but not on the other because the houses have to be more than 10 feet away from the line.

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Mr. Bryant stated this has complicated the zoning process. It means if you zone the full city limits, here is a 10 foot strip that the city will control, but the majority of the property will be under county control. It means if someone technically wanted to file a request to rezone, the request would have to be filed with both the city and county. He stated the Statutes provide that the city may request the county to continue to enforce any regulations within the municipality that it wants to. He stated Planning recommends that Council only zone to the center line of a road, and ask and request the County Commissioners to continue their zoning within that 10 foot strip.

Upon motion of Councilwoman Locke, seconded by Councilman Withrow, and unanimously carried, the ordinance amending Chapter 23 to establish zoning in those areas annexed by the City on January 25, 1974 was adopted and is recorded in full in Ordinance Book 20, at Page 444.

Councilman Withrow moved that Council consider an emergency item relating to the zoning of the 10 foot strip as recommended by the Assistant Planning Director. The motion was seconded by Councilman Short and carried unanimously.

Councilwoman Locke moved that Council request the County Commissioners to continue their zoning authority within the 10 foot strip adjacent to roadways being used as boundaries in the annexation area. The motion was seconded by Councilman Withrow, and carried unanimously.

CHAPTER 18 OF THE CITY CODE, ENTITLED SUBDIVISION, MADE APPLICABLE TO THE AREAS ANNEXED BY THE CITY OF CHARLOTTE ON JANUARY 25, 1974.

The scheduled hearing was held by the Charlotte City Council to consider an Ordinance to regulate the subdivision of land in those areas annexed by the City of Charlotte on January 25, 1974.

Mr. Fred Bryant, Assistant Planning Director, stated this is parallel with the zoning authority; the city will want to consider adopting its own subdivision ordinance regulations in this area. This does not involve anything other than accepting and voting to approve the acceptance of the present regulations within this area. The subdivision ordinance involves regulations which define and describe the methods and means to go by in the subdivision of property. It describes the regulations dealing with the improvement of streets and other facilities for new subdivisions. The city and county subdivision regulations are just about coterminous as far as their intent and meaning. He stated all that is necessary is the adoption of a motion to the effect that Chapter 18 of the City Code, entitled Subdivisions be made applicable to that area annexed by the City of Charlotte on January 25, 1974, and such action be effective as of this date.

No opposition was expressed.

Councilman Short moved that Chapter 18 of the City Code, entitled Subdivision, be made applicable to that area annexed by the City of Charlotte on January 25, 1974 effective as of this date. The motion was seconded by Councilwoman Locke and carried unanimously.

HEARING ON PETITION OF THE URBAN REDEVELOPMENT DEPARTMENT OF THE CITY OF CHARLOTTE TO CLOSE A PORTION OF THE PUBLIC ALLEY WITHIN THE BLOCK BOUNDED BY EAST TRADE STREET, SOUTH COLLEGE, EAST FOURTH AND SOUTH TRYON STREETS, POSTPONED UNTIL MARCH 25, 1974.

Motion was made by Councilman Short, seconded by Councilwoman Locke, and unanimously carried, to postpone subject hearing at the request of Mr. Jim Allison, Attorney for the petitioner, until March 25, 1974.

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PETITION NO. 74-5 BY ASSOCIATED GENERAL CONTRACTORS OF AMERICA, INC., CAROLINAS BRANCH, FOR A CHANGE IN ZONING FROM R-6MF TO O-6 OF PROPERTY AT 701 TEMPLETON AVENUE AND 1109-1113 EUCLID AVENUE, DEFERRED.

Councilwoman Locke moved that decision on the subject petition be deferred until six members of Mayor and Council are present. The motion was seconded by Councilman Withrow, and unanimously carried.

PETITION NO. 74-4 BY DELMAR CORPORATION FOR A CHANGE IN ZONING FROM R-6MF TO I-2 OF A .659 ACRE TRACT OF LAND AT THE NORTHERLY END OF CONNLEY CIRCLE, WEST OF MORRIS FIELD DRIVE, DENIED.

Councilman Short asked if this is a situation where industrial traffic was using Connley Circle and then some building occurred and sort of headed it off, and it is no longer able to use it, so that now in effect, the Delmar Company is asking to go back to the practice that was formally used there. Or in contrast to that, do we have a situation where this street was never available for that kind of use, but they would like to open it up to that kind of use?

Mr. Bryant, Assistant Planning Director, replied there was no industrial use there. The property now zoned industrial, west of Morris Field Drive, was vacant until several years ago when there was some decision made that justified this property for industrial purposes, and Golf Acres Drive was submitted for approval under the subdivision ordinance as an industrial street. At that time Connley Circle came in from Morris Field Drive as it does now, and around as it does now it went up and came back out onto Morris Field Drive. There was sort of a loop street involved at that time, but there was no industrial use there and it was not being used for industrial traffic. They wanted to make full use of the property that is zoned industrial for industrial purposes so they requested that a portion of Connley Circle be withdrawn from dedication so they would not have a street running through the industrial area into Golf Acres Drive, which is the industrial street. It was granted with the proviso that they pull Connley Circle back and put a turn around in it so that it would form a separation between residential and industrial activities. That was done. Now the request is being made to extend the industrial zoning down to include the cul-de-sac which was put in as part of the withdrawal procedure of this part of the dedicated right of way. Mr. Bryant stated Connley Circle at one time was available through the industrial area for industrial traffic but there was no industrial traffic there; it was the industrial developers who asked themselves that this portion of Connley Circle be withdrawn from dedication.

Councilman Short stated a part of the question is the fact that there is no residential use to speak of. Mr. Bryant replied there is scattered residential use there.

Councilman Short moved that the petition for rezoning be denied as recommended by the Planning Commission. The motion was seconded by Councilman Withrow, and carried unanimously.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO LEE WITHERS, GREENVILLE TABERNACLE AME ZION CHURCH, GULF OIL COMPANY AND VIRGINIA J. WILLIAMS IN THE GREENVILLE URBAN RENEWAL PROJECT NO. N. C. R-78.

After discussion, motion was made by Councilman Withrow, seconded by Councilwoman Locke, and unanimously carried, adopting the subject resolution authorizing condemnation proceedings for the acquisition of property belonging to Lee Withers, Greenville Tabernacle AME Zion Church, Gulf Oil Company and Virginia J. Williams in the Greenville Urban Renewal Project No. N. C. R-78.

The resolution is recorded in full in Resolutions Book 9, at Page 415.

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PURCHASE OF PROPERTIES FOR THE GREENVILLE URBAN RENEWAL PROJECT AND THE FIRST WARD URBAN RENEWAL PROJECT, AUTHORIZED.

Councilwoman Locke moved approval of the following purchases of property for the Greenville Urban Renewal Project and the First Ward Urban Renewal Project, which motion was seconded by Councilman Withrow and carried unanimously:

(Greenville Urban Renewal Project (N. C. R-78) -

| BLOCK | PARCEL | OWNER | ADDRESS | ACQUISITION PRICE |
|-------|--------|---------|--------------------|-------------------|
| 34 | 5 | Kennedy | 525 W. Liddell St. | \$17,300 |

(First Ward Urban Renewal Project (N. C. R-79) -

| | | | | |
|----|----|--|---------------------|----------|
| 8 | 1 | Risley | 428 N. Brevard St. | \$13,800 |
| 14 | 4 | McClure | 515 N. Davidson St. | 7,000 |
| 38 | 18 | McClure | 515 N. McDowell St. | 7,800 |
| 41 | 13 | Southeastern District of Lutheran Church Missouri Synod | 211 N. McDowell | 42,000 |

ORDINANCE NO. 98-X TO AMEND ORDINANCE NO. 828-X, THE 1973-74 BUDGET ORDINANCE, TRANSFERRING FUNDS WITHIN THE GENERAL REVENUE SHARING TRUST FUND TO PROVIDE A SUPPLEMENTAL APPROPRIATION FOR THE HORNET'S NEST PARK DEVELOPMENT.

Upon motion of Councilman Withrow, seconded by Councilwoman Locke, and unanimously carried, the subject ordinance was adopted amending the 1973-74 Budget Ordinance, transferring \$100,000.00 within the General Revenue Sharing Trust Fund to provide a Supplemental Appropriation for the Hornet's Nest Park Development.

The ordinance is recorded in full in Ordinance Book 20, at Page 445.

CONTRACTS FOR WATER AND SEWER MAIN CONSTRUCTION, APPROVED.

Motion was made by Councilman Withrow, seconded by Councilwoman Locke, and unanimously carried, approving the following contracts for water and sewer main construction:

- (a) Contract with John Crosland Company for the construction of approximately 1,660 feet of 8", 6" and 2" water mains and one (1) fire hydrant, to serve Walnut Creek Subdivision, Section II-C, outside the city, at an estimated cost of \$9,400.00. Funds will be advanced by the applicant under the terms of the existing city policies as related to such water mains.
- (b) Contract with Paper Stock Dealers, Inc. for the construction of approximately 320 feet of 8" C. I. water mains to serve 3901 Barringer Drive, inside the city, at an estimated cost of \$1,950. Funds will be advanced by the applicant under the terms of existing city policies as related to such water mains.
- (c) Contract with Ralph Squires Construction Company for the construction of approximately 2,570 linear feet of sewer trunk to serve Olde Savannah Subdivision, Section 5, outside the city, at an estimated cost of \$25,000.00. The applicant is to construct this entire sewerage system at his own proper cost and expense. The applicant agrees to waive all claims for compensation and the city is to own, maintain and receive revenue from the system at no cost to the City.

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CHANGE ORDER NO. 2 IN CONTRACT WITH L. A. REYNOLDS COMPANY, APPROVED.

Councilman Short moved approval of Change Order No. 2 in contract with L. A. Reynolds Company for the landscaping contract for Marshall Park, in the Brooklyn Urban Renewal Area, decreasing the contract price by \$5,250. The motion was seconded by Councilman Withrow, and carried unanimously.

ORDINANCE NO. 99-X TRANSFERRING FUNDS FROM THE UNAPPROPRIATED BALANCE OF THE UTILITIES BOND FUND TO PROVIDE AN APPROPRIATION FOR IMPROVEMENTS TO BIG SUGAR CREEK LIFT STATION.

Upon motion of Councilman Withrow, seconded by Councilwoman Locke, and unanimously carried, the subject ordinance was adopted transferring \$20,000 for the purchase and installation of new pumps to increase the capacity at the existing station.

The ordinance is recorded in full in Ordinance Book 20, at Page 446.

ORDINANCES ORDERING THE REMOVAL OF WEEDS, TRASH AND RUBBISH 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 160A-193 OF THE GENERAL STATUTES OF NORTH CAROLINA.

Motion was made by Councilwoman Locke, seconded by Councilman Short, and unanimously carried, adopting the following ordinances ordering the removal of weeds, trash and rubbish:

- (a) Ordinance No. 100-X ordering removal of weeds, trash and rubbish adjacent to 3012 Clemson Avenue.
- (b) Ordinance No. 101-X ordering removal of weeds, trash and rubbish at 1101-03 Herrin Avenue.
- (c) Ordinance No. 102-X ordering removal of weeds, trash and rubbish at corner East 18th Street and North Harrill Street.
- (d) Ordinance No. 103-X ordering removal of weeds, trash and rubbish adjacent to 5100 Valley Stream Road.

The ordinances are recorded in full in Ordinance Book 20, beginning on Page 447.

ENCROACHMENT AGREEMENTS WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION AND HIGHWAY SAFETY, AUTHORIZED.

Councilman Withrow moved approval of the following encroachment agreements with the North Carolina Department of Transportation and Highway Safety, which motion was seconded by Councilman Short, and carried unanimously:

- (a) Agreement for the construction of a 42" x 42" concrete pole base, 76" deep, for 58-foot high pole for TV Tower System at NC 27, US 74 and US 21.
- (b) Agreement for the construction of a 10" C. I. water main beginning at a western I-77 controlled access line and ending at Texland Boulevard (SR 1422).
- (c) Agreement for the construction of a 42" x 42" concrete pole base, 76" deep, for a 58-foot pole for TV Tower Signal System at I-77, US 21 and NC 16 (Trade St.).
- (d) Agreement for the construction of a 42" x 42" concrete pole base, 76" deep, with 58-foot pole for TV Tower Signal System at East 7th Street and Ramp One Independence Expressway (6th Street Ramp Overpass).
- (e) Agreement for the construction of a 42" x 42" concrete pole base, 76" deep, for a 58-foot high pole for TV Tower Signal System at 12th Street and Ramp One-College Street of Northwest Expressway.

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PROPERTY TRANSACTIONS AUTHORIZED.

Upon motion of Councilman Withrow, seconded by Councilwoman Locke, and unanimously carried, the following property transactions were authorized:

- (a) Acquisition of 15' x 1,171.54' of easement at 2300 block of Interstate 85, from Hazel M. Keller (widow), at \$1,500.00, for sanitary sewer trunk to serve I-85 and Alleghany Street.
- (b) Acquisition of 15' x 1,968.64' of easement at 1801 Lindbergh Street, off I-85, from Charlotte Office Warehouse, at \$1.00, for Sanitary Sewer Trunk to serve I-85 and Alleghany Street.
- (c) Acquisition of 15' x 277.96' of easement at 2400 Kendrick Avenue, off Statesville Avenue, near I-85, from Dellinger Madison Associates, Inc., at \$350.00, for Derita Woods Area Sanitary Sewer Trunks Project.
- (d) Acquisition of 15' x 229.08' of easement at 2700 Burch Drive, off U. S. 21 near I-85, from Hipp Construction Company, Inc., at \$229.00, for Derita Woods Area Sanitary Sewer Trunks Project.
- (e) Acquisition of 15' x 239.20' of easement at 2907 North Interstate 85, from William C. and Jean F. Godley, Robert T. and Patricia R., and Fred D. Godley and Jean H. Godley, at \$290.00, for Derita Area Sanitary Sewer Trunks Project.
- (f) Acquisition of 15' x 194.44' of easement at 3800 Nevin Road, off Statesville Road, from Mrs. Evelyn E. Warwick, at \$295.00, for Derita Woods Area Sanitary Sewer Trunks Project.
- (g) Acquisition of 15' x 127.79' of easement at 2708 Kendrick Avenue, off Statesville Avenue, near I-85, from Dellinger Madison Associates, Inc., at \$250.00, for Derita Woods Area Sanitary Sewer Trunks Project.
- (h) Acquisition of 42' x 38.70' x A - 25.08' x 35.11' x 23.11' of property at 1916 Oaklawn Avenue, from Horace Walter Alexander, at \$2,450.00, for Oaklawn Avenue Widening Project.
- (i) Acquisition of 75' x 18.57' x 25.08' x 60.73' x 3.37' of property, at 2001 Oaklawn Avenue, from Robert H. Greene and wife, Gladys L., at \$1,000.00, for Oaklawn Avenue Widening Project.
- (j) Acquisition of 1.25' x 75' x 1.95' x 75.22' of property at 2019 Oaklawn Avenue, from Stano Gaines and wife, Mattie, at \$575.00, for Oaklawn Avenue Widening Project.
- (k) Acquisition of 16.02' x 60' x 16.02' x 60' of property at North Caldwell Street and East 13th Street, plus a construction easement, from McKee Realty Company, Inc., at \$500.00, for North Caldwell Street Improvement Project.

SPECIAL OFFICER PERMITS AUTHORIZED.

Motion was made by Councilman Withrow, seconded by Councilman Short, and unanimously carried, authorizing the following Special Officer Permits for a period of one year:

- (a) Renewal of permit to Elbert Warren Burris for use on the premises of Charlotte Branch - Federal Reserve Bank of Richmond.
- (b) Renewal of permit to Henry V. Morris for use on the premises of Kingspark Apartments and William Trotter Company.
- (c) Issuance of permit to Norman Kent Robinson for use on the premises of Stroupe Security Patrol, Inc.

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- (d) Renewal of permit to James Archer Brown for use on the premises of Johnson C. Smith University.
- (e) Renewal of permit to Pate A. Thore for use on the premises of K-Mart - 3700 East Independence Boulevard.
- (f) Renewal of permit to Thomas Lee King for use on the premises of Johnson C. Smith University.
- (g) Issuance of permit to Andrew Knox for use on the premises of Johnson C. Smith University.
- (h) Issuance of permit to William R. Sullivan for use on the premises of Johnson C. Smith University.

CONTRACT AWARDED RAY D. LOWDER, INC. FOR WATER MAIN CONSTRUCTION - ANNEXATION SECTION III, AREA 6 (HICKORY GROVE).

Councilwoman Locke moved award of contract to the low bidder, Ray D. Lowder, Inc., in the amount of \$582,144.50, on a unit price basis, for water main construction - Annexation Section III, Area 6 (Hickory Grove). The motion was seconded by Councilman Withrow, and carried unanimously.

The following bids were received:

| | |
|---------------------------------|--------------|
| Ray D. Lowder, Inc. | \$582,144.50 |
| Thomas Structure Co. | 613,779.50 |
| Sanders Brothers, Inc. | 615,987.40 |
| Rand Construction Co., Inc. | 641,204.00 |
| A. P. White & Associates, Inc. | 641,031.00 |
| Ben B. Propst, Contractor, Inc. | 647,096.00 |
| Propst Construction Co., Inc. | 647,708.00 |
| Spartan Construction Co., Inc. | 785,598.60 |
| Gilbert Engineering Co., Inc. | 965,130.00 |

CONTRACT AWARDED BURGESS FIRE EQUIPMENT, INC. FOR EQUIPMENT FOR THREE NEW PUMPERS.

Upon motion of Councilman Short, seconded by Councilman Withrow, and unanimously carried, contract was awarded the low bidder, Burgess Fire Equipment, Inc., in the amount of \$11,321.13, on a unit price basis, for equipment for three new pumpers.

The following bids were received:

| | |
|------------------------------|-----------|
| Burgess Fire Equipment, Inc. | 11,321.13 |
| Action Fire & Safety, Inc. | 13,249.95 |
| Zimmerman-Evans, Inc. | 13,623.75 |

CONTRACT AWARDED SAFETY EQUIPMENT COMPANY FOR SELF CONTAINED BREATHING APPARATUS FOR THE FIRE DEPARTMENT.

Motion was made by Councilman Withrow, seconded by Councilman Short, and unanimously carried, awarding contract to the low bidder, Safety Equipment Company, in the amount of \$5,128.00, on a unit price basis, for self-contained breathing apparatus for the Fire Department.

The following bids were received:

| | |
|----------------------------|----------|
| Safety Equipment Co. | 5,128.00 |
| Allied Safety Supply Co. | 5,391.26 |
| Action Fire & Safety, Inc. | 5,547.20 |
| National Police Supply | 5,749.40 |
| Mine Safety Appliances | 5,914.00 |
| Zimmerman-Evans, Inc. | 5,914.00 |

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CONTRACT AWARDED RAY BRACKEN NURSERY, INC. FOR TREE PLANTING CONTRACT ON VARIOUS STREETS WITHIN THE CITY.

Councilman Withrow moved award of contract to the low bidder, Ray Bracken Nursery, Inc., in the amount of \$75,420.00, on a unit price basis, for Tree Planting Contract on various streets within the City, which motion was seconded by Councilwoman Locke, and carried unanimously.

The following bids were received:

| | |
|-------------------------------|--------------|
| Ray Bracken Nursery, Inc. | \$ 75,420.00 |
| Landscaping Consultants, Inc. | 77,848.00 |
| L. A. Reynolds Company, Inc. | 86,777.00 |
| Gilmore Plant & Bulb Company | 88,190.00 |
| Parks Enterprises, Inc. | 97,704.00 |

CONTRACT AWARDED D. R. MOZELEY, INC. FOR GENERAL CONSTRUCTION OF FIRE STATION NO. 3, 6512 MONROE ROAD.

Upon motion of Councilwoman Locke, seconded by Councilman Withrow, and unanimously carried, subject contract was awarded the low bidder, D. R. Mozeley, Inc. in the amount of \$194,850.00 for General Construction of Fire Station No. 3, 6512 Monroe Road.

The following bids were received:

| | |
|-----------------------------|--------------|
| D. R. Mozeley, Inc. | \$194,850.00 |
| Laxton Construction Company | 197,000.00 |
| Edison Foard, Inc. | 210,645.00 |
| Blythe & Isehour, Inc. | 214,647.00 |
| Rodger Builders | 215,759.00 |
| C. W. Gallant Company | 260,165.00 |

CONTRACT AWARDED CLIMATE CONDITIONING FOR AIR CONDITIONING OF FIRE STATION NO. 3, 6512 MONROE ROAD.

Motion was made by Councilwoman Locke, seconded by Councilman Short, and unanimously carried, awarding contract to the low bidder, Climate Conditioning, in the amount of \$9,225.00, for Air Conditioning of Fire Station No. 3, 6512 Monroe Road.

The following bids were received:

| | |
|--------------------------------|-------------|
| Climate Conditioning | \$ 9,225.00 |
| Moore Air Conditioning Company | 9,396.00 |
| Ross-Witmer, Inc. | 10,120.00 |
| Mechanical Contractors, Inc. | 10,968.00 |
| Tompkins-Johnston Co., Inc. | 10,987.00 |
| A. Z. Price & Assoc., Inc. | 11,111.00 |

CONTRACT AWARDED R. L. WALKER PLUMBING COMPANY FOR PLUMBING WORK ON FIRE STATION NO. 3, 6512 MONROE ROAD.

Councilman Withrow moved award of contract to the low bidder, R. L. Walker Plumbing Company, in the amount of \$15,083.00, for plumbing work on Fire Station No. 3, 6512 Monroe Road, which motion was seconded by Councilwoman Locke, and carried unanimously.

The following bids were received:

| | |
|-------------------------------|-----------|
| R. L. Walker Plumbing Company | 15,083.00 |
| Tompkins-Johnston Co., Inc. | 15,587.00 |
| A. Z. Price & Assoc., Inc. | 16,760.00 |
| J. V. Andrews Company | 17,400.00 |
| Mecklenburg Plumbing Company | 17,833.00 |
| City Plumbing Company | 25,445.65 |

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CONTRACT AWARDED AIR MASTERS, INC. FOR ELECTRICAL WORK ON FIRE STATION NO. 3, 6512 MONROE ROAD.

Upon motion of Councilman Short, seconded by Councilman Withrow, and unanimously carried, contract was awarded the low bidder, Air Masters, Inc., in the amount of \$19,738.00, for electrical work on Fire Station No. 3, 6512 Monroe Road.

The following bids were received:

| | |
|-----------------------------|--------------|
| Air Masters, Inc. | \$ 19,738.00 |
| Robinson Electric Co., Inc. | 20,349.00 |
| Howard Electric Company | 20,520.00 |
| Ind-Com Electric Company | 22,695.00 |
| Austin Electric Company | 25,549.00 |

ORDINANCE NO. 104-X AMENDING ORDINANCE NO. 828-X, THE 1973-74 BUDGET ORDINANCE AMENDING THE TABLE OF ORGANIZATION FOR THE PERSONNEL DEPARTMENT, RECLASSIFYING PERSONNEL ANALYST III TO A PERSONNEL ANALYST II AND A PERSONNEL ASSISTANT TO PERSONNEL ANALYST I.

Councilwoman Locke moved adoption of an ordinance amending the table of organization for the Personnel Department for reclassification of a Personnel Analyst III to a Personnel Analyst II and a Personnel Assistant to Personnel Analyst I. The motion was seconded by Councilman Withrow, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 20, at Page 451.

RULES OF PROCEDURE SUSPENDED TO CONSIDER AN EMERGENCY RESOLUTION, AND RESOLUTION RELATING TO THE ENERGY CRISIS ADOPTED.

Councilwoman Locke stated she has a resolution which she would like to present as an emergency resolution. That the Mayor had a meeting with the Charlotte Gasoline Dealers Association, and the resolution has been prepared in an attempt to solve the effects of the energy crisis and encourages the citizens and travelers within the city to give their assistance and cooperation to the gasoline dealers.

Councilwoman Locke moved that the rules of procedure be suspended in order for Council to consider an emergency resolution. The motion was seconded by Councilman Withrow, and carried unanimously.

Upon motion of Councilwoman Locke, seconded by Councilman Withrow, and unanimously carried, the following resolution was adopted:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF CHARLOTTE RELATING TO THE ENERGY CRISIS.

WHEREAS, an energy crisis of national scope has resulted in a gasoline shortage of particular severity within the City of Charlotte causing great hardship and inconvenience to all citizens and travelers within the City; and

WHEREAS, a significant element of inconvenience to the motoring public has been their inability to determine the hours during which service stations sell gasoline; and

WHEREAS, the City Council, in cooperation with the Charlotte Gasoline Dealers Association, desires to do everything within its power to assist in alleviating the problems of obtaining gasoline; and

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WHEREAS, certain members of the Charlotte Gasoline Dealers Association have agreed voluntarily to sponsor programs designed to reduce the difficulties of buying gasoline by requesting minimum purchases of \$3.00 for standard size cars, or in the case of smaller cars, purchasing gasoline only when the gauge registers one-half full, as well as supporting the Governor's "Odd-Even Plan" for gasoline distribution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, duly assembled at its regular meeting of Monday, March 4, 1974, that it whole-heartedly supports the Charlotte Gasoline Dealers Association in its attempt to solve the effects of the energy crisis, and encourages the citizens and travelers within the City to give their assistance and cooperation to the gasoline dealers.

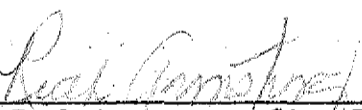
BE IT FURTHER RESOLVED that the City Council, in conjunction with the Charlotte Gasoline Dealers Association, appeals to all motorists to curtail their traveling by twenty-five per cent (25%) in order to further diminish the demand for gasoline.

BE IT FURTHER RESOLVED that any service station operator who posts one detached sign for each service station operated, such sign being clearly visible from the travelled portion of the roadway, shall not be subject to prosecution for the violation of any City ordinance as a result of erecting such sign; provided, however, that the top of the sign is not more than forty-two (42) inches above the ground, is securely attached or weighted so as not to become a hazard, and contains no informational material other than the hours during which the service station sells gasoline and which motorists are currently eligible to purchase gasoline under the Governor's voluntary, odd-even plan of gasoline distribution.

BE IT FURTHER RESOLVED that the City Council endorses Governor Holshouser's voluntary "Odd-Even Plan" of gasoline distribution and enlists the aid of the general public in the implementation of this plan."

ADJOURNMENT.

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



Ruth Armstrong, City Clerk