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The City Council of the City of Charlotte, North Carolina, met on Monday, November 3, 1975, at 3:00 o'clock p.m., in the Council Chamber, City Hall, with Mayor John M. Belk presiding, and Councilmembers Harvey B. Gantt, Pat Locke, Kenneth R. Harris, Milton Short, James B. Whittington, Neil C. Williams and Joe D. Withrow present.

ABSENT: None.

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INVOCATION.

The invocation was given by Reverend Paul Horne.

OUTSTANDING CITIZENSHIP AWARD PRESENTED MR. JAMES KINDLEY.

Police Chief Goodman stated it is a real pleasure to introduce to the Mayor and City Council a man who came to the assistance of the Police Department recently. He is Mr. James Kindley. That on October 16, 1975, a subject entered the North Carolina National Bank at 730 East Trade Street and gave the teller a check to be cashed. The teller became suspicious of the check and took it to her supervisor for approval. The supervisor telephoned the writer of the check to verify it and the check was found to be forged. The subject who was trying to cash the check tried to grab it from the supervisor; at that time the supervisor handed it over to the teller and the subject pushed the supervisor aside as well as another teller and went behind the counter to recover the check. Failing to do so, the subject attempted to flee, but was subdued by Mr. James Kindley, Route 10, Mallard Creek Church Road, Box 354-F, Charlotte. Subject was arrested by police officers who had entered the bank.

Mayor Belk presented Mr. Kindley with an Outstanding Citizenship Award, expressing the appreciation of the City. Mr. Kindley was thanked by each member of Council.

RESOLUTION CLOSING A PORTION OF AN ALLEYWAY ON THE SOUTHWESTERLY SIDE OF BAY STREET BETWEEN HAWTHORNE LANE AND LAMAR AVENUE, IN THE CITY OF CHARLOTTE, NORTH CAROLINA, AS PETITIONED BY MS. LILLIE MAE PENEGAR.

The scheduled public hearing was held on the subject petition to close a portion of an alleyway on the southwesterly side of Bay Street between Hawthorne Lane and Lamar Avenue, in the City of Charlotte, North Carolina.

Council was advised the petition had been investigated by all City Departments concerned with rights of way and there were no objections to the closing.

No one spoke for or against the petition.

Upon motion of Councilman Withrow, seconded by Councilman Whittington, and unanimously carried, the resolution was adopted closing a portion of an alleyway on the southwesterly side of Bay Street, between Hawthorne Lane and Lamar Avenue.

The resolution is recorded in full in Resolutions Book 11, beginning at Page 133.

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RESOLUTION DECLARING AN INTENT TO CLOSE A PORTION OF EAST FIFTH STREET EXTENSION IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA, AND CALLING FOR A PUBLIC HEARING ON THE QUESTION FOR DECEMBER 8, 1975, AS PETITIONED BY THE COMMUNITY DEVELOPMENT DEPARTMENT.

Motion was made by Councilman Harris, seconded by Councilman Withrow, and unanimously carried, adopting subject resolution declaring an intent to close a portion of East 5th Street Extension in the City of Charlotte, Mecklenburg County, North Carolina, and calling for a public hearing on the question for December 8, 1975, as petitioned by the Community Development Department.

The resolution is recorded in full in Resolutions Book 11, beginning at Page 135.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE REQUESTING THAT THE GREENSBORO AREA OFFICE OF HUD PREDETERMINE OR PREAPPROVE GREENVILLE URBAN RENEWAL PROJECT NO. N. C. R-78 AS A SITE FOR SECTION 8 ASSISTED HOUSING.

Motion was made by Councilman Gantt, and seconded by Councilwoman Locke to approve the subject resolution.

Mr. Sawyer, Director of the Community Development Department explained the Section 8 Assisted Housing. He stated this pulls together all the federal aid that is available for housing for low and moderate income families. They are asking that Greenville be selected as an area for Section 8 housing because it is an urban renewal project, and the project was mandated to be developed for low and moderate income families. The only way low and moderate income families can be built there is through the Assistance that is affordable through this Section 8. This will be rent subsidy; but first the housing has to be built. Also you can use existing housing, substantially rehabilitated housing or you can use new housing. This month, HUD is going to advertise for the new housing construction; and they wanted this site of Greenville Area to be predetermined as a proper site for the location of some of these new units. That they want to make sure that our Greenville Urban Renewal Project is competitive, and that is all they are asking; otherwise HUD may select sites elsewhere, and Greenville may be overlooked.

Mr. Sawyer stated the \$1.1 million rent subsidy money will generate about 500 to 600 units; they have 175 already applied for by the Housing Authority.

Councilman Gantt stated his concern is whether or not the McKnight Memorandum plays any role in the designation? Mr. Underhill, City Attorney, replied he has written an opinion based upon, at least the City's understanding of the McKnight agreement, that Urban Renewal areas already clear, such as Greenville does not. The memorandum of understanding entered into was not covered by the definition of eligible versus ineligible areas. For that reason the McKnight memorandum was not applicable to the Greenville Project Area and he gave such an opinion to HUD at their request.

Councilman Gantt asked if the developers might look at Greenville Area with the understanding that it is a predetermined site and that there may be some feasibility for him to go ahead and make an investment in construction there. Will he be required to conform to the general plan approved by Council in previous meetings in terms of all restrictions and ordinances? Mr. Sawyer replied there are no amendments or waivers contemplated to the plan at this time.

The vote was taken on the motion and carried unanimously.

The resolution is recorded in full in Resolutions Book 11, at Page 137.

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RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE APPROVING THE REHABILITATION GRANT AND LOAN PROGRAM AND CONDITIONS UNDER WHICH GRANTS OR LOANS MAY BE MADE TO OWNER-OCCUPANTS OR TENANTS OF RESIDENTIAL PROPERTIES AND OWNERS OR TENANTS OF NON-RESIDENTIAL OR MIXED USE PROPERTIES.

Motion was made by Councilman Whittington, and seconded by Councilman Short to approve a resolution entitled: Resolution of the City Council of the City of Charlotte approving the rehabilitation grant and loan program and conditions under which grants or loans may be made to owners or tenants of residential properties and owners or tenants of non-residential or mixed use properties.

Councilman Whittington asked if this is for all the areas now under the Community Block Grant Development Program? Mr. Sawyer, Director of Community Development, replied yes; this program is not intended to serve any one or be identified with any one target area. It is to be a program for all target areas that are presently designated or with Council's approval, all future ones.

Councilman Gantt stated he thinks this is a worthwhile program; it is one of those things he thinks will be for the benefit of the tenants. This is talking about three percent loans, about grants up to \$4500; income limits have been raised from \$3500 to \$4500 to people eligible for grants. All of this is good.

He stated he thinks however, they need to re-examine the other side of the equation. That is those situations where we have absentee owners who own substantial property in many of these areas where they are going to rehabilitate their homes, getting the advantage of the three percent loans where they might have been getting ten percent loans over a 20-year time period. There should be some stipulations on increase in rents, because the whole idea behind the program is to provide housing for low to moderate income people. There are no controls built into any of this that say that someone who owns 50 units in Sharon will take advantage and get as much as \$18,000 per house to rehabilitate at three percent. That he is not talking about rent control. He is talking about some stipulation such as they do in any of these loan programs, the maximum rate that can be allowed and charged. Because here a private developer can take advantage of a federal program set up. What limitations do they have? He stated he does not want to see someone come in and exploit the program; use the three percent loan, improve the property and then raise the rent to a level where the very people we are trying to help cannot afford it.

Mr. Underhill, City Attorney, stated they have looked into this. He thinks what Mr. Gantt is proposing would be established as a terminal condition on the loan; that the owner of the property would agree that he or she will not increase the rent over a certain defined period - two years, three years or a five year period. He stated he is not prepared to say yes this can be done now or no you cannot do that without looking into it further.

Mr. Sawyer stated proposals for rental control has been a question raised from project area residents, going way back to the beginning of the 312 Loan Program. Their experience on the one hand has not been that raising the rent has been a problem; there have been only an isolated number of cases that have come to their attention where the rent was actually raised beyond the ability or the means of the family occupying it - this means beyond one fourth of his income. If it is brought up to standard, the occupant may welcome it on the one hand and may be able to pay; on the other hand, they may have a point. What they have tried to constantly keep before them are the objectives of the program.

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He thinks the objectives are two-fold. One, the objective to get the property improved. Second, is to provide better housing for low and moderate income families who are residing in the target areas. The three percent loan program and grant program are incentives necessary to meet this objective in their opinion. If they include another stipulation or requirement that the borrower of money has to meet, then you are throwing up one additional road block.

Councilman Gantt stated he would turn those objectives around with the first objective to provide decent and affordable housing for low and moderate income families in that neighborhood. One way to do the second objective is to improve the homes by the rehabilitation process and new construction being done. To him they made a very clear case in this document that if, in fact, absentee owners of property had to improve this property by going to the private market to improve it he is paying ten percent interest today; he cannot get that kind of loan and afford to offer the units at some reasonable income level that would keep the people there. Now they are offering him what amounts to about a minimum of seven percent subsidy on the interest rate for his loan. What does he offer them; what means do they have to control and assure that their first objective, at least his first objective, is there affordable decent housing for the people in that community; what do they have as a means of control? Mr. Sawyer replied they have the improvement of the property if he takes advantage of it and they may have the property improved above the minimum standard. At least it will be improved to the proper rehabilitation standards for that area.

After further discussion Councilwoman Locke stated she would like to see this deferred until Mr. Underhill comes back to Council with an opinion on this. She thinks some type of rent clause is needed.

Councilman Gantt made a substitute motion that the resolution be passed as it pertains to owner-occupied units, and that they defer the portion of the resolution that deals with absentee owner situations. The motion was seconded by Councilwoman Locke, and carried unanimously.

The resolution is recorded in full in Resolutions Book 11, at Page 139.

**RESOLUTION OF THE CITY COUNCIL APPROVING THE COMMUNITY DEVELOPMENT PLAN, THE REDEVELOPMENT PLAN AND THE FEASIBILITY OF RELOCATION FOR GRIER HEIGHTS TARGET AREA, DEFERRED.**

Councilman Short stated Council has not received the minutes of the hearing pertaining to this target area, and he moved that action be deferred on the subject petition. The motion was seconded by Councilman Withrow, and carried unanimously.

**RESOLUTION OF THE CITY COUNCIL APPROVING THE COMMUNITY DEVELOPMENT PLAN FOR NORTH CHARLOTTE TARGET AREA, DEFERRED.**

Councilman Short moved that action on the subject be deferred until Council receives the minutes of the public hearing. The motion was seconded by Councilman Withrow, and carried unanimously.

**ORDINANCE NO. 951-X TRANSFERRING FUNDS FROM THE UNAPPROPRIATED BALANCE OF THE GENERAL REVENUE SHARING TRUST FUND TO PROVIDE A SUPPLEMENTAL APPROPRIATION FOR THE RENOVATION OF ENDERLY PARK RECREATION CENTER.**

Councilman Whittington moved adoption of subject ordinance transferring funds, in the amount of \$26,500, from the Unappropriated Balance of the General Revenue Sharing Trust Fund to provide a Supplemental Appropriation for the Renovation of Enderly Park Recreation Center, which motion was seconded by Councilman Withrow, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 22, at Page 437.

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CONTRACT FOR TECHNICAL OR PROFESSIONAL SERVICES BETWEEN THE CITY OF CHARLOTTE, COMMUNITY DEVELOPMENT DEPARTMENT, AND MECKLENBURG COUNTY FOR A GROUP HOMES RESIDENTIAL TREATMENT PROGRAM FOR EMOTIONALLY AND/OR BEHAVIORALLY DISTURBED COMMUNITY DEVELOPMENT AREA YOUTH, APPROVED.

Upon motion of Councilwoman Locke, seconded by Councilman Williams, and unanimously carried, contract was approved for Technical or Professional Services between the City of Charlotte, Community Development Department, and Mecklenburg County for a GROUP HOMES Residential Treatment Program for emotionally and/or behaviorally disturbed Community Development Area Youth through a Sub-Contract with Youth Homes, Inc., for a total sum not to exceed \$200,000.00.

SANITARY SEWER EASEMENTS FOR ANNEXED AREAS, APPROVED.

Motion was made by Councilman Withrow, seconded by Councilwoman Locke, and unanimously carried, approving the following sanitary sewer easements for annexed areas:

- (a) Annexation Area I (11) Sanitary Sewer Trunks  
1 parcel
- (b) Annexation Area III (6) Sanitary Sewer  
1 parcel

PROPERTY TRANSACTIONS AUTHORIZED.

Councilman Whittington moved approval of the following property transactions, which motion was seconded by Councilman Short, and unanimously carried:

- (a) Acquisition of 15' x 50' of easement at 218 Billingsley Road, from Margaret T. Kirkpatrick (widow), at \$300.00, for Sanitary Sewer Trunk to serve Billingsley Road.
- (b) Acquisition of 20' x 230.49' of easement at the end of 9100 Shackelford Terrace, from Westminster Company, at \$1.00, for proposed 20 foot water line right of way in Shackelford Terrace Extension.
- (c) Option on 372.40' x 2.01' x 20.56' x 314.07' x 37.62' x 9.50' of property, plus a construction easement, at 4516 Randolph Road, from John Hancock Mutual Life Insurance Company and JHRD 467 Corporation, at \$13,325.00, for the Randolph Road Widening Project.

ACQUISITION OF REAL PROPERTY LOCATED IN THE FIRST WARD URBAN RENEWAL PROJECT, APPROVED.

Upon motion of Councilman Short, seconded by Councilwoman Locke, and unanimously carried, approval was given to the acquisition of two (2) parcels of real property by the Community Development Department, located in the First Ward Urban Renewal Project, as follows:

BLOCK & PARCEL	OWNER AND ADDRESS	ACQUISITION PRICE
38-11	Mrs. J. E. Hemphill 817 East 8th Street	\$3,800
40-11	Solomon E. Messner Estate 818-20 East 7th Street	23,700

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REPORT ON FIRST WARD RENEWAL AREA.

Councilman Whittington requested an up to date report on First Ward homes that are to be rehabilitated.

Mr. Sawyer, Director of Community Development Department, stated the Department of Labor has to set the rates that can be paid as a minimum wage for the laborers under contracts. That they are waiting on a report from the Greensboro HUD office at this time. He stated they have prepared a small subdivision plan for the area into which these will be placed - this is between Ninth Street and Eighth Street and Myers and Alexander Streets. All of the units are not vacant at this time. They have to board up all the houses that become vacant. They board them up and maintain them the best they can.

Councilman Whittington stated he knows they are doing all they can on this project. He hopes they are working with Greensboro and anyone else they can work with to see this project become a reality before these houses are demolished by other people than the City. This is an opportunity to do some of the things that Judge McMillan enjoined us to do. Keep the houses there, and let the people who are in First Ward now move into them.

CONTRACTS FOR WATER MAINS AND SANITARY SEWER CONSTRUCTION, APPROVED.

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

- (a) Contract with James H. Whitner Company for construction of 1,660 ft. of 8" and 6" C.I. water mains, and one (1) fire hydrant, to serve Phase I of Sturnbridge Subdivision, outside the city, at an estimated cost of \$17,770.00. The applicant has requested that the City prepare the plans and specifications necessary for the construction of the water mains to serve the subject project. A deposit in the amount of \$1,770.00, which represents 10% of the estimated construction cost, has been advanced by the applicant. The applicant will finance the entire project with no funds required from the City.
- (b) Contract with Mr. Sterling G. Hall, Dr. Henry J. Stuckey, Mr. Herbert M. Adrain, Jr. and Dr. Davis S. Johnston for an extension of a water main to provide English Gardens Drive with water service for developed property located on English Gardens Drive, east of Carmel Road, outside the city, to include approximately 1,230 ft. of 6" and 2" water mains and one (1) fire hydrant, at an estimated cost of \$6,700.00. The applicants will advance \$3,340.00, which is 50% of the total estimated cost of \$6,700. The remaining to be funded with 635.13, minor improvements in existing system. An existing development as such that it qualifies for construction in accord with the existing water/sewer extension policy, in that applicant agrees to fund 1/2 of the estimated cost in an area 50% developed.
- (c) Contract with Gettys Construction Company for construction of 2,080 linear feet of 8" sanitary sewer to serve Ravenwood Subdivision #3, outside the city, at an estimated cost of \$31,200.00. The applicant is to construct the entire system at their own proper cost and expense. The City is to own, maintain, operate and retain all revenue at no cost to the City.

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- (d) Contract with Evans Construction Company for construction of 9,400 linear feet of 8" sanitary sewer to serve Carmel Woods Subdivision, outside the city, at an estimated cost of \$141,000.00. The applicant is to construct the entire system at their own proper cost and expense. The City is to own, maintain, operate and retain all revenue at no cost to the City.
- (e) Contract with The John Crosland Company for construction of 3,480 linear feet of 8" sanitary sewer to serve Huntingtowne Farms, Section 8, outside the city, at an estimated cost of \$52,200.00. The applicant is to construct the entire system at their own proper cost and expense. The City is to own, maintain, operate and retain all revenue from the system, at no cost to the City.
- (f) Contract with James H. Whitner Company for construction of 2,700 linear feet of 8" sanitary sewer to serve Sturnbridge Subdivision, Phase II, outside the City, at an estimated cost of \$40,500.00. The applicant is to construct the entire system at their own proper cost and expense and the City is to own, maintain, operate and retain all revenue at no cost to the City.
- (g) Contract with Robert B. Hovis, Michael Burrell, Yates Reep and Herman A. Lawing for construction of 460 linear feet of 8" sanitary sewer main to provide sanitary sewer service for developed property located on Delshire Lane, outside the city, at an estimated cost of \$4,130. Applicants will advance \$2,065.00, which is 50% of the total estimated cost of \$4,130.00. The remaining to be funded with 633.07, with minor improvements in existing system. An existing development as such that it qualifies for construction in accord with the existing water/sewer extension policy, in that applicant agrees to fund 1/2 of the estimated cost in an area 50% developed.

**CONTRACT AWARDED HARRELL'S CONCRETE WORKS FOR CURB IMPROVEMENTS, FALL 1975, VARIOUS STREETS.**

Councilwoman Locke moved award of contract to the low bidder, Harrell's Concrete Works, in the amount of \$59,512.00, on a unit price basis, for curb improvements, Fall 1975, various streets. The motion was seconded by Councilman Whittington, and unanimously carried.

The following bids were received:

Harrell's Concrete Works	\$59,512.00
T. A. Sherrill	74,413.00
Crowder Construction Co.	76,025.00
Rea Construction Co.	82,242.00

**CONTRACT AWARDED CROWDER CONSTRUCTION COMPANY FOR DILWORTH NEIGHBORHOOD ASSISTANCE PROJECT.**

Upon motion of Councilman Short, seconded by Councilman Withrow, and unanimously carried, subject contract was awarded to the low bidder, Crowder Construction Company, in the amount of \$341,454.00, on a unit price basis, for Dilworth Neighborhood Assistance Project.

The following bids were received:

Crowder Construction Co.	\$341,454.00
T. A. Sherrill	349,879.50
Rea Construction Co.	359,743.00

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CONTRACT AWARDED WORTH KEETER, INC. FOR LEAF BOX CONTAINERS.

Motion was made by Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, awarding subject contract to the only bidder, Worth Keeter, Inc., in the amount of \$7,944.00, on a unit price basis, for six (6) Leaf Box Containers to be used by the Sanitation Division in collecting leaves through the City.

MEDIAN WITH CUTS AS RECOMMENDED BY TRAFFIC ENGINEERING FOR PHASES I AND III OF SHARON AMITY ROAD PROJECT APPROVED WITH PORTION FROM HOLBROOK TO INDEPENDENCE BOULEVARD TO BE RESTUDIED.

Councilman Gantt stated he is concerned about the existing zoning along the route of Sharon Amity Road. He has received a number of letters this week as a result of the hearing last week. The residents of the area between Independence and Albemarle Road had some debate on whether or not the median should be broken or unbroken. One major concern they all had was this area might become a commercial strip. In looking at the existing zoning all of it is R-9 except for the block almost to Independence Boulevard which is business, with the portion at Coronado Drive being R-9MF for the apartments, and on the opposite side of the street it is R-9 except for the area at the corner of Albemarle Road. He stated he feels the pattern of residential is set there.

Therefore, he would recommend in that first block that some consideration be given to the storage of cars at Sharon Amity and Independence Boulevard, with the possibility of providing some median to store the cars; but opening it up back to Holbrook to five lanes to allow more flexibility for the businesses; and from Holbrook to Albemarle Road accept the recommendations given by the Traffic Engineering Staff. He stated he says this with some degree of reservation because between Coronado and Amity Place there is only 250 feet; and he is not quite sure why we decided to leave two openings there, and the only thing he can conclude is that it would be less of a burden to people trying to cut through from Sharon Amity.

Councilman Whittington stated he agrees with everything that has been said up to the point about this section of Sharon Amity. To those who were not on the Council when Amity Place was a street that has been there for a long time, most of the homes were built by the individuals, or bought individually from Amity Place up to the street that runs beside City Chevrolet. He stated his feelings in the matter as it relates to having both the medians there is this. The people in that block of Amity Place - the one block from Sharon Amity down to the Apartments which are behind City Chevrolet - for years have taken all the City Chevrolet traffic and all the traffic that came in off Albemarle Road and Farmingdale Road and the development on Reddman through their property because it is a direct cut across to Pierson Drive and on to Albemarle Road. He feels there should be the two cuts so that the traffic could be more evenly divided - Coronado Drive, Amity and Holbrook, and you have to have a cut for the people to get into the golf course.

Councilman Short stated both Coronado Drive and Amity Place run on for ten, twelve or fifteen blocks and serve a lot of properties down there. He thinks they need to be treated equally.

Councilman Gantt stated to the Citizens who objected to any openings in the median, in reading the letters, he thinks their biggest argument has been the fact that the area would deteriorate into a commercial strip. Council cannot control people who petition to change this property to something else; but he would hope this Council would bear in mind that the alignment of this road, and the quality of this road has been designed with the median with the idea that it will remain a residential area. That he cannot foresee moving those two cuts in terms of changing the residential character.

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Councilman Harris stated another thing is that we are deciding right now whether or not we are going to dump traffic on Independence Boulevard, or use Amity Place and Pierson Drive as an alternative route. We are endorsing the concept of continuing to use the main artery through two neighborhoods. We are saying this is good by having these cuts. It is a traffic control situation. Councilman Whittington stated he takes the position that most of the people on Amity wanted their cut; and the people on Coronado Drive, some did and some did not.

Councilman Gantt stated there is no question that Amity Place is a collector street in that development, and he does not think you can swap it off.

Councilman Short asked if he is omitting the median between Independence Boulevard and Holbrook Drive? Councilman Gantt replied not totally. If you look at that intersection at certain peak hours every day you need a storage of traffic and need that median for safety purposes. He questions whether or not they need to store that many cars in that left turn lane onto Independence. Councilman Short stated there are five driveways - two on the left and two on the right going north in the middle of that block. That he thinks Mr. Gantt's motion should include that those five businesses would be accommodated by means of an opening or by shortening the median, or by some method; but not delete the entire median for the whole block - those driveways run a span there of about 120 feet. Another cut right in the middle of the block would probably solve it; or it should be left to the Traffic Director to accommodate those five driveways in some way or other, but not delete the entire median. Councilman Gantt stated all he is saying is to shorten the median.

Councilman Harris asked why you have to have a median between Independence and Holbrook; why build anything there? Mr. Corbett, Director of Traffic Engineering, stated the problem of left turns from Sharon Amity on to Independence Boulevard is quite severe. During the peak hours there are almost 300 cars per hour that attempt to make that left turn. The traffic signal cycle there during the peak hours runs in excess of four minutes. With 300 cars in one hour that is five per minute and if the traffic signal cycle runs in excess of four minutes, that means you have 20 cars backed up in the left turn lane. Twenty cars is 400 feet, and the block from Independence Boulevard back to Holbrook is 400 feet or very close to it. This is a situation which concerns them as traffic engineers. Anything less than a median a full block length will cause some difficulties. If there is a vehicle going south which wishes to turn into one of those driveways, and stops for on coming traffic, then he blocks that left turn lane.

After further discussion, Councilman Gantt moved that Council accept the median openings as proposed by the Traffic Engineering and request Mr. Corbett to restudy that portion of the road, between Independence and Holbrook Drive to accommodate those businesses. The motion was seconded by Councilwoman Locke.

Councilman stated his motion is that the median openings be accepted as proposed by the Traffic Engineering, with the exception that they study again that portion of the road between Holbrook and Independence. Mr. Burkhalter, City Manager, stated this means they will proceed with this plan as proposed with the exception of the area from Independence Boulevard back the first block, and come back to Council with a recommendation.

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

Councilman Gantt stated under Phase III he only has one recommendation. It seems the 950 feet unbroken median might be looked at again by virtue of the fact there are some businesses also located along there.

Councilman Williams moved that from Wilora Lake Road north to Shamrock Drive be approved as recommended. The motion was seconded by Councilman Whittington, and carried unanimously.

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Councilman Whittington stated if he were on Central Avenue going south on Sharon Amity could he get into the Shell Service Station at that point; or is that for the Eastland Mall? Mr. Corbett replied he could get in there by making a left hand turn. The left hand storage lane is only for southbound traffic; but there is nothing to prevent a northbound vehicle turning through the opening. Councilman Whittington stated if he is going north on Sharon Amity could he get into that Shell station in this first cut? Mr. Corbett replied he could; but the safest way would be to turn left onto Central Avenue with the left turn signal, and right into the Shell Station driveway. Councilman Whittington stated if he is on Sharon Amity at Wilora Lake Road, and headed towards Central Avenue, he wants to know if he can go into that Shell Station at the first cut? Mr. Corbett replied no.

Councilman Short moved that the portion between Central Avenue and Wilora Lake Road be approved as detailed by Mr. Corbett. The motion was seconded by Councilman Whittington.

Councilman Harris stated he thinks this is wrong; that he thinks we will be tearing up medians again. Councilman Short stated those service stations have access off two of the biggest streets in the city - they have access off Sharon Amity Road and off Central Avenue. Councilman Harris stated if they had no problems they would not have been here. Councilman Short stated the bank was built after this street was designed, and with knowledge or with an opportunity for knowledge of what was being built there - not only built but zoned after this was designed. Councilman Harris asked what he would say to the apartment building there on the right hand side going out? Councilman Short replied those individuals can get in, he would assume, through the Eastland Mall opening.

Councilman Withrow asked how much trouble it would be to make another cut; how much would it cost? Mr. Corbett replied to make a cut without left turn storage lane the cost would be minimal. But without a left turn storage lane the danger of rear end collisions by people stopping to make a left turn is very great; that he would be very concerned about it. Mayor Belk stated with a storage lane you could still make it in there. Mr. Corbett stated in order to put in a cut with storage lane in both direction, it would take up the 900 feet and remove all the plantings.

Councilman Harris asked how he would suggest people in the apartment complex on the right get to work coming uptown? Mr. Corbett replied go down to Wilora Lake Road and make a U-turn, and come back. Councilwoman Locke stated that would be very difficult. Councilman Harris stated that is his objection right there; that is the problem we have with the people there, and there are 70 some cars coming out of there in the mornings.

Councilman Gantt stated Mr. Corbett indicates by cutting that median about 40 to 50 feet or about half way, that we will cut out the storage lanes on both sides, and all the trees? Mr. Corbett replied it takes a minimum of 150 feet for left turn storage plus 250, plus the transition which is 400 feet.

Councilman Harris asked why we have to have a median there? Mayor Belk replied for the through traffic basically.

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

YEAS: Councilmembers Short, Whittington, Gantt and Withrow.  
NAYS: Councilmembers Harris, Locke and Williams.

ADJOURNMENT.

Upon motion of Councilman Short, seconded by Councilman Harris, and unanimously carried, the meeting adjourned.

  
Ruth Armstrong, City Clerk