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The City Council of the City of Charlotte, North Carolina, met on Monday, August 11, 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, Kenneth R. Harris, Pat Locke, 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 Councilman Milton Short.

MINUTES APPROVED.

Upon motion of Councilman Short, seconded by Councilman Harris, and unanimously carried, the minutes of the last meeting, on July 28, 1975, were approved as submitted.

DECISION ON PETITION NO. 75-10 BY CARL J. SCHNEIDER FOR A CHANGE IN ZONING FROM I-1 AND R-9 TO I-1 AND I-2 OF 24.12 ACRES OF LAND ON THE NORTH SIDE OF INTERSTATE 85 AND EAST OF STARITA ROAD, DEFERRED.

Councilman Short moved the zoning change be approved as now recommended by the Planning Commission, which motion was seconded by Councilman Whittington.

Councilman Withrow stated he talked with Mr. Dunn about this zoning petition and Mr. Dunn stated his neighborhood group was opposed to this change. That they had never been paid the courtesy, either by the Planning Commission or the City, to come back to Council and speak again on this petition in all the two times Council sent it back to the Planning Commission for re-study.

He stated Mr. Dunn told him he was not necessarily opposed to the latest Planning Commission's recommendation himself, but he wanted to go back to the people and ask them what they have to say about this latest recommendation and asked that the decision be deferred until August 25 so that he could be at the Meeting. That Mr. Dunn is out of town today and could not be present.

Councilman Withrow stated Mr. Dunn wanted to tell Council that they need to change their zoning ordinance so Council could have some vehicle or some way so people could come back to Council, or be notified of the petition being referred back to the Planning Commission and what is happening to the petition. That presently the people are not notified and they want some way that anyone with a petition can be notified.

He stated the County has such an ordinance and Council should amend their ordinance accordingly.

Councilman Withrow made a substitute motion to defer the decision on this petition until August 25th, which motion was seconded by Councilwoman Locke.

After discussion, Mr. Underhill, City Attorney, stated under the present Council procedures, after an item has received a public hearing, such as a zoning matter, Council's rules or procedures prohibit the matter from being re-heard after the public hearing has been completed.

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After further discussion, the vote was taken on Councilman Withrow's substitute motion to defer decision on the petition until August 25th, and carried by the following vote:

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

PRESENTATION OF PLANS FOR IMPROVEMENT OF KINGSTON AVENUE BY DIRECTOR OF COMMUNITY DEVELOPMENT AND AUTHORIZATION OF PUBLIC HEARING RELATIVE TO POSSIBILITY OF CLOSING KINGSTON AVENUE AT EUCLID AVENUE.

Mr. Vernon Sawyer, Director of Community Development Department, stated from time to time Council has inquired about some aspect of the Dilworth Neighborhood Improvement Program and now that these plans have been completed, he would like to present them today.

He advised some of the important dates began with Council approving the NAP Project in November of 1973. That the project actually started in February 1974 and they had their first meeting with a citizen's group, the Dilworth Community Development Association, on March 7, 1974 and then followed a ten month period of citizen's participation in the planning process.

Mr. Sawyer stated in January of 1975, they asked the Engineering Department to begin the design of the plans that had been approved in concept. As they proceeded with the design of the plans, it became obvious that some little portions of the sidewalk needed a little extra right-of-way and the next point was when the Real Estate Division was notified to go out and claim those rights-of-way so that the design then could be approved with assurance. This was done just at the end of July of this year, with final plans and specifications completed for the improvements of this project and if Council is in agreement, the Public Works Department is prepared to advertise for bids this month and come back to Council with a recommendation, or a contract, next month.

He stated the engineering design was completed in July of 1975; is scheduled for bids in August of 1975; will start construction in September of 1975 and is scheduled to be completed in January of 1976.

Mr. Sawyer stated he would like to comment on the ten months period of citizen's participation and that did involve quite a number of meetings - both public meetings and many other meetings between members of their staff and various citizens and representatives of the Dilworth Community Development Association and Kingston Avenue residents and city staff. They finally agreed on the concept plans at the end of this period.

He illustrated from a wall chart that new concrete is going to be poured and that concrete is going to involve new curb and the new curb is going to extend all the way through the Project - from Euclid Avenue, on Kingston Avenue, to Park Road at the end of the project. Also, a curb on the abutting streets - Lennox Avenue, Springdale, Winthrop and Lyndhurst.

That the curb between Euclid and Springdale is going to be sitting outside toward the street of the existing curb and that will have the effect of narrowing the street to about the same, not quite, but nearer the width of the street from Springdale Avenue and Park Road. The purpose of this is to protect the roots of the trees that are apparently being damaged by the existing curb. The new curb will be outside of that which will have the effect of narrowing the street. Then, new sidewalk throughout the project, except for a few gaps and a few other places where the existing sidewalk is adequate and will not need to be renewed.

Mr. Sawyer stated another feature involves the driveways which will be wider and sort of fan-shaped design, and the walkways that extend from the houses from the sidewalk to the street and the new curb. Those are the features that will be installed by new concrete throughout the project and will also be on the abutting streets.

That the existing drainage system is deteriorated to the point where the decision was made to renew the drainage system and new storm drainage will be installed. He stated one of the features where a great deal of interest was shown was in the preservation of existing trees. Some of the trees are old and a few of them are new and some trees have already been planted there in the median between the curb and sidewalk. A few older trees had to be removed because they were damaged or diseased and this was done in concert with the representatives of the Dilworth Community Development Association.

After discussion, Mr. Sawyer stated the Public Works Department is prepared to advertise for bids and to begin the work. That the estimated cost for these improvements is \$200,000 and they have \$203,000 in the budget at this time and anticipate no budget problems.

He advised the streets affected are Kingston Avenue, contained between Euclid Avenue on the south and Park Road on the other end - the intersecting streets, beginning with Euclid are Lyndhurst Avenue, Winthrop Avenue, Springdale Avenue, Lennox Avenue and Park Road on the end.

Councilman Gantt stated according to information he received, one of the more controversial items that came out of the citizens' participation was the closing of some of the streets, or opening the one street closing at Euclid and Kingston. He asked if the Community Development Department decided not to recommend the closing, or was there a budget problem, and what would the cost be and Mr. Sawyer replied they never made a recommendation concerning the closing.

Mr. Sawyer stated this was a matter that was discussed considerably by the Kingston Avenue residents group and other residents of Kingston Avenue and the Dilworth Community Development Association. He stated his office was trying to do what the citizens wanted to do, therefore, they have not taken sides in this controversy and it has been a controversy.

He stated he wrote to the President of the Dilworth Community Development Association back in June, asking if the Association would make a recommendation, and they have received no recommendation from the Dilworth Community Development Association, therefore, they are assuming that the lack of agreement will maintain status quo - as is.

Councilman Harris asked where the \$200,000 is coming from and Mr. Sawyer replied the \$200,000 has already been approved and appropriated year before last from the Community Development which was the old NAP Program.

Councilman Harris asked if there were administrative expenses included in this \$200,000 and Mr. Sawyer replied no, this is the amount of money that has been budgeted and reserved for these improvements and there is another budget which includes administrative costs, including other costs and reserved for public improvements.

Councilman Gantt asked for an estimate of the additional cost, above the \$200,000, if the closure had occurred and Mr. Sawyer replied if the street were closed, the Euclid Avenue closing, including the construction to close Kingston Avenue and upgrade the existing facilities to do that, the total cost would be about \$2,000.

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Mr. Sawyer stated one way or the other, it would be \$300.00 more to do it later than to do it now; it can be done later or it can be done now.

Councilman Harris asked if the City had any objections to the closing and Mr. Sawyer replied they circulated the request to close throughout the various city departments and received an objection from the Police Department only - the other departments signed off on it and posed no objections.

Mr. Sawyer stated he is not recommending the street closing; that he does not believe he can say that the departments of the city have recommended that the street be closed but the departments have not objected to the closing, under certain conditions.

Councilman Harris stated he understands the objections are from down the street, from Euclid primarily and he wondered if there was any thought given by the groups to close off the primary block - period. That the people are interested in moving for this closure on Euclid.

Mr. Sawyer stated there may be citizens in the audience to speak on that point; he recognized a number of them in the audience, but he has received no recommendation. That they tried because they interpreted their role to be one of planning to the maximum extent with the citizens.

Mayor Belk stated each of the speakers who have asked to be heard today will be limited to five minutes so everyone will have an opportunity to talk.

Ms. D'Etta Leach stated the Dilworth Association made its own survey because there appeared to be some opposition to the closing. She presented a chart to Councilmembers showing the residents who favor the closing, those who do not feel strongly either way and the ones who oppose the closing.

She stated she would like to clarify one thing and that is the Dilworth Community Development Association, through its Board of Directors made up of twenty-six members, have not changed their minds about approving and supporting that closure. That she talked with Mr. Sawyer by telephone on August 4 and told him they still found it to be a good plan although they recognized the opposition.

Ms. Leach stated she told Mr. Sawyer they would like for him to present it to Council along with the plan that he already had intended to present and let Council see both plans clearly and make its choice on the basis of the facts.

She stated the 26-member Board of Directors, which are the official representatives of the Dilworth Association, elected by the members, support this closure as part of the plan. That many hours have been put in by their Board in discussing this plan and many more hours by their planning committee in helping to work it out. They have not considered this project lightly or briefly and think the closure would strengthen Kingston as a residential street and, by strengthening Kingston, would benefit all of Dilworth.

That she recognizes the fact that some residents of Kingston are not comfortable with the idea of the closure and some strongly dislike the idea, so they surveyed owners of each property and found that there have been a number of changes of feeling among the property owners.

She stated she talked with a number of owners who said their original reaction was favorable, then some of them said somebody called them and they got scared about it but now they are ready to go back to their original feeling of support for the project, or at least not having any opposition to it.

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That of the 80 properties 41% strongly favor the closure; 15% do not feel strongly about it one way or the other; that makes 56% who favor it or have no objection to it; 10% of the properties they were not able to contact and 34% oppose the closure. She stated that some people still object to it even though this was a compromise proposal of one closure as opposed to the original idea which was three.

After further discussion, Ms. Leach asked Council to consider its obvious merits that the closure will make an impression on Dilworth long after people who oppose it and favored it are gone.

Also speaking in favor of the closure were Ms. Sara Spencer, 528 East Kingston Avenue, Mr. Mercer Blankenship, 400 East Kingston Avenue, Ms. Marie Matthews, 715 East Kingston Avenue and Mr. Michael Finch.

Speaking in opposition was Mr. Leo Phelan, 612 East Kingston Avenue, who stated he was a member of the Dilworth Community Development Association from its inception until last Fall and he has been against the closing of Kingston and Euclid Avenues and Winthrop which has now been abandoned, from the beginning.

That he, like Ms. Leach, has not changed his mind; that the item of traffic seems to be a major item here and he lives on East Kingston and does not see where traffic is a problem and that he feels the Traffic Engineer will bear him out, because the traffic is not heavy enough.

Mr. Phelan stated as far as the closing and developing that intersection at Euclid, he does not think that is necessary either. There is a mini-park being developed on that corner which will satisfy the playground area for the children. That the street is only five blocks long and he does not see any necessity in having it dead-end on both sides just at the end of five blocks.

That he is not a newcomer to Kingston Avenue; he moved in on June 1, 1951 and has been there for twenty-four years and has tried to do his part by keeping up his property.

Councilwoman Locke asked the Traffic Engineer to give some input about the traffic situation on Kingston Avenue and Mr. Corbett replied as far as the Traffic Engineering Department is concerned, the traffic using Kingston Avenue is insignificant. That when the proposal came before them to provide their suggestions or comments about it, they were not opposed to the concept of closing Kingston because of the fact that the amount of traffic that it does carry is insignificant. They do feel, however, that the street is there and it does serve as an overflow to East Boulevard and has some value as a traffic-carrying street so they would not take the position one way or the other on the thing. It does serve some traffic but the loss of it would not adversely affect our roadway system.

Mr. Sawyer stated as far as the closure cost - two closings were proposed, one at Euclid Avenue and Kingston and the other at Winthrop Avenue, just off Kingston. The closure would not be in the form of blocking off the entire street. It would merely be putting some obstruction, a planting area or a curbed concrete area to prevent automotive traffic from going through. That is why the cost is so low. One was estimated to cost about \$2,000 and one about \$7,000. The difference between doing it now and doing it later is about \$300.00 for one and about \$1,700 for the other closing.

After further discussion, Councilwoman Locke moved to accept Mr. Sawyer's recommendation but also with the closing of Kingston at Euclid Avenue. The motion was seconded by Councilman Gantt.

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Councilman Withrow asked if a public hearing was not required before a public street could be closed and Mr. Sawyer replied that is entirely right; that Community Development Department did not come prepared today to make a recommendation but if Council wants to consider the closing, then the next step would be for him to request Council to set a date for a public hearing and advertise for the public hearing according to law, hold it, and then make a decision.

Councilwoman Locke made a substitute motion for a public hearing to be held regarding the closing of Kingston Avenue at Euclid, which motion was seconded by Councilman Gantt.

Mr. Burkhalter asked if it would not be wise, in the interest of time, to ask Council to give Mr. Sawyer permission to advertise for bids and have the opening of the bids at the time that you have the public hearing and Mr. Sawyer replied it would save time and they could advertise it to either close it or leave it off.

Mayor Belk asked how much time would be required before you could hold the public hearing and Mr. Underhill, City Attorney, replied it has to be advertised either two or three times, probably about 30 days.

Councilman Short stated he should be open and frank with the large group that has come before Council today in behalf of this project and he admires their imagination in this matter. That he is not going to vote for the motion but he would like to say he does admire the imagination of a good group.

He stated in the thousand or more zoning petitions that he has been involved in, and there has been hundreds and hundreds of streets that citizens of Charlotte have said were flooded with traffic and traffic was a tremendous difficulty, made it unliveable - none had the imagination to suggest that Council just put a park out in the middle of the street and block it off to traffic. So, he does admire the imagination of citizens like Mercer and others - they are real good friends of his but it seems to him that Council could more readily consider stopping outsiders from riding through Dilworth and riding along Kingston as a shortcut to downtown, if the Dilworth residents would stop riding through Elizabeth as a short-cut to Independence Boulevard and he has not heard of anyone offering to do this.

Councilman Short stated Charlotte has hundreds and hundreds of streets worse than Kingston Avenue and he thinks this would be just setting a precedent that would put Council way, way behind the 8-ball and practically under the jail because Council just could never deal successfully with the hundreds of other individuals in zoning hearings and in street widening situations and in intersection situations, stoplight situations, etc. if we agree in this situation just simply to put a total whammy in the sense that a car just could not even get through that street, when we have streets like Woodlawn and hundreds of others in this community that obviously are worse off than Kingston.

He stated he just wanted to say he appreciates this group's imaginativeness and what they are trying to do for Dilworth but he just cannot vote for this motion.

Councilman Whittington stated he did not think Council has any alternative except to have a public hearing because a majority of the people who are here today want a public hearing and they want to close the street, and Council, before they can take any action, must pursue the ordinance to have the public hearing.

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He stated he would like the people who are present today from the Dilworth Community Association to know that he is opposed to closing this street or Winthrop Street, which was also mentioned, and he has talked to people who live on Kingston Avenue and live on the other streets and some of those on East Boulevard and they do not agree with those who propose to close the street, and he is sure this group would want Council to consider their thoughts in the matter, too.

Councilman Whittington stated some of these people who have moved to Dilworth since he moved there would know that Leo Phelan, who is in the audience today, and some other people, mostly ministers and businessmen on South Boulevard, and himself, organized the Dilworth Community Association and the thing he is concerned about today and he has said this to Ms. Leach and others of this group - that instead of Council bringing the community together, he is afraid they are splitting the community and he is worried about this.

That he would hope that this Council and the members of this organization would not pursue the closing of this street and try to compromise what they have come before Council with today and then while they did not get everything they wanted, those people who are opposed to the closing, got some of the things they were opposed to.

He stated anyway you look at this situation, it has been argued the sixteen years he has been on Council on every zoning petition, and probably the most famous case on zoning was the one at Carmel Road and Quail Hollow Road, where the developer wanted to put in an office park and multi-family development and a small shopping area and the people there were opposed to this being done but they wanted to use all of the other roads to get to SouthPark, or wherever they were going, at the expense of the people who lived along those streets. The same thing is true on Kingston Avenue; the same thing is true if you live in southeast Charlotte and you want to get to Independence Boulevard, you have to go through Laurel Avenue, down Selwyn, down Queens, down East Fifth and Seventh to get over there. So, those people who live on those streets are affected, too.

Councilman Whittington stated instead of closing the street, it seems to him they ought to leave it open and not put the burden on the other fellow and that is what this is all about - to live together in love and brotherhood and try to be fair to each other - this is exactly what he feels everyone ought to do. That he would hope this organization would not pursue the closing of this street, and cause this Council to be split and their own neighborhood to be split.

Councilman Gantt stated he has been listening to arguments on both sides and it occurs to him they are doing two things by this closing. That maybe Council is experimenting with something here that is not exactly the same situation that might exist on any other normal residential street.

He stated they have talked about community participation; you can never expect maximum feasible consensus when you go through community participation process, but this project has been given a lot of publicity, a lot of people have spent a lot of time working with it; there are substantial things that this plan will do to that street and that neighborhood and we are talking here about a \$2,000 closure that nobody, or at least the opposition, has not been able to demonstrate endangers the public safety or health of any of the people living along that street.

Councilman Gantt stated in giving the proposed design of the closure, it is not even the kind of thing that becomes a permanent institution, so it seems Council ought to experiment; they ought to see; they ought to want to see what would happen if Council closes that street. That Council ought to want to see whether or not it does irreparable damage to the people living on the lower end of the street; they ought to want to see what happens to traffic.

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That it seems like a very minimal effort on the part of this Council to want to experiment here. He stated we are experimenting with people's lives but it is not irrevocable and if it did not work, we could take it out and let it go. That we talk about neighborhood preservation and community participation and here is an absolutely excellent chance to try it for about \$2,000.00.

A vote was taken on the substitute motion to hold a public hearing on the closing of Kingston Avenue at Euclid, and carried unanimously.

MEETING RECESSED AND RECONVENED.

Mayor Belk called a recess at 4:10 o'clock p.m. and announced the meeting would reconvene at 4:20 o'clock p.m.

ADDENDUM TO LEASE AGREEMENT BETWEEN CITY OF CHARLOTTE AND INDEPENDENCE SQUARE ASSOCIATES, APPROVED.

Upon motion of Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, approval was given to an Addendum to Lease Agreement between the City and Independence Square Associates, dated December 11, 1973, increasing the rental rate from \$1.10 per square foot to \$2.00 per square foot for the 5,097 square feet of space leased to I.S.A. and constructed beneath Independence Square Park.

PRESENTATION BY TRANSPORTATION PLANNING COORDINATOR ON STATUS OF TRANSIT SYSTEM SINCE THE CITY'S TAKE-OVER LAST DECEMBER.

Mr. Herman Hoose, Transportation Planning Coordinator, stated the City Manager recently sent out a report to members of Council for their review regarding the status of the transit system since the City's take-over last December.

That he will try to bring Council up to date on how we stand with our applications that have been submitted for federal grants. He stated just before he came to today's meeting, his department received the contract for their 1975 Operating Assistance, Section 5 monies, which was \$282,113 for the Fiscal Year of 1975.

Mr. Hoose presented a chart to Councilmembers showing the local and federal shares of monies to pay for the operative costs of last year. He stated they still have some funds left that were allocated which were carried over from 1970.

After explanation of the chart, Mr. Hoose stated in working on Section 5, they found it requires quite a bit of work in preparing the applications along with a few exhibits and they are hoping to have some tentative dates.

The first Notice of Public Hearing will be Friday, August 15; the second will be on September 2nd. The Public Hearing will be on September 16th. Following this, they are preparing right along with it, with some outside help, which is City Coach Lines and what staff they have on Section 3, which is the Capital Grant.

He stated the first Notice of this will go out on the 22nd of August, the second Notice on the 9th of September and the Public Hearing will be on September 24th. This is in accordance with federal guidelines. They are up to assistance on the Capital Grant, at the present time, which stands at 25% complete, and they feel they can have their final application in late September or the first of October for the fiscal year 1976.

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Mr. Hoose stated they are going to submit it in two parts; they suggested that they submit some of the exhibits as soon as they complete them and they could study and get up-to-date information if need be, and after the Public Hearing, submit the public hearing comments which they will evaluate along with it. In this way there is a possibility that their Grant could be funded about 90 days sooner.

He stated at some time during the period of sending in the Grant, they have to estimate the cost of buying out City Coach and this will be an estimation because they cannot negotiate until after the grant has been received. Then we receive from the federal government the right, and a letter of no prejudice, which then we can negotiate and this would be something the City Manager and the City Attorney would be involved in. They feel they can have this ready for the federal government by October. They have three extra people from City Coach helping them and they are going to work on the equipment and will come back to Council with the amount they need.

After explanation of the procedures incorporated in his report, Mr. Hoose stated on Page 2 of his report, the ridership on monthly basis will vary by the days of the week but since April the system has stabilized and they feel this is good as far as the ridership is concerned. That they should do some marketing or something in order to try to build up the image and getting some new transit lines in.

Mayor Belk stated we have been lucky on the timing so far over most other cities - especially on operational costs. That we could not have picked a better time and the trend was changing that way.

After discussion, Councilman Harris asked when are we going to get the money and Mr. Hoose replied probably by a year from last June, possibly in June of 1976 since he will not submit it until October of this year.

Mayor Belk thanked Mr. Hoose for his report to Council.

**TRAFFIC ENGINEER INSTRUCTED TO PLACE TWO ADDITIONAL OPENINGS IN MEDIAN ALONG SHARON AMITY ROAD, BETWEEN ALBEMARLE ROAD AND CENTRAL AVENUE.**

Mr. Bernie Corbett, Director of Traffic Engineering, presented a review of the median opening policy. He stated recently the City completed construction of the first segment of the Sharon Amity Road Widening Project, extending along Sharon Amity from Albemarle Road over to Central Avenue.

He stated this work culminated approximately three years of activity on the part of various departments of the city beginning with the design of this facility.

Mr. Corbett pointed out the roadway on two maps and stated when engineers undertake the study of a roadway for widening, there are many things which they consider. One is the development of the abutting land, the character of the roadway, that is the type of traffic that it is to serve, and the purpose for which the road exists.

That Sharon Amity Road was done this way just like any other road was; the conclusion was finally reached that a median should be installed. Now, a median is put there for three purposes; first, because of the safety problems which might develop due to traffic coming in and out of the developed area abutting the road; second, because of the capacity problems which could be adversely affected by vehicles turning back and forth across the center line; and thirdly, as a beautification project.

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Mr. Corbett stated as Council will recall, over the last several years, the City has been involved in numerous widening projects, such as Woodlawn Road, where medians have been omitted and we have had considerable difficulty from those persons who reside there because of the problems which were generated. So they felt that on Sharon Amity Road, it would be wise to include a median and this median, as provided in this area, includes the planting of 48 trees.

He stated Sharon Amity Road is not unlike some of the other roads the City has built in any given block or any given section, as 90% of the traffic is through traffic and does not have a destination within these limits of Albemarle Road and Central Avenue. Therefore, effort should be made to design a facility to accommodate that 90% of the traffic rather than the 10% of the traffic in the neighborhood and he is talking about 500 to 600 in each direction.

Mr. Corbett pointed out that Clearmont, in the middle, is a very low-density intersection and is a point approximately at the middle of the project and provides a very good location to have a median cut where traffic can turn in and out of Clearmont and to make U-turns to go back and forth. That they did consider in their design additional median cuts, the first at Campbell.

That the majority of this project is composed of residential area on both sides, but part of it is business. From Campbell back to Albemarle Road, it is predominately business.

Mr. Corbett stated you have had two requests for median openings; one from Mr. Charles Wood, who represents a group of property owners on one end and one from Mr. William Poe, who represents a group of property owners on the other end.

That in looking at the situation, they notice the property which is Tradewinds Supermarket does have access by another route, and any vehicles which would be coming in a northern direction on Sharon Amity Road and wishing to go to the Tradewinds area would have to make a decision sometime along the route where they were going. If there were a median cut, they would travel approximately 700 feet from Albemarle Road to Campbell, turn through that median cut and come back approximately 300 feet to enter this area - a total distance of roughly 1,000 feet. There is an alternate route available to them by turning left on Albemarle Road, traveling down 200 feet, then over Driftwood Drive, 300 feet and a driveway in the back - just half the distance it would be necessary in order to travel along Sharon Amity Road.

Mr. Corbett stated for this reason, since the access was available, they omitted a median cut at this location.

He stated in the other case, as presented by Mr. Charles Wood, is for a median opening a location he pointed out on the map. That his concern there was that if one was to be designed on that location, which of the driveways would it be designed for.

Mr. Corbett stated a few weeks ago a proposal came before Council to provide a median cut at this location so that vehicles could turn in left to two driveways, as he pointed out on the map. Then the question arose if a vehicle was going in a northerly direction, he could turn left into this driveway and one of the things that concerns Traffic Engineering is the conflicts which could occur at a point like this between moving vehicles.

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Where you have driveways directly opposite one another, it is exactly like an intersection such as Central Avenue as far as the conflicts that occur. There are 16 conflict points which are potential accident sites located at this location. With the median present, there are only 2, so we eliminated 14 of the hazardous conflict points.

After further explanation, Mr. Corbett stated the Traffic Engineering Department has studied these two requests and would recommend to Council that these median openings not be granted. That they feel the project as it has been built and exists today is adequate to take care of the traffic not only today, but for some twenty years in the future and they would point out that the widened road has the ability on each half of it to carry better than three times the amount for more traffic to enter any of the businesses which abut this project.

Mr. Corbett stated several months ago when problems arose on Woodlawn Road, the City asked the firm of Lewis Clark and Associates to look into the possibility of designing certain facilities to be placed on the widened roadway to help break up the roadway as far as environmental problems were concerned. That Mr. Leland Key, of the firm of Lewis Clark and Associates is here today in the audience.

Mayor Belk asked Mr. Key's opinion of the median strip on Sharon Amity Road and Mr. Key replied sometime ago they were assigned with the responsibility of looking at the quality of life on the residential streets and the impact that traffic ways had upon it. That he is going to talk briefly today about a statement of progress on how their report is coming and how they are trying to attack the problem.

Mr. Key stated they are more concerned with the residential aspects of it but some of the same principles in the planning process can be valid for this situation also. That the Traffic Engineer has very aptly described the situation and he thinks his recommendation, from their standpoint, is very sound.

He stated the major conflict, as he understands the question, are areas near the commercial zone. There was very little right-of-way acquired in this particular situation, so if we are going to give this thing any human scale at all, the decision was either to put a little green strip on either side of the sidewalk adjacent to the commercial area, which are basically parking lots, or access into parking lots, or combine and put it in the center.

After further explanation and discussion by Mr. Key and the Traffic Engineer, Mayor Belk called on Ms. Mary King to speak on this subject.

Ms. Mary King, representing The Olive Tree, stated The Olive Tree is right at Campbell Drive, and they are experiencing difficulty. That she finds customers just ride right across the median at this point. That she has found herself going down to Clearmont and trying to make a U-turn, without success.

She stated she was told when the construction started that it was a safety measure and she found that from going down there herself, she has experienced difficulty in backing up into oncoming traffic to get her car turned around to get up the other side. As a business in the block, she fails to see that the median is doing any good for anybody as is evidenced by the customers who come in and complain about the same thing. Not only the business people but the people using the services in the block have all complained in the same way. If you go to the end of the street, you have a problem there with the shopping center; if you go to Albemarle Road, which is already a problem, they have closed the next block and where are you going to turn there; how are you going to get around and come back up the other side.

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Ms. King stated suppose a person comes up Campbell Drive and wants to go to the Eastland Mall, they cannot.

Councilman Whittington asked if the Olive Tree was directly across the street from Campbell Drive and she replied almost directly across. He asked if he was coming from Central Avenue and wanted to turn into The Olive Tree, where would he turn and Ms. King replied you would have to come down the street and U-turn someplace on Albemarle Road.

Mr. Bob Turner stated he is an attorney representing Tenneco Oil Company in Charlotte. That Tenneco is located on North Sharon Amity in the area that Mr. Corbett was pointing out where there were two driveways on the left hand side of the road and one on the right which is a nursery.

That he feels like an attorney representing a person in court whose been told to appear in court for a hearing, without being told what it is about. He stated both he and Mr. Wood checked with the Assistant City Manager, as well as with Mr. Corbett's office last week and were told that they could not be told what their recommendation was until the meeting today.

He stated fortunately that was pushed aside long enough for somebody to tell The Charlotte News what the decision was going to be and luckily; he would like to thank The Charlotte News for calling him this morning and asking what his reaction was. That at least he knew the verdict, even if he did not know the reason for it. After hearing what he has heard today, he is still not sure he does.

Mr. Turner stated he assumes that the decision must have been based on some sort of logical good traffic control safety, etc. policies, and tried to see how that had been put into effect out there. That they were told the State policy was not to have cuts in the median. But Mr. Wood found out from Raleigh that it was not a state policy; their policy was not to have a median but an extra lane for free-flowing traffic and turn right and left from that fifth lane.

He stated Albemarle Road is done that way as well as Central Avenue, running beside Eastland Mall. That if you travel down that way, there is no median, there is an extra lane for turns. So, he does not quite understand the two policies there - median in one place, no median in the other.

Mr. Turner stated he understands that North Sharon Amity Road, north of Central Avenue, is to be widened as another phase and there is to be a cut there within 150 feet of the intersection to serve Eastland Mall.

After further discussion, Mr. Turner stated he checked with Tenneco Oil Company's store and in comparing their sales volume from prior to the time construction started and this past week, their in-store volume, which is merchandise brought in the store is 1/3 of what it was; their outside buying, which is gas, was 1/16 of what it was prior to that time. In essence, they opened it up after the road was finished and they are going to end up closing it because they are not going to be able to operate like that.

He stated the figure he got for the week ending March 16, 1975, which was before the work began, and the figure last Friday showed the volume of gas, their main business, was 1/16 of what it had been. That he would say there is no set policy around town and would ask Council to set one and to include cuts.

Mr. Turner stated the Traffic Engineer mentioned beauty; it is not going to be pretty to see businesses close down along there just to see a tree or two in the median.

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Mr. Charles K. Wood, attorney representing Spanish Courtyard Office Park on North Sharon Amity Road, stated Council will remember that he presented a petition regarding the median at their last meeting. That at that time they gave their reasons for requesting a cut in the median.

He stated he talked with Mr. Corbett Saturday afternoon and asked him if he had some idea as to what the decision was and the reasons for it and he said the report would be made to Council Monday afternoon, and he would make it at that time.

Mr. Wood stated this morning he received a call from The Charlotte News asking for his response as to the decision and it was through this newspaper that he was given some hint, or clue, as to what the decision would be.

He stated Mr. Corbett, in his analysis, brought out three factors, safety, capacity and beautification. On the issue of safety, the strongest argument Mr. Corbett had was that there were 16 conflict points being eliminated at the place where the median would be placed to serve Tenneco, the Spanish Courtyard Park, and Coleman's Nursery.

Mr. Wood stated his contention would be that the City is merely moving these conflict points to some other spot, more particularly to the other intersections - Central Avenue and Clearmont - because people are going to have to go to those intersections to make a U-turn to get back to where they want to go; they have no other choice. That is, if a U-turn can be made and he did not find it possible to make a U-turn at Clearmont; he has not tried it at Central Avenue, but he believes it would be very difficult in heavy traffic or even in moderate traffic to effectively make a U-turn at that point.

He stated the safety factor regarding conflict points is not a valid one; in addition, the effect of this median is to force people to try to seek alternative routes through the residential area which is to the west of this particular area of North Sharon Amity.

Mr. Wood stated his office is in the office park and if he had to go to the bank or over to Independence Boulevard to get back to his office, he would either have to go down to Eastway and across and back up Central, or he would have to take a short cut through the residential area, in the area of Driftwood and Winterhaven. It is bound to have an impact on that residential area as a result of this median.

After further discussion, Mr. Wood stated the existing businesses are suffering financially as a result of this decision and he does not believe that it is either fair or equitable that they bear the burden for this supposed improvement along this stretch of road, and he would therefore request this Council to act favorably upon their petition to grant a cut to serve these three businesses.

Mr. Bill Poe, attorney, stated he represents the owners of the Tradewinds Supermarket, who own the grocery store and the building there which has three other businesses in it. That it has been in business for about three years or more and is located along 300 feet of frontage along Sharon Amity Road and is the first business behind the Boar's Head, which is on the corner of Albemarle and Sharon Amity.

He stated he does not have any theories to off-set Mr. Corbett's theories, or Mr. Key's theories, but they have a practical problem that they think Council can help with and that is really why he is here to see if they cannot get some help for a bad situation that they think Council is capable of helping with.

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Mr. Poe stated the answer is to put a cut through the median so some people can get to these businesses. That it has been pointed out to Council that it is not a consistent policy throughout the City to do what has been done on this road and the owners of these properties are not interested in speeding the traffic along to get them over to Eastland and that is really sort of what is happening out there.

He stated somebody has decided that it is a good thing to move the people along this particular stretch of road so they can get somewhere else; now whether or not that is a sound decision, is one that Council has a right, as the governing body of this City, to look at and decide whether they agree with it and that is why he is here, on behalf of some citizens who are hurt, and hurt very badly by a decision which has been made by the Traffic Engineering Department.

Mr. Poe stated the Tradewinds Supermarket's business is down 33-1/3% right now from where it was in January and since the median has been put there, even while construction was underway, businesses was down some, but not down anything like it has been since the median has been put there. That there is not a cut through, even at Campbell Drive.

He stated he has driven from Albemarle Road down to the first cut you get to which is half way to Central Avenue and you simply cannot make a U-turn there. You have to go into the driveway of the Barcelona Apartments; so, if you are headed for the Tradewinds Supermarket from anywhere over on the other side of Albemarle Road, you have to make a right turn on Sharon Amity, you have to go all the way down to Central Avenue, where it would be very hard to do it there. As a practical matter, people are not going to do that in order to get to a grocery store as there are about six or eight grocery stores in that area already. So the real question before Council is whether the owners of the properties near Tradewinds, the people who operate the restaurant and the other two businesses are hurt, and hurt badly, because the public simply will not do what you have to do to get in and out of these businesses.

Mr. Poe presented a petition containing 229 names to the Clerk to add to his previous petition which contained 2,726 names, making approximately 3,000 people who signed to cut through the median in the vicinity of Campbell Drive so they can patronize the businesses in that area.

He stated they submit to Council that it is not unreasonable to open up the Campbell Drive intersection at least. That these people are about to lose their shirts and their businesses and everything else and needs Council's help.

After discussion, Councilman Withrow stated he thought it should be put on the agenda that they come up with some ordinance that in a business area, if its 50% business, it be five lanes, with no median, on a percentage basis where it is all business; in residential, then we could go to the 800-foot, but they need to come up with some policy as to where and when these plans are drawn, they know what they are doing. Councilman Williams stated he would agree with Councilman Withrow and would vote for this type ordinance.

Councilman Harris stated he felt the Traffic Engineer needed their help anyway since he has to have some guidelines and we really do not have any guidelines.

Mr. Burkhalter, City Manager, stated before Council gets into passing ordinances saying that every 800 feet you are going to have a cut, you might have one 15 feet from an intersection of a street, or you could have one that we obviously did not want. You could say our policy is to have openings every 800 feet, but don't pass an ordinance saying you have to design one every 800 feet.

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That the safest street that you can possibly build is a divided street; nobody challenges this. From that point on you have to determine how much opportunity for accident or other cases of change that you want to take; that you want to make a decision to eliminate, which is what you do if you never let anybody cross, you will probably never have any accident, but would obviously be a very silly thing to do.

He asked that Council please not destroy the median; cut it through there as many times as they want to, but don't destroy the median; that is the safest thing you have out there. Give some safety at least to this thing.

After further discussion, Councilman Whittington moved that the City Manager be instructed to give these people some relief from their problem, which motion was seconded by Councilman Gantt.

Councilman Gantt stated he seconded the motion but he did not want to leave it open-ended, just simply to say leave it up to the City to solve the problem. That for future development we have an opportunity to take advantage of the kinds of things that Mr. Key and Mr. Corbett want to do to beautify the City but right now, the practical thing to do is to make these median cuts.

Councilman Harris asked Mr. Poe if this cut-through at Campbell Drive satisfies his client and Mr. Poe replied it would considerably improve the situation; that obviously he would prefer that it be closer in front of his business. That is not really in front of his business, but if that is the best they can get, they are obviously pleased to get that much - it would improve the situation tremendously.

Councilman Harris asked Mr. Turner, Mr. Wood and Ms. King if the two cuts in the median would satisfy their needs and they all agreed it would.

A vote was taken on the motion and carried unanimously.

**MAYOR AUTHORIZED TO EXECUTE PETITION TO ANNEX PROPERTY ACQUIRED BY CITY FOR PROPOSED SATELLITE FACILITY.**

Motion was made by Councilman Harris, seconded by Councilman Whittington, and unanimously carried, authorizing the Mayor to execute a petition to annex property acquired by City for proposed satellite facility.

**PROPERTY TRANSACTIONS, AUTHORIZED.**

Motion was made by Councilman Harris, seconded by Councilman Whittington, and unanimously carried, authorizing the acquisition of the following seven parcels of real property located in the First Ward Urban Renewal Project:

BLOCK & PARCEL	OWNER AND ADDRESS	ACQ. PRICE
19-10	Mary Ramsey Levy 617 E. 12th Street	\$18,000
*24-2	Eugene Paysour 706 E. 7th Street	1,300
32-5	Sallie J. McAden Estate 713 E. 8th Street	1,840
34-2	H. V. Lang Estate N. Alexander Street	6,400
36-1	E. L. Keesler Heirs 818 E. 10th St. & 612 N. Myers St.	16,750
38-12	Luther Caldwell 821 E. 8th Street	7,000
45-10	Jerome Oxner 918 E. 5th Street	1,200

\*Tenant - Real Fixtures

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RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE FOR CONDEMNATION ACTION IN THE FIRST WARD URBAN RENEWAL PROJECT NO. N. C. R-79 IN THE FIRST WARD URBAN RENEWAL PROJECT.

Councilman Harris moved adoption of subject resolution for Condemnation Action in the First Ward Urban Renewal Project to condemn the following seven (7) parcels of property as recommended by the Director of Community Development Department, which motion was seconded by Councilman Williams, and carried unanimously:

BLOCK & PARCEL	OWNER AND ADDRESS	FINAL OFFER
17-1	Henry R. Harvey 944 North Caldwell St.	\$3,200
17-2	Reppie Mae Harvey 942 N. Caldwell Street	2,800
17-3	Henry R. Harvey 940 N. Caldwell Street	5,000
24-3	C. W. Kidd, Jr. 720 East 7th Street	18,000
32-9	Otis M. Johnson Heirs 729 East 8th Street	6,500
40-1	William F. Harding, Jr. 800-16 East 7th Street & 306-26 North Myers Street	85,000
45-1 & 11	Jerome Oxner 128 N. McDowell Street	112,400

The resolution is recorded in full in Resolutions Book 11, at Page 51.

CONTRACT AMENDMENTS BETWEEN CITY OF CHARLOTTE MANPOWER DEPARTMENT AND THE CHARLOTTE-MECKLENBURG SCHOOL SYSTEM, APPROVED.

Upon motion of Councilman Whittington, seconded by Councilwoman Locke, and unanimously carried, the following two contract amendments were approved between the Manpower Department and the Charlotte-Mecklenburg School System:

- (a) The CETA Title I Work Experience contract is amended to increase the number of enrollees in the Summer Work Experience Program from 1,069 to 1,470 and expenditures by \$60,000, from \$781,000 to \$841,000. This amendment is necessary to pay the additional enrollees who were hired by the Charlotte-Mecklenburg School System.
- (b) The CETA Title III Summer Work Experience Program for economically disadvantaged youth is amended to increase the number of enrollees from 610 to 1,060. This increase is a result of the early termination of this program to coincide with the termination of the CETA Title I Work Experience Program.

CONTRACT FOR TECHNICAL AND PROFESSIONAL SERVICES BETWEEN CITY AND MOTION, INC., APPROVED.

Councilwoman Locke moved approval of a contract for technical and professional services between the City and MOTION, Inc. providing for consultant services in the development and operation of housing for low and moderate income persons, in the amount not to exceed \$132,000.00. The motion was seconded by Councilman Withrow.

Following discussion, the vote was taken on the motion and carried as follows:

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

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RESOLUTION ACCEPTING A STATE GRANT OFFER OF FINANCIAL ASSISTANCE FOR THE METRO CHARLOTTE "201" WASTEWATER FACILITIES STUDY.

Councilman Whittington moved adoption of a resolution accepting a State Grant Offer of Financial Assistance for The Metro Charlotte "201" Wastewater Facilities Study, in the amount of \$23,125.00, which motion was seconded by Councilman Williams, and carried unanimously.

The resolution is recorded in full in Resolutions Book 11, at Page 53.

ORDINANCE NO. 816-X TRANSFERRING FUNDS FROM THE 1972 WATER BOND FUND TO PROVIDE A SUPPLEMENTAL APPROPRIATION TO COMPLETE THE CONSTRUCTION OF WATER MAINS TO SERVE ANNEXATION AREAS.

Upon motion of Councilman Withrow, seconded by Councilman Williams, and unanimously carried, the subject ordinance was adopted transferring funds, in the amount of \$300,000.00, from the 1972 Water Bond Fund to provide a supplemental appropriation to complete the construction of water mains to serve annexation areas.

The ordinance is recorded in full in Ordinance Book 22, at Page 298.

ORDINANCE NO. 817-X TRANSFERRING FUNDS FROM THE 1965 SANITARY SEWER BOND FUND TO PROVIDE AN APPROPRIATION FOR EXPANSION OF THE SANITARY SEWER SYSTEM.

Motion was made by Councilman Withrow, seconded by Councilman Whittington, and unanimously carried, adopting subject ordinance transferring funds from the 1965 Sanitary Sewer Bond Fund, in the amount of \$83,500.00, to provide an appropriation for expansion of the sanitary sewer system.

The ordinance is recorded in full in Ordinance Book 22, at Page 299.

PROPOSED SETTLEMENT IN CASE OF CITY VS. JIM CROCKETT AND WIFE, IN CONNECTION WITH WEST THIRD AND FOURTH STREET CONNECTOR PROJECT, APPROVED.

Councilman Harris moved approval of the proposed settlement in the case of City vs. Jim Crockett and wife, Elizabeth, in connection with the West Third and Fourth Street Connector Project, in the amount of \$7,500.00, as recommended by the City Attorney. The motion was seconded by Councilman Whittington.

Councilman Short asked the situation with regard to insurance of the owner of this house that burned. That if the City is going to pay him in full and he is also getting an insurance recovery, he wonders if this is in order. Mr. Underhill, City Attorney, replied the defendants were unable to collect any insurance upon the property because of the vacancy clause in the insurance policy; this is on the sworn statement of the attorney for the owner.

Councilman Short asked if the City had any insurance on the house and Mr. Underhill replied no, we did not own it at the time of the fire. It was before our condemnation.

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

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

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RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE CHANGING THE NAME OF THE CHARLOTTE-MECKLENBURG COUNTY CIVIL DEFENSE AGENCY TO THE CHARLOTTE-MECKLENBURG OFFICE OF CIVIL PREPAREDNESS.

Upon motion of Councilwoman Locke, seconded by Councilman Harris, and unanimously carried, the subject resolution was adopted changing the name of the Charlotte-Mecklenburg County Civil Defense Agency to the Charlotte-Mecklenburg Office of Civil Preparedness, to comply with the North Carolina Laws pertaining to the Program.

The resolution is recorded in full in Resolutions Book 11, at Page 54.

ORDINANCES ORDERING THE REMOVAL OF WEEDS AND GRASS PURSUANT TO SECTION 6.103 AND 6.104 OF THE CITY CHARTER, CHAPTER 10, ARTICLE I, SECTION 10-9 OF THE CITY CODE AND CHAPTER 160A-193 OF THE GENERAL STATUTES OF NORTH CAROLINA.

Motion was made by Councilman Harris, seconded by Councilman Withrow, and unanimously carried, adopting the following six ordinances ordering the removal of weeds and grass pursuant to Section 6.103 and 6.104 of the City Charter, Chapter 10, Article I, Section 10-9 of the City Code and Chapter 160A-193 of the General Statutes of North Carolina, at the following locations:

- (a) Ordinance No. 818-X ordering removal of weeds and grass at vacant lot between 2421 and 2431 Dundeen Street;
- (b) Ordinance No. 819-X ordering removal of weeds and grass at 1615 Beatties Ford Road;
- (c) Ordinance No. 820-X ordering removal of weeds and grass on vacant lot adjacent to 1936 St. Mark Street;
- (d) Ordinance No. 821-X ordering removal of weeds and grass at 2234 Pickney Avenue;
- (e) Ordinance No. 822-X ordering removal of weeds and grass at corner of Booker Avenue & Beatties Ford Road;
- (f) Ordinance No. 823-X ordering removal of weeds and grass at park adjacent to 1608 Northcliff Drive.

The ordinances are recorded in full in Ordinance Book 22, beginning at Page 300.

SANITARY SEWER CONTRACTS, AUTHORIZED.

Councilman Williams moved approval of the following contracts for sanitary sewer construction, which motion was seconded by Councilman Withrow, and unanimously carried:

- (a) Contract with William Trotter Development Company for construction of 3,390 linear feet of 8" sanitary sewer to serve Stonehaven Subdivision, Section 20, Phase C, outside the city, at an estimated cost of \$50,070. The applicant is to construct entire system at his own proper cost and expense and the City is to own, maintain and operate said system. The City is to retain all revenues at no cost to the City.
- (b) Contract with Shoney's South, Inc. for construction of 300 linear feet of 8" sanitary sewer to serve 4335 North Tryon Street, inside the city, at an estimated cost of \$16,340.00. The applicant is to construct all sewer lines at his own proper cost and expense, and then donate same to the city at no cost to the City.

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ABANDONMENT OF SEWER EASEMENT TO L. M. REA AND WIFE, APPROVED.

Upon motion of Councilman Gantt, seconded by Councilman Withrow, and unanimously carried, approval was given to the abandonment of a sewer easement to L. M. Rea and wife, Bessie I. Rea, as recommended by the City Attorney.

PROPERTY TRANSACTIONS, AUTHORIZED.

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

- (a) Right of Way Agreement on 16.58' x 16.58' x 26.23' of property at 5200 Plymouth Street (off Old Pineville Road), from Ralph O. Johnson and wife, Miriam W., at \$1.00, for Right of Way Roundtree Road at Plymouth Street.
- (b) Option on 23,582 sq.ft. of property, plus a construction easement and a one-story frame building, at 1130 Remount Road, from Charlotte Park and Recreation Commission, at \$25,900.00, for the Remount Road Widening Project.
- (c) Option on 38.065 sq.ft. of property, plus a construction easement, at 645 Remount Road, from Charlotte Park and Recreation Commission, at \$22,885.00, for the Remount Road Widening Project.
- (d) Option on 46.00' x 113.00' x 46.00' x 113.00' of property, at 415 Remount Road, from Tyson's Grocery, Inc., at \$32,285.00, for the Remount Road Widening Project.
- (e) Option on 78.20' x 140.03' x 73.97' x 35.55' x 134.27' of property, with a one-story block commercial building and four (4) one-story frame residences, at 2601 South Tryon Street (corner of Remount Road and Tryon Street), from Donald B. Stilwell and wife, Betty H., at \$77,228.00, for the Remount Road Widening Project.
- (f) Option on 35.00' x 100.00' x 35.00' x 100.00' of property, with a one-story frame dwelling, at 211 Remount Road, from Edward Leary and wife, Marie B., at \$7,025.00, for the Remount Road Widening Project.
- (g) Option on 35.00' x 100.00' x 35.00' x 100.00' of property, with a one-story frame dwelling, at 207 Remount Road, from Wade Cloud and wife, Viola, at \$6,825.00, for the Remount Road Widening Project.
- (h) Option on 35.64' x 40.39' x 244.58' x 2.63' x 272.57' of property, plus a construction easement and drainage easement, at 100 Billingsley Road (corner of Randolph Road and Billingsley Road), from Mecklenburg County ABC Board, at \$5,075.00, for the Randolph Road Widening Project.
- (i) Option on 32.38' x 141.59' x 32.57' x 140.50' of property, plus a construction easement, at 5500 Randolph Road, from Robert B. Pharr and wife, Evelyn M., at \$1,000.00, for Randolph Road Widening Project.
- (j) Easement on 15' x 450.96' of property at Dunwoody Drive and Strangford Avenue, from Hobart Smith Construction Company, Inc., at \$1.00, for Sanitary Sewer to serve a portion of Cobblestone Subdivision.
- (k) Easement on 15' x 110.40' of property at 4600 Morris Field Drive, from Luther Alexander Lineberger, Jr., Virginia Lineberger Rogers, Margaret Lineberger Rogers, and Mary Lineberger White, at \$200.00, for Sanitary Sewer to serve Jason and Carlotta Street Project.

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- (l) Easement on 15' x 286.26' of property on Lot #30 McCalpine Farm Road, from S. & T. Development Corporation, at \$1.00, for Sanitary Sewer to serve Montibello Subdivision Section 5-A Project.
- (m) Easement on 15' x 451.07' of property at 4241 Tuckaseegee Road, from Sambo's of North Carolina, Inc., at \$1.00, for Sanitary Sewer to serve 4241 Tuckaseegee Road Project.
- (n) Easement on 20' x 460' of property in 11,900 block of Goodrich Drive, from Vinson Realty Co., Inc., Albert C. Kirby and wife, Mildred B., and Godley Construction Company, at \$1.00, for Sanitary Sewer to serve Goodrich Drive Project.
- (o) Easement on 20' x 82.67' of property at Cotswold Shopping Center, from Providence Corporation, at \$1.00, for revision of 20-foot water line right of way at Cotswold Shopping Center.
- (p) Easement on 15' x 63.72' of property at 705 Tyvola Road E., from Seventy Seven Center Associates, at \$1.00, for Sanitary Sewer to serve Seventy Seven Executive Center Phase I Project.
- (q) Easement on 15' x 443.33' of property at 413 Sardis Lane, from Mose W. Loftin and wife, Evangeline C., at \$1,000.00, for Sanitary Sewer to serve Smithfield Road and Sardis Road.
- (r-2) Option on 30.47' x 33.49' x 164.26' x 9.51' x 185.22' of property at 1069 Coddington Place (corner Randolph Road) from Clyde E. Teeter and wife, Dorothy W., at \$4,300.00, for Randolph Road Widening Project.

RESOLUTION RESCINDING AUTHORIZATION TO INSTITUTE CONDEMNATION PROCEEDINGS AGAINST PROPERTY BELONGING TO CLYDE E. TEETER AND WIFE, DOROTHY W. TEETER; RAY W. BRADLEY, JR. ET AL, TRUSTEES; AND HOME FEDERAL SAVINGS AND LOAN ASSOCIATION FOR THE RANDOLPH ROAD WIDENING PROJECT.

Upon motion of Councilman Harris, seconded by Councilman Williams and unanimously carried, the subject resolution was adopted rescinding authorization to institute condemnation proceedings against property belonging to Clyde E. Teeter and wife, Dorothy W. Teeter; Ray W. Gradley, Jr., et al, Trustees; and Home Federal Savings and Loan Association for the Randolph Road Widening Project.

The resolution is recorded in full in Resolutions Book 11, at Page 55.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO FLORENCE K. STEELE; EUPHASENIA K. CALLOWAY; JUANITA K. DORSEY; CATHERINE B. JOHNSON; CELESTE B. McCLAIN AND HUSBAND, RICHARD McCLAIN; ERMA M. KIRKPATRICK; MARY K. EVANS AND HUSBAND, RUSSELL EVANS; BEATRICK K. McGHEE; RAYMOND KIRKPATRICK, JR.; MARGARET KIRKPATRICK; THELMA K. BOULWARE AND HUSBAND, QUETIN BOULWARE; FRANCES K. DANZLER AND HUSBAND, JUNE DANZLER; CURLEE KIRKPATRICK, JR.; MARY K. BRATTON AND HUSBAND, A. C. BRATTON; ROY LESTER KIRKPATRICK AND WIFE, ELLA KIRKPATRICK; LARRY DON KIRKPATRICK; RENA KIRKPATRICK; JOHN KIRKPATRICK; BARBARA KIRKPATRICK (MINOR); BEVERLY KIRKPATRICK (MINOR); AVERY C. KIRKPATRICK, JR.; MELVIN KIRKPATRICK AND WIFE, VERNICE KIRKPATRICK LOCATED AT 3515 RANDOLPH ROAD IN THE CITY OF CHARLOTTE FOR THE RANDOLPH ROAD WIDENING PROJECT.

Motion was made by Councilwoman Locke, seconded by Councilman Williams and unanimously carried, adopting the subject resolution authorizing condemnation proceedings for the acquisition of property belonging to Florence

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K. Steele; Euphasenia K. Calloway; Juanita K. Dorsey; Catherine B. Johnson; Celeste B. McClain and husband, Richard McClain; Erma M. Kirkpatrick; Mary K. Evans and Husband, Russell Evans; Beatrick K. McGhee; Raymond Kirkpatrick, Jr.; Margaret Kirkpatrick; Thelma K. Boulware and husband, Quetin Boulware; Frances K. Danzler and husband, June Danzler; Curlee Kirkpatrick, Jr.; Mary K. Bratton and husband, A. C. Bratton; Roy Lester Kirkpatrick and wife, Ella Kirkpatrick; Larry Don Kirkpatrick; Rena Kirkpatrick; John Kirkpatrick; Barbara Kirkpatrick (minor); Beverly Kirkpatrick (minor); Avery C. Kirkpatrick Jr.; Melvin Kirkpatrick and wife, vernice Kirkpatrick located at 3515 Randolph Road in the City of Charlotte for the Randolph Road Widening Project.

The resolution is recorded in full in Resolutions Book 11, at Page 56 & 57.

**SANITARY SEWER EASEMENT FOR ANNEXED AREA, APPROVED.**

Councilman Whittington moved approval of the acquisition of one parcel of sanitary sewer easement for the Annexation Area I(4) Sanitary Sewer, which motion was seconded by Councilman Withrow, and carried unanimously.

**SPECIAL OFFICER PERMITS, AUTHORIZED.**

Upon motion of Councilman Gantt, seconded by Councilman Short, and unanimously carried, the approval was given the following special officer permits for a period of one year:

- (a) Renewal of permit to Robert Dale Blackwell for use on the premises of Charlotte Park & Recreation Commission.
- (b) Renewal of permit to James T. Cureton for use on the premises of Charlotte Park and Recreation Commission.
- (c) Issuance of permit to John Edgar Faulkenbury for use on the premises of People's Furniture Company, 110 North College, 219-222 Caldwell Street and Sixth Street.
- (d) Renewal of permit to Gil McElravy for use on the premises of Charlotte Park and Recreation Commission.
- (e) Issuance of permit to William Joe Sawyer for use on the premises of K-Mart, 2701 Freedom Drive.
- (f) Renewal of permit to Kent Gilbert Winslow for use on the premises of Douglas Municipal Airport.

**ELLIOTT P. TAYLOR RE-APPOINTED TO THE AIRPORT ADVISORY COMMITTEE FOR A TERM OF THREE YEARS.**

Councilman Harris moved for the appointment of Dr. Mildred T. Keene to the Airport Advisory Committee for a term of three years, which motion was seconded by Councilwoman Locke.

After discussion, the motion failed to carry by the following votes:

YEAS: Councilmembers Harris and Locke.

NAYS: Councilmembers Whittington, Short, Gantt, Williams and Withrow.

Councilman Whittington moved the re-appointment of Mr. Elliott P. Taylor to the Airport Advisory Committee for a term of three years, which motion was seconded by Councilman Short.

After discussion, the motion was carried unanimously.

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RALPH SQUIRES APPOINTED TO THE TREE COMMISSION TO FILL VACANCY CREATED BY THE RESIGNATION OF JAMES PATTERSON.

Councilwoman Locke moved the appointment of Mr. Ralph Squires to fill the vacancy created by the resignation of James Patterson, which motion was seconded by Councilman Whittington.

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

CONTRACT AWARDED THE FORD METER BOX COMPANY FOR WATER METER YOKES TO BE USED IN THE INSTALLATION OF NEW WATER SERVICES AND FOR REPLACEMENTS.

Upon motion of Councilman Short, seconded by Councilman Whittington, and unanimously carried, contract was awarded the only bidder, The Ford Meter Box Company, in the amount of \$6,669.00, on a unit price basis, for water yokes to be used in the installation of new water services and for replacements.

CONTRACT AWARDED REGAL CHRYSLER PLYMOUTH, INC. FOR VAN FOR USE BY TEAM MEMBERS IN THE POLICE ATHLETIC LEAGUE.

Motion was made by Councilman Williams, seconded by Councilwoman Locke, and unanimously carried, awarding contract to the only bidder, Regal Chrysler Plymouth, Inc., in the amount of \$5,677.68, for one 15-passenger van for use by team members in the Police Athletic League.

CONTRACT AWARDED UNIVERSAL TANK AND IRON WORKS FOR PLAZA ROAD EXTENSION ELEVATED WATER TANK.

Councilman Whittington moved award of subject contract to the low bidder, Universal Tank and Iron Works, in the amount of \$331,138.00, on a lump sum basis, for Plaza Road Extension Elevated Water Tank, which motion was seconded by Councilman Short, and carried unanimously.

The following bids were received:

Universal Tank and Iron Works	\$331,138.00
Brown Steel Contractors, Inc.	336,690.00
Pittsburg-Des Moines Steel Co.	386,300.00

CONTRACT AWARDED CROWDER CONSTRUCTION COMPANY FOR MILTON ROAD BRIDGE REPLACEMENT.

Upon motion of Councilman Short, seconded by Councilwoman Locke, and unanimously carried, subject contract was awarded to the low bidder, Crowder Construction Company, in the amount of \$156,751.18, on a lump sum and unit price basis, for Milton Road Bridge Replacement to include grading, asphalt paving, curb and gutter, sidewalk, storm drainage, sanitary sewer and four lane culvert construction.

The following bids were received:

Crowder Construction Company	\$156,751.18
Sanders Brothers, Inc.	168,904.84
Rea Construction Company	180,662.40
Blythe Brothers Company	176,248.80
T. A. Sherrill Construction Co., Inc.	184,080.20
F. T. Williams Co., Inc.	204,001.12

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**POLITICAL ADVERTISEMENT PROHIBITED ON CITY TRANSIT SYSTEM FOR COUNCIL AND MAYORAL ELECTIONS.**

Councilman Short moved that Council eliminate bus advertising in City Council and Mayoral Elections because of the fact that this is owned by the City, which motion was seconded by Councilman Whittington.

After discussion, the vote was taken on the motion, and carried as follows:

YEAS: Councilmembers Short, Whittington, Gantt, Harris, Williams, Withrow.  
NAYS: None.

Councilwoman Locke abstained from voting.

**DOUGHBOY STATUE TO BE PLACED IN FRONT OF CITY HALL ON FRIDAY, AUGUST 15, 1975.**

Mayor Belk stated on Friday, August 15, at 11:00 o'clock a.m., there will be a dedication ceremony for the Doughboy Statue which will be placed on the front lawn of City Hall. That he would like to see everyone attend the ceremony.

**ADJOURNMENT.**

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

  
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Louise Comfort, Deputy City Clerk