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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held on Monday, August 17, 1970, in the Council Chamber, at 2:00 o'clock p.m., with Mayor John M. Belk presiding, and Councilmen Sandy R. Jordan, Milton Short, John Thrower, Jerry Tuttle, and James B. Whittington present.

ABSENT: Councilmen Fred A. Alexander and Joe D. Withrow.

The Charlotte-Mecklenburg Planning Commission sat with the City Council, and, as a separate body, held its public hearings on Petitions for changes in zoning classifications, concurrently with the City Council, with the following members present: Chairman Toy and Commissioners Albea, Moss, Sibley, Stone, Tate and Turner.

ABSENT: Commissioners Blanton and Godley.

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#### INVOCATION.

The invocation was given by Mr. Claude L. Albea, Member of Planning Commission.

#### MINUTES APPROVED.

Upon motion of Councilman Thrower, seconded by Councilman Short, and unanimously carried, the minutes of the last meeting, on Monday, August 3, 1970, were approved as submitted, with the following correction:

Page 148 - Top of Page - End of First Paragraph, Add the Following Sentence: "The motion was seconded by Councilman Short, and carried unanimously."

#### HEARING ON AMENDMENT NO. 1 OF THE REDEVELOPMENT PLAN FOR PROJECT NO. N. C. R-78, GREENVILLE URBAN RENEWAL AREA.

The public hearing was held on Amendment No. 1 of the Redevelopment Plan for Project No. N. C. R-78, Greenville Urban Renewal Area.

Mr. Vernon Sawyer, Executive Director, stated the Redevelopment Plan for the Greenville project was approved almost eight months ago as originally submitted to HUD; it was approved by the citizens of the area, by the Model Cities Commission, the Planning Commission, the Redevelopment Commission and the City Council. At that time it was a part of the proposed Neighborhood Development Program and was included in an application to HUD that was ready to submit at that time; it was not approved as a part of the NDP application so it became a conventional project and it was reviewed as such by HUD and approved just last month subject to certain changes pointed out by HUD in the process of its review. With only three or four exceptions, the whole effect of the changes recommended was to remove from the plan any reference to the zoning ordinance and to take out of the zoning ordinance the particular section referred to and to put it into the plan. HUD would not allow the City to have a Redevelopment plan for this project that referred to provisions of the zoning ordinance. They said the plan must stand alone and be self-sufficient - therefore, you excerpt from the zoning ordinance the particular requirements that you refer to and this has been done.

Mr. Sawyer stated there is quite a list of these and proceeded to explain each one.

During the explanation, Councilman Thrower stated these changes are relatively minor and unless someone would like to hear them all, it is a matter of technicality. Mr. Sawyer replied that is the substance of it; that the plan

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itself, as approved by Council for development, and as approved by the Model Cities Agency and the residents, has not changed; it is merely the document that implements the plan that has changed. All this is doing is putting it into the plan as required by the zoning ordinance.

Mr. Sawyer referred to the financial portion of the plan and stated when Council approved it under the Neighborhood Development Program it was for one year expenditures which is far below the costs that are illustrated in the plan today. Under the conventional urban renewal program, the entire cost is approved in the beginning. That the figures set forth in the plan today represent the entire cost of the project over the five year life of the project.

He stated the federal share of the project is \$11,015,085, which is an increase over the original reservation that HUD made for the project, which was \$6,120,000. The cost figures listed in the plan today do take into account the full federal allocation - the federal capital grant is \$9,831,272.00. This is the part of the \$11.0 million allocated to offset the 2/3 cost of the project itself. In addition, HUD pays 100% of the relocation cost which is money the city does not share in. That \$4,915,636.00 is the City's share which is made up of both site improvements and cash over the life of the project.

Councilman Short referred to Paragraph 2, Page 28, of the Plan and asked if this constitutes a promise to deliver some zoning in the future? It says "These zoning changes shall be scheduled for adoption as soon as possible." He asked if Council members are committing themselves to some future zoning in advance of the hearing? Mr. Sawyer replied it is really committing to conform the zoning to the plan that will be approved at a later time; after the Redevelopment Commission buys the property and becomes the owner and is in a position to petition Council. That this is the way they have proceeded in all the projects. That if anyone objects to the zoning it would probably be the people in the area and they have already approved the plan. The zoning plan and the land use changes in the general plan were discussed before the Planning Commission, and the Planning Commission took action to alter the general plan for the city as a whole to conform to this plan. That he understands the zoning later will conform to the approved land uses.

Councilman Short stated in voting for this he does not necessarily obligate himself to any particular outcome of some future zoning hearing.

Mr. Sawyer stated there is an amending form which is on Page 29 of the Plan; this is a provision whereby the plan can be changed.

He stated this was presented to the Planning Commission on August 5 and they approved it; it was presented to the Redevelopment Commission on August 12 at a public hearing and it was approved and the Commission directed the staff to present it to Council for a hearing and action.

Councilman Whittington asked why the total local share is \$4,915,000 versus \$2.0 when the Greenville project was started? Mr. Sawyer replied the original estimates for the cost of this project - both federal and city - were made in 1966 at the time the original application was filed. At that time, they did not have the benefit of the citizens participation in the project so that they could get what the citizens of the area wanted the Greenville section to become. That they did not anticipate a number of items that represent considerable cost at that time. Councilman Whittington asked how much it cost to change the plan to what the residents of Greenville wanted versus what the figure was in 1966? Mr. Sawyer replied it represents the majority of the cost; that he would say \$1.5 million; that it represents business and industrial property they did not anticipate buying at that time; at the time they did not anticipate the larger park which is now in the project; that the park land is dedicated and not sold and to the extent it increased there is

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less land to sell; therefore, there is less income to offset the gross cost of the project. He stated it is mainly in the acquisition of expensive business and industrial property that caused the price to go up.

Councilman Whittington asked where the businesses that are condemned or purchased will go? Mr. Sawyer replied they will be relocated in other places outside the project; that he does not have the exact location pin-pointed at this time; that they have started talking to two of the biggest businesses - Interstate Milling and Standard Bonded Warehouse - but they have not come to a conclusion. That they are cooperating and they are willing to move and it is a matter of going through the negotiations to purchase the property at the appropriate time.

Councilman Whittington asked if he is saying that citizens participation is costing about a million or a million and a half dollars more than when it started out in 1966? Mr. Sawyer replied this is not separated but his guess is that since the project went up from \$2.0 million to over \$4.0 million that would be the biggest item of cost in the increase.

Councilman Tuttle asked if there is an estimate on what the Interstate property and the Standard property will cost? Mr. Sawyer replied they recently reached the point where they do have the appraisals on the two properties. Councilman Tuttle asked if this information can be passed to these two companies as they need the estimates as to what they might expect in order to make their plans. Mr. Sawyer stated they are planning to sit down with them in a few days to begin negotiations and to offer them a price.

Mr. Bill Whit, Housing Specialist with the Charlotte Area Fund, stated he notices that the only guarantee is that 20% of the housing shall be of low or moderate cost. He asked if this really means that 20% of the housing will be of low or moderate income people rather than low or moderate costs? Mr. Sawyer replied the wording is out of the federal law; that this is wording provided by HUD and say it is the guide; if it is changed then you have a hard time getting it approved. The federal statute requires that 20% of the minimum; the plan is to devote the majority of the land to housing for low, moderate income people.

Mr. Whit asked what guarantees the residents of the area have, that it will happen? The standard method of building housing for low to moderate income people is non-profit sponsored; there have been a substantial number of non-profit sponsors that have not sprung up to build housing; if they do not you have to sell to private developers who will build substantial middle or middle upper income housing? Mr. Sawyer replied they do not know that enough non-profit organizations exist to build this housing; they are committed through the public hearing to deal first on a location basis with any non-profit organizations that do exist and have roots in the community. That they have to go through these first and if they fail then they do have to sell the land for development. However, they can require that a price range or a middle range be adhered to regardless of who they sell the property to.

Councilman Whittington stated the taxpayer is going to have to pay this 1/3 share and does not realize that this will now cost \$4,915,000 versus \$2.0 million when it started; that he thinks they should know about this before Council votes to approve this. That most of the changes are technical changes; but the reason it costs more is that all the changes have been made and industry that is located there cannot stay there because the people who live there do not want it; the parks are larger and a lot of things have happened out there that even the residents in the area are not aware of and the majority of citizens do not know anything about it. That he thinks they should know more about it before Council approved \$4.0 million local share versus \$11.0 million federal.

Councilman Short asked if this is not in the nature of setting up a target? In Brooklyn Urban Renewal we paid for it as we could; the money was put up over

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many years; and by the time it was over with, everyone was glad we had included everything that was included; that it was eventually worked out over many years. That he does not know whether he would want to hold back on the matter of getting rid of additional land which qualifies for slums. He asked if this is not a target to aim at rather than some hard and fast expenditures of money?

Mr. Sawyer replied it is the best estimated they have at the time, and the biggest item of expense in any urban renewal budget is the budget for the acquisition of land, which they have now nailed down pretty firmly by having each property appraised and have taken the sum of all those appraisals. He stated it is a firm commitment; it is not something to shoot at; it is something that the city will contract for if the plan is approved today. That a certain amount of the \$4.9 million is money that the city will not spend for urban renewal; the city is going to build a neighborhood center; there is about \$750,000 credit for schools; whether the school will be built in the project area or not does not make any difference because the educational facilities for the children who live there will have to be provided somewhere in the city whether it is there as originally anticipated or not; so this credit is sure. The net effect to the city, in cash, is the \$3,245,403; the non-cash is \$1,670,000 in site improvements.

Councilman Tuttle stated there is about \$2.0 million difference in the cost from the original in 1966; that this is due to citizen participation and the inclusion of certain businesses to be moved from the area. Councilman Tuttle asked where the \$2.0 million is coming from and how much citizen participation is involved? Mr. Sawyer replied there have been changes in the federal law since the Brooklyn project was planned; there was a time when the Redevelopment Commission employed planning consultants and working with the Planning Commission developed a plan within the frame work of the general plan of the city for an urban renewal area and brought it to the Planning Commission, the Council and the Redevelopment Commission and had it approved, and once it was approved by HUD, that was it. Under federal law, this cannot be done anymore. We have to involve the citizens from the area in the planning process. Now the planning consultants, and the Planning Commission work with the citizens of the area in planning a project that they are going to live in. He stated the main thing they did not anticipate in this plan was that the industry along the Southern Railroad track that goes up by the Interstate Milling Company would have to be removed. That this is not the sole item but is an example of the change that took place. The citizens did not want that industry in their future residential community, and said it would have to go. They want a community that will have all the ranges of housing, all the community facilities such as parks, church sites, commercial sites; and they did not want this mixed in with industry. As a result of their input into the plan, they came out with a different plan than was anticipated in 1966. Mr. Sawyer stated the railroad track itself cannot be removed as it goes on up to Derita and services an area far beyond it; but by proper screening, which is acceptable to the residents of the area, and by designing the housing and orienting it away from the tracts, it is acceptable. But they could not accept the continued presence of the Standard Bonded Warehouse, the Interstate Milling Company, and some other industry on this side of the Expressway; that the Expressway very neatly separates what is currently an industrial area and what in the future will continue to be an industrial area from the residential area.

Mr. Sawyer stated the commercial property will be at the intersection of Oak-lawn and Statesville Avenue which is a shopping center; in addition, there are three other small neighborhood convenience shopping areas; there are church sites and parks; the neighborhood center will be built in the park and a school site is identified and if the courts allow a neighborhood school the site is already identified and has been reviewed and approved by the School Board. If no school is built, then there will be a larger park.

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He stated this was approved by the people in the area, three levels in the Model Cities organization, the Planning Commission and the Redevelopment Commission.

Councilman Short moved that decision be deferred for two weeks. The motion was seconded by Councilman Whittington, and carried unanimously.

HEARING ON PETITION NO. 70-99 BY WARNER ENTERPRISES, INC. FOR A CHANGE IN ZONING FROM O-6 TO B-1 OF A LOT 60' x 264' AT 3804 COMMONWEALTH AVENUE.

The public hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, stated the subject property is located on the southwest side of Commonwealth Avenue, near Independence Boulevard, and is utilized for a beauty shop. The property is adjoined on the Independence Boulevard side by the Burger King with the other many business uses along Independence Boulevard. Across Commonwealth Avenue is the Commonwealth Presbyterian Church located in the intersection of Commonwealth Avenue, Independence Boulevard and Eastway Drive; there is one house beside the church which is directly across the street from the subject property. Along Commonwealth Avenue from the subject property the area is entirely used for single family residences.

He stated there is B-2 zoning along Independence Boulevard on both sides; the subject lot and one additional lot adjacent to it which is part of the Burger King facilities is zoned for O-6; the property across the street and the church property is zoned O-6; the property adjacent to the subject tract on down Commonwealth Avenue is zoned R-9.

Councilman Short asked if the interchange will have any effect on the subject lot? Mr. Bryant replied it will have some effect as the plans presently stand; it will front on the ramp which will come off Eastway Drive and into Independence Boulevard; that he believes traffic movement will be permitted in only one direction from the lot after the interchange is built and that direction will be toward Independence Boulevard.

Councilman Tuttle stated if it is going to be changed from two-way to one-way and if it is zoned from office to business and a business goes in then we will have to pay for it - there will be a loss? Mr. Bryant replied that would be a matter on the appraisal of the land; but normally business property is appraised higher than office.

Mr. Robert Kurtz, Attorney for the petitioner, stated sometime ago Mr. Warner purchased the property for Warner Enterprises, Inc. There was a two-story house on the property. Mr. Warner remodeled the first floor and leased it out for the operation of a school for the training of beauticians; that operation still exists and that is what is going on there now on the ground floor. Mr. Warner took over one of the upstairs rooms and used it for his personal office. That he is a traveling salesman and carries a line of ladies dresses; he wanted a place to sell his samples and surplus dresses.

Mr. Kurtz stated the property adjoins the parking lot of the Burger King and is highly visible from Independence Boulevard. That because he was operating a commercial enterprise on the first floor and because it was abutting on the parking area of a drive-in restaurant Mr. Warner erroneously assumed that he could open up a little shop on the second floor to display and sell his samples which he did. He was enlightened when he discovered it was in violation of the zoning ordinance. Mr. Kurtz stated Mr. Warner has no plans for any building or business of any kind; he does not plan to change the structure or remodel or do anything; that he wants to be able to use the second floor of the existing building to run a little shop to display and sell his sample and surplus dresses.

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Mr. Kurtz stated he does not think anything Mr. Warner does there will change the value of the property much in any way.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until its next meeting.

HEARING ON PETITION NO. 70-100 BY SIDNEY M. HATLEY FOR A CHANGE IN ZONING FROM R-6MF TO O-6 OF A LOT 70' x 198' AT 623 EASTWAY DRIVE.

The scheduled hearing was held on the subject petition.

The Assistant Planning Director advised this is a single lot facing on the east side of Eastway Drive which is presently being used as a day care center facility; it is adjoined on either side by existing single family structures; to the rear is the golf course; across Eastway Drive it is used for single family residential purposes; from that point up to the intersection of the Plaza, there is business uses around the intersection.

Mr. Bryant stated the property is presently zoned for multi-family purposes as is property on both sides of Eastway Drive from that point southward; to the north of it the zoning is O-6 and beyond that coming up to the intersection of the Plaza, it is zoned business.

Mr. Roy McKnight, Attorney for the petitioner, stated the property is being used for a day care center and has been operated so since 1964. Mr. and Mrs. Melvyn Hatley own the property and Mrs. Hatley operates the Eastway Day Nursery on the property. She has had numerous requests over the past several years to take in some more children. Under the zoning laws there is a limit based on square footage. By a change to O-6 she would have the right to increase the number of children from a present license amount of 32 children up to a maximum of about 54 children, assuming she can comply with the health requirements.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until its next meeting.

HEARING ON PETITION NO. 70-101 BY A. H. ALEXANDER FOR A CHANGE IN ZONING FROM B-1 TO B-2 OF A LOT 50' x 150' AT 1541 EAST INDEPENDENCE BOULEVARD.

The public hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, stated this request involves a single lot located at the intersection of Independence Boulevard and St. Julian Street and is presently being used for a wig sales facility. He stated there are a number of cars parked on the rear of the lot where someone had started a used car facility in violation of the zoning ordinance. Officially, the lot may be used for and is being used for the sales facility. Adjoining the lot is an office building on the intown side of the lot; there is an office building across St. Julian Street and a construction company office located on another corner. There are still a number of single family residences scattered up and down Independence. To the rear are single family residences up to Commonwealth Avenue and several office facilities located there as well. The nearest actual business use is at the intersection of The Plaza where there is a restaurant.

He stated the zoning is B-1 along both sides of Independence Boulevard from up near the Plaza on out; to the rear of the subject property on Commonwealth Avenue, there is B-2 zoning that comes down to St. Julian Street. There is multi-family zoning along Commonwealth Avenue from that point on down.

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Mr. Francis Clarkson, Attorney for the petitioner, stated his client owns the lot and has it leased to the present operators of the wig shop; the tenants thought if they could retail one thing they could retail another and made plans to enter into the retail sale of used automobiles on a very limited scale. That they expended a considerable amount of money in doing this including the erection of a sign and buying the necessary licenses only to find out from the Building Inspector that they were violating the city ordinance. For that reason the automobiles for resale are parked on the back of the lot and the sign is in storage hoping for some relief from City Council. He stated the entire block behind the subject property is B-2 and at the corner of The Plaza in the same block is B-2 zoning.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until its next meeting.

HEARING ON PETITION NO. 70-102 BY MARY C. BENNETT FOR A CHANGE IN ZONING FROM R-9 TO O-6 OF A LOT 88' x 150' AT 1508 REMOUNT ROAD.

The scheduled public hearing was held on the subject petition.

The Assistant Planning Director advised this request is for a change in zoning of a single lot located on the east side of Remount Road near the intersection of West Boulevard and is utilized for a single family residence; it is adjoined on either side by similar uses; to the rear the property is vacant; on the west side of Remount Road is a church; along Cowles Road is all single family residentially used. Near the intersection of West Boulevard, it is used for commercial purposes.

Mr. Bryant stated there is B-1 zoning along West Boulevard; then office zoning adjacent along Remount, then beginning with the subject lot and proceeding on out Remount, it is zoned R-9.

Mr. Roy Small, Realtor representing the petitioner, stated the property was listed three or four months ago for sale and no one has entertained buying the property under the present zoning. That he suggested to the petitioner to request the change in zoning from single family residence to O-6; that the traffic along there is very trying on the petitioner's nerves and he believes the change in zoning would enhance the neighborhood.

Councilman Whittington asked if any consideration was given by the petitioner to ask the other people between the subject property and Brentwood to request an O-6 zoning? Mr. Small replied they did not go into this; that from the petitioner's house back to West Boulevard are two single family residences and they are zoned O-6.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until the next meeting.

HEARING ON PETITION NO. 70-103 BY D. L. PHILLIPS INVESTMENT BUILDERS, INC. FOR A CHANGE IN ZONING FROM R-6 AND O-6 TO B-1 OF A PORTION OF CHANTILLY SHOPPING CENTER PROPERTY LYING NORTHEAST OF CHESTERFIELD AVENUE ADJACENT TO BRIAR CREEK.

The public hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, stated the subject property is an elongated "L" shaped piece of property that is part of the Chantilly Shopping Center area. The subject property as well as the adjacent property between it and Independence Boulevard coming up to Morningside Drive is utilized for business purposes; it is adjoined on the intown side by properties along Shenandoah Avenue and Chesterfield Avenue utilized for single family purposes; there is vacant land along the creek.

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Mr. Bryant stated there is business zoning along Independence Boulevard and there is a small area of office zoning located along Briar Creek that has always been utilized for business purposes. That they do not know how this office zoning got in there; that it appears on the 1962 zoning map. In addition there is a portion just behind the building utilized for parking that is zoned residentially. This request is related to an attempt to solidify the zoning pattern for the entire shopping center area; therefore, changing the portion that is used for business to that type of zoning. That this is a part of the Chantilly Shopping Center area.

He stated there is single family zoning to the rear of the subject property along Briar Creek.

Commissioner Toy asked why the petitioned property comes back only half the depth to the residential lots? Mr. Bryant replied because that is all that is being utilized for business purposes. That the actual business uses extends down to the line and beyond that it is vacant property; there are residential uses along Chesterfield and there was no desire on the part of the petitioner to bring the zoning all the way down to Chesterfield. That this is merely recognizing the area that is actually being used for business purposes.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until its next meeting.

HEARING ON PETITION NO. 70-104 BY E. T. WINDHAM, JR. FOR A CHANGE IN ZONING FROM R-9 TO O-6 AND B-1 OF A PARCEL OF LAND 200' x 167' ON THE NORTH SIDE OF TYVOLA ROAD, BEGINNING 348' EAST OF SOUTH BOULEVARD.

The scheduled public hearing was held on the subject petition.

The Assistant Planning Director advised this parcel of land is on the north side of Tyvola Road and is utilized for single family residential purposes; to the west of the property there are several small business uses that extend from the subject property out to South Boulevard; across and south of Tyvola Road is the Woolco Department Store; to the east of the property is a single family residential house and some vacant lots and then single family residences; to the north and to the rear of the property there is single family residential uses along Milford Road; across Tyvola Road and to the east of the subject property is a large apartment complex.

Mr. Bryant stated there is B-2 zoning along the east side of South Boulevard extending throughout; beginning on Tyvola Road and with the subject property the zoning is for single family residential along the north side of Tyvola Road and extending northward along Milford. On the south side it is zoned R-9MF beginning at the business property and extending eastward.

Mr. Bryant stated the request is in two parts. A request that 125 feet of the frontage be changed to business and the last 75 feet be changed to O-6.

Mr. Sam Williams, Attorney for the petitioner, stated that three lots would be O-6 to serve as a buffer and then the zoning line would go down the lot and down the back line and exit to leave 125 feet for B-1 zoning for a convenience food store use. He passed around a map and photographs of the area and explained each. He stated they want to build a convenience food store to keep people from the necessity of going to South Boulevard for their minimal quick needs, and also to have a O-6 buffer to fully protect the residential development that might take place on Tyvola Road.

Mr. Cal Hamilton stated he lives on the other end of Milford Road and he objects to the rezoning because he lives in the area and he sees this as the second step in cutting through a fine residential area.

Council decision was deferred until the next meeting.

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HEARING ON PETITION NO. 70-105 BY U. G. HAGER FOR A CHANGE IN ZONING FROM R-9 AND R-12 TO I-1 OF A PARCEL OF 25 ACRES ON THE NORTHEAST SIDE AND 16 ACRES ON THE SOUTHWEST SIDE OF BELLHAVEN BOULEVARD (N. C. HIGHWAY 16) LOCATED BETWEEN GUM BRANCH AND WESTBOURNE SUBDIVISION.

The public hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, advised the subject property is located on both sides of Highway 16 with the larger tract being on the north side and the smaller tract on the south side; the property is vacant and is primarily surrounded by vacant land. The largest area use is on the south side of the highway and is a mobile home park; on the intown side is a truck terminal, McCall Well Drilling Company and then a number of residential uses throughout the area; to the west of the property is one house and then there is the Westbourne Subdivision. To the rear of the property, on the south side, is a street which comes in from Old Highway 16, and there are several residential structures in the area.

He stated there is I-1 zoning along Belhaven Boulevard out to the subject property on the north side of the road; there is I-2 out as far as and includes the mobile home park; beyond that the entire area, including the subject property, is zoned for single family residential purposes.

Mr. Herman Alley, Jr., representing the petitioner, stated in attempting to determine the best and highest use for the property they studied the zoning ordinance and decided that I-1 was almost completely written for property of this nature.

He stated the property would have to take low density because of the absence of water and sewer; with the property now zoned R-9 and R-12, this would require many individual wells and septic tanks. They think for low density I-1 zoning would be ideal. The ordinance reads that I-1 is to protect residential property and they think this is exactly what would happen.

He stated the property is adjacent to property already zoned I-2 or I-1 so that it is a matter of extending the zoning without any material change in the area; there is a sewage treatment plant adjacent to the property; a mobile home park adjacent to the property; there is a trucking terminal and a manufacturing or storage facility for a well and pump company in the area.

He pointed out an area which he said is being left as a 200 foot buffer between the proposed zoning and the property line which is owned by Mr. Hager. The depth of the property on the north side is 500 feet; 128 feet of this is already taken up by a right of way for a high tension line that runs through the property; there is also a right of way through a portion of the property owned by Colonial Pipe Line which is a 50-foot right of way. He stated there is a natural barrier which is Gum Branch and is a boundary of the property; another area is heavily wooded and is a natural barrier from the residential property.

Mr. Alley stated there is no definite proposals at this time for using the property; they visualize it as light warehouseing and some light industrial; they have no plans to use it for mobile homes as there are no water and sewer facilities.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until its next meeting.

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HEARING ON PETITION NO. 70-106 BY ROXIE BARRIER TREXLER FOR A CHANGE IN ZONING FROM R 9 TO B-2 OF 12.84 ACRES OF LAND ON THE SOUTH SIDE OF SUNSET ROAD WEST OF REAMES ROAD.

The public hearing was held on the subject petition.

The Assistant Planning Director stated the subject property is located on the south side of Sunset Road and is located at what will be the interchange between Sunset Road and I-77. The subject property is vacant except for one single family residence. The property around it is predominately vacant with the exception of a number of single family residences on the west side.

Mr. Bryant stated the subject property as well as all the property to the west of the proposed I-77 is zoned for single family residential purposes; on the east side of the interchange is B-2 zoning and on the south side and industrial zoning along the north side. The area between I-77 and Statesville Road is all zoned for industrial purposes - north of Sunset Road. The perimeter zoning line is 300 feet north of Sunset Road and the property in there is zoned as business.

Mr. Bryant stated the right of way for Interstate 77 has not been purchased but it is planned and the public hearing will be held this month.

Mr. Stuart Childs, Attorney for the petitioner, Mrs. Trexler, stated he understands this will be the last major interchange coming into town before reaching I-85. Mrs. Trexler's property is 12.84 acres; her parents built the present home which is located almost in the middle of the tract a little over 50 years ago and Mrs. Trexler has lived there all her life and lives there at present. He stated maps on the projection for I-77 are hard to come by, but they have a photograph of a map from the State Highway Office which indicates that Mrs. Trexler's home will be located between Reames Road and the loop. He stated Reames Road will be located to the west of the interchange.

Mr. Bryant stated from the information they have the Interstate will take 2/3 of this property. Councilman Tuttle stated if that is a fact and something is built comparable to B-2, then the road will go right through it? Mr. Bryant stated he understands the State will start acquiring the right of way as soon as the public hearing is held; that he assumes it would be only a matter of months and perhaps weeks before they start acquiring the right of way at this location; that it would be possible for someone to build before then but he would hope they would not. Mr. Childs stated he does not think that Mrs. Trexler would be interested in building anything between now and the time the right of way is definitely established and acquired.

Mr. Childs stated Mrs. Trexler applied for a zoning change sometime back but was held to be premature at that time, and she reapplied and it was processed. That her main interest is for planning purposes; she has to move, and whether it is rezoned now or after the road is built, she would like to know what she is going to do when the road is ultimately built. He stated he does not think anyone would want an R-9 zoning on a major interchange.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until its next meeting.

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HEARING ON PETITION NO. 70-107 BY J. D. WHITESIDES, ET AL, FOR A CHANGE IN ZONING FROM R-6MF TO O-6 OF PROPERTY ON THE SOUTH SIDE OF PARK AVENUE FROM EUCLID AVENUE TO LYNDBURST AVENUE.

The public hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, advised this is located on Park Avenue in the Dilworth Area between Euclid Avenue and Lyndhurst Avenue. The property is used for one single family structure on the corner of Lyndhurst and Park Avenue; there is one vacant lot and another lot utilized for a day care and nursery type facility. To the rear of the property is single family residential structures; along Kingston is a variety of residential structures; on the Morehead side, across Park Avenue, is the new Dilworth School and the playground and park area. He pointed out Latta Park running between Romany Road and Park Avenue; the Community center area associated with the Latta Park facility. In general, the area is utilized otherwise for various types of residential uses - some single family, some multi-family and some duplex.

He stated the area immediately surrounding the subject property including the subject property is zoned R-6MF; the area between Park Avenue, Kingston, over almost to East Boulevard is multi-family zoned; there is office zoning along East Boulevard, from Euclid Avenue in the direction of Dilworth Road; there is business zoning along East Boulevard, from Euclid back to South Boulevard; there is multi-family zoning along Euclid Avenue on the South Boulevard side of Euclid; office zoning along Cleveland Avenue and then business zoning along South Boulevard. Beginning with the school area and extending along Romany, Berkeley and the other streets in the area, there is an area of R-9 zoning.

Mr. William Poe, Attorney for the three petitioners, stated this is a transitional area; that he understands the Planning Commission has a study underway at present in the immediate area. He stated he represents Mr. and Mrs. Canipe, Mr. Whitesides and Mr. Edwards and they are the owners of the entire frontage; that this is half of a city block. He stated there are two structures on it - one an old house at the corner of Lyndhurst and Park and is used for rental property; there is a day care center which Mrs. Canipe operates. He stated the property in the neighborhood has generally run down and the whole area from Park Avenue back towards East Boulevard is badly and rapidly deteriorating. That his clients feel there is no use for residential purposes at the moment, and they would like to promote the use of it for office purposes; that this is a better use of the property; it is a logical use of the property. It is directly across the street from a parking lot and tennis courts maintained jointly by the school system and the Park Board; that the O-6 zoning would be a logical transition from the Park and School use.

Mr. Poe stated if Council feels it must wait until it gets the results of the study now being made by the Planning Commission that it not act upon this petition until that information is available. However, they would prefer that Council act and act favorably on the petition now; they ask that Council not act unfavorably until it receives the benefits of the long range study by the Planning Commission.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until its next meeting.

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HEARING ON PETITION NO. 70-108 BY HARRY W. KOLE FOR A CHANGE IN ZONING FROM R-6MF TO B-1 OF TWO LOTS ON THE SOUTH SIDE OF CLANTON ROAD AND EIGHT LOTS ON THE NORTH SIDE OF BLAIRHILL ROAD, EAST OF INTERSTATE HIGHWAY 77.

The public hearing was held on the subject petition.

The Assistant Planning Director stated the subject property has some frontage on Clanton Road with more frontage on Blairhill Road, and the property continues back almost to I-77. The property has on it one house facing on Clanton Road and perhaps another house facing on Blairhill Road; there are three or four houses along the south side of Clanton Road; other than that the area is vacant; along South Tryon Street is a variety of uses; across I-77 is vacant land; there is a new service station and convenience store that has been built near the intersection of Clanton Road and Barringer Drive.

Mr. Bryant stated the subject property is zoned R-6MF as is all the property in the immediate vicinity to the south, east and to the north; there is industrial zoning along South Tryon Street; there is B-1 zoning all around the interchange.

Mr. Phil Hedrick stated he is present on behalf of the petitioner. There is approximately 5 acres involved and it is no longer suitable for residential use. The property in question has 200 feet frontage on Clanton Road; that Mr. Kole has no immediate use planned for the property; he does propose in the future to develop it either into motel use or possibly some other use.

He presented a map and aerial photograph and pointed out the different uses in the area. He stated this property is as good as you can find coming into town to develop for motel use.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until its next meeting.

ORDINANCE NO. 767-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE AMENDING THE ZONING MAP TO CHANGE THE ZONING OF PROPERTY WITHIN ONE BLOCK OF THE INTERSECTION OF SHAMROCK DRIVE AND EASTWAY DRIVE; CHANGE PROPERTY ON BOTH SIDES OF EASTWAY DRIVE NORTH OF MICHIGAN AVENUE AND CHANGE PROPERTY ON BOTH SIDES OF SHAMROCK DRIVE, EAST OF CARDIFF DRIVE.

The public hearing was held on Petition No. 70-109 by Charlotte-Mecklenburg Planning Commission for a change in zoning from B-1 to B-2 of all property within one block of the intersection of Shamrock Drive and Eastway Drive which is now zoned B-1; to change from R-9MF to O-6 property on both sides of Eastway Drive, north of Michigan Avenue, and to change from R-9 and R-9MF to O-6 property on both sides of Shamrock Drive, east of Cardiff Drive.

Mr. Fred Bryant, Assistant Planning Director, stated this is the result of the study of the intersection of Shamrock and Eastway that has been pending for a long time. The attempt is to bring into this area a pattern of zoning that is defensible on the basis of creating a comprehensive pattern and at the same time to create a transitional type of pattern for the area that can be utilized for some period of time in terms of trying to achieve for this area a compatible pattern of land uses in relation to each other.

He stated much of the area has been zoned a combination of B-1 and B-2. On the basis of the fact there are now no less than three parcels zoned for B-2 purposes within the area and on the basis there is at least one use that is of B-2 nature operating within the B-1 area, they came to the conclusion that it should be recognized as a B-2 area rather than B-1. He stated there is no B-2 zoning along Eastway Drive at all until you get to Central Avenue.

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He stated the changes consists of two parts. The first part consists of the area around the intersection now zoned B-1 which should be zoned B-2. There is no proposed increase in the actual area that is zoned for business purposes; there is already sufficient area to meet the needs of the neighborhood. The second portion consists of some office zoning on the west and northwest side of the intersection area; this is to create a more satisfactory pattern of office zoning around the intersection so that it will not work quite the hardship on some owners in the area that it does now where we have certain areas where property is zoned for residential right beside the B-2 zoning. On the south side of Shamrock there is only 100 feet of office zoning presently separating the business zoning from the single family zoning. Therefore, they suggest that an additional tier of lots be zoned for office purposes. He stated this would then create an entire office area around the business zoning with the exception of one side on Springway which is completely isolated because of a ravine.

Mr. Bryant stated all the property owners were sent notices of this several weeks ago and they should be aware of what is being prepared for their individual property.

Mayor Belk stated this is fine; that he thinks we should do more of this type zoning rather than having single lots as we have had earlier this afternoon. This not only gives the citizens around it a better chance but it is better planning, and he congratulates the Planning Staff on this approach.

No opposition was expressed to the proposed change in zoning.

Councilman Short moved the adoption of an ordinance to change the zoning on the property as recommended by the Planning Commission. The motion was seconded by Councilman Tuttle.

Councilman Short stated this is good as it says to people that it is set up on a scientific basis and here it is and this is as far as we expect to go.

Councilman Whittington asked where the B-2 properties are located? Mr. Bryant replied one is the area at the corner of Springway and Eastway where there is a car wash and service station; another area is on Eastway where there is a Burger Chief drive-in restaurant; and the third parcel is on the south side of Shamrock which was zoned B-2 a few weeks ago; that there is one used car lot at the corner of Frontenac and Eastway operating in a B-1 zone but it is a B-2 type use.

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

The ordinance is recorded in full in Ordinance Book 17, at Page 285.

HEARING ON PETITION NO. 70-110 BY BUILDING INSPECTION DEPARTMENT OF THE CITY OF CHARLOTTE TO CONSIDER AMENDING SECTION 23-88.1(c) BY INCREASING THE COST OF A SIGN PERMIT FEE.

The public hearing was held on the subject petition to amend the Text of the zoning ordinance by increasing the cost of a sign permit fee and to install a late fee equal to the amounts to be collected when work is commenced prior to the securing of a sign permit.

The Assistant Planning Director stated this petition came to the Planning Commission as a request from the Building Inspection Department to consider an amendment to the text of the zoning ordinance to revise the fees that are presently charged for the installation of signs, and to incorporate into

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the language of the ordinance, for the first time, wording as follows:

'Work requiring a permit as described in Section 23-88.1(a) that is commenced without securing the specified permit shall be subject to a late fee equal in amount of the fee shown in Section 23-88.1(c). The late fee shall not be construed as a penalty but as a charge for additional administrative expense.'

Mr. Jamison, Superintendent of the Inspection Department, stated this is the result of the request of Council a few weeks ago to look into the fee schedules and to recommend any increases they feel is necessary.

Councilman Thrower stated some people do not realize the necessity for buying sign permits. He asked if this will apply to those people who realize that they should get a permit? Mr. Jamison replied not if they came in to get the permit without an inspector having gone out; that if a man puts up a sign and finds out himself it is a mistake and comes in to get the necessary permit, it would not apply. Councilman Thrower asked if this can be put into the ordinance? Mr. Underhill, City Attorney, replied he does not know how it could be spelled out; it would be a very difficult thing to spell out in writing; that this would have to be left to the discretion of the person assessing and collecting the fees.

Councilman Tuttle asked the maximum size of a sign where real estate agents puts up a sign, houses for sale, with an arrow pointing to the area in an R-12 zone? Mr. Bryant replied, strictly speaking, that is not permitted because this becomes an off-premise advertising sign and the only type of sign the ordinance recognizes is a sign located on the premises of the property to be sold. Usually these signs are not located on private property but on street right of way and then it becomes a matter of the city or state deciding whether or not it wants to act to remove the signs from the right of way.

No opposition was expressed to the proposed text amendment.

Council decision was deferred until its next meeting.

PETITIONS NO. 70-79 BY HARRY M. MCCONNELL, ET AL, PETITION NO. 70-53 BY D. L. PHILLIPS AND PETITION NO. 70-98 BY CHARLOTTE CITY COUNCIL, DEFERRED UNTIL SEPTEMBER 14, 1970.

Motion was made by Councilman Tuttle, seconded by Councilman Thrower and unanimously carried, deferring action on the following Zoning Petitions until September 14, 1970:

- (1) Petition No. 70-79 for a change in zoning of both sides of Sugar Creek Road, from Interstate Highway 85 to Wilson Lane and extending north of I-85 to Cannon Avenue.
- (2) Petition No. 70-53 for a change in zoning from R-6 to R-6MF of a 12 acre tract of land west of Briar Creek at the southerly end of Wyanoke Avenue and near Lorna Street.
- (3) Petition No. 70-98 for a change in zoning from O-6 to B-1 of property on the east side of Park Road, beginning at Ideal Way and extending 300 feet southward.

MEETING RECESSED AND RECONVENED.

Mayor Belk called a recess at 4:20 o'clock p.m., and reconvened the meeting at 4:30 o'clock p.m.

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ORDINANCE NO. 768-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE AMENDING THE ZONING MAP BY CHANGING THE ZONING OF PROPERTY ON A 34.925 ACRE TRACT OF LAND FRONTING APPROXIMATELY 400 FEET ALONG THE EAST SIDE OF NATIONS FORD ROAD AND BEING SOUTH OF BRITISH WOODS SUBDIVISION.

Mr. Underhill, City Attorney, advised that decision on the subject petition was deferred on August 3, as Council was considering an R-20MF zoning classification and the petitioner had not submitted a schematic plan as required by the R-20MF zoning. That until the petitioner submitted a plan and it was approved by the Planning Commission was the reason for its deferral.

Councilman Thrower stated several members of Council went out and looked over this property, and recommended that an R-20MF zoning be placed on the property; then they found that a site plan and topo maps had to be filed, and this was not available; according to the original request the zoning was for R-12MF and the schematic plan was not necessary.

Councilman Thrower asked Mr. Charles Grier if he has filed plans to the satisfaction of the Planning Office? Mr. Grier replied that he has.

Councilman Thrower moved that the subject ordinance be adopted to change the zoning from R-9 to R-20MF on a 34.925 acre tract of land. The motion was seconded by Councilman Whittington.

Mr. Charles Grier stated this is a low density development for multi-family ranging from duplexes up to 10 or 12 units; there will be 304 units in the development. The plan calls for village-like area.

Mr. Grier stated under the R-12MF zoning they could have constructed another 100 units.

Councilman Tuttle asked if this has been approved by the Planning Commission, and Councilman Thrower replied no, that it just meets the requirement of the Planning Commission. Mr. Grier stated he filed it with the Planning Office this morning.

Councilman Tuttle stated it would be very important to him to know how the Planning Commission feels about the R-20MF zoning; that he knows Council has the authority to change this. That the Commission has already said there is so much property in the area already zoned for apartments; that there are some lovely homes across the road.

Councilman Thrower stated the R-12MF request met with no opposition from the local residents so he does not think they would object to the higher classification.

Councilman Tuttle made a substitute motion to refer it back to the Planning Commission and ask their opinion on the plan for R-20MF. The motion did not receive a second.

Councilman Short stated this land is across from the school and he thinks it should be developed for families with children who can use that school. That he does not think it is going to be developed as it is zoned now and it seems the R-20MF, or planned unit development, is the realistic thing here.

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

YEAS: Councilmen Thrower, Whittington, Jordan and Short.  
NAYS: Councilman Tuttle.

The ordinance is recorded in full in Ordinance Book 17, at Page 286.

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INFORMATION ON PETITION NO. 70-79 BY HARRY M. MCCONNELL FOR CHANGE IN ZONING REQUESTED FROM THE PLANNING COMMISSION BY AUGUST 31.

Councilman Short stated there are several questions he would like answered by the Planning Commission on its recommendation on the subject petition:

(1) Why the part recommended for B-1 at the intersection of I-85 and Sugar Creek Road cannot be B-1SCD. That even with the widening of Sugar Creek Road and the building of the interchange this will be a real bugaboo traffic-wise; that he wonders if Council cannot ask the Planning Commission why this cannot be B-1SCD.

(2) By the same token there is a conditional B-2 zoning which is called a B-2 Highway District, and he thinks it is in order to ask them why that part which is B-2 cannot be on that basis.

(3) Also, he would like for them to explain why they did not put a buffer zone along the rear of the lots that face Vancouver; that there seems to be plenty of room for this and Vancouver is a very nice residential street; other buffering was arranged in making their recommendation; other lots in the general area were protected. Vancouver is a very fine street; there is room enough to make a buffer there, and he wonders why they did not set it up this way.

Councilman Short moved that this be referred to the Planning Commission and ask them to advise Council before September 14. The motion was seconded by Councilman Jordan, and carried by the following vote:

YEAS: Councilmen Short, Jordan, Tuttle and Thrower.

NAYS: Councilman Whittington.

Councilman Whittington stated he voted no because the Highway Department has changed the intersection and the access road will be between the residents on Vancouver and the business zoning; that is the reason there is no buffer as there will be an access road which he thinks is better than a buffer of a fence or hedgerow.

Councilman Short stated this is the first he has heard of this, and it does not shown on any map he has seen, and the people have been coming to him showing him various maps.

Councilman Whittington stated there are options and commitments and other things involved in this zoning. That he thinks the thing that perhaps caused more controversy than anything else was when the Planning Commission said Sugar Creek Road should not be stripped with business but other people who own property out Sugar Creek Road were lead to believe that they could not rezone their property.

After further discussion, with the consent of Council, the date in the motion was changed to August 31 rather than September 14.

CONTRACT WITH MCMANIS ASSOCIATES FOR SCOPE OF SERVICES FOR MODEL NEIGHBORHOOD COMMISSION.

Mr. Carstarphen, Administrative Assistant, stated Council has before it a memorandum concerning a proposed contract between the Charlotte Model Neighborhood Commission and the firm of McManis Associates - a management consultant firm out of Washington, D. C.

Mr. Carstarphen stated the underlying objectives of the Consultant Firm will be to develop an in-house capabilities and to implement constructive changes by utilizing existing personnel and existing resources. To reach this end the Consultant and the Model Neighborhood Commission have agreed to involve from the City Manager's Office one member of the staff to emphasize the close coordination and liaison which they feel to be important between Council, the City Manager's Office and the Model Neighborhood Commission. That this contract gives recognition to that liaison.

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He stated the four areas which are proposed for technical assistance under the contract are as follows:

- (1) Development of internal operating policies and procedures including the preparation of a policies and procedural manual.
- (2) Development and implementation of an organizational plan and administrative policies and procedures.
- (3) Development of position descriptions and implementations of a performance appraisal system.
- (4) Design and (through staff development seminars) implementation of an in-service staff development program.

Mr. Carstarphen stated the completion date for the contract is October 31, 1970; that this date is significant because it give recognition to the fact that on that date the second Model Cities Action year will begin.

He stated while the Model Cities administrative budget is supported in part by local funds, most of the local credits that are a part of that budget are in-kind contributions such as personnel and space and the money to finance the \$33,400.00 for this work will be substantially, if not completely, federal dollars. That he says substantially primarily because there is a small question as to whether or not we might not have to utilize a small amount of our money - by small, he means less than a couple thousand dollars.

Mayor Belk stated we are receiving a lot of monies for this program but he thinks we have not received the benefits for the amount of grant. That he would recommend this contract to Council as he feels we will have to put more emphasis to implement these programs and to get better benefits and to get people to participate within the areas of the Model Cities so that they will receive more benefits.

Mr. Preston Wiley, Acting Director, stated those who work at the agency full time feel very strongly that this is the sort of need that the internal operations of Model Cities is crying out for; that they feel with this sort of tool and assistance at their disposal it will go a very great distance in helping the staff to live up to the expectations that Council and the City have for this program.

Councilman Whittington stated we are spending millions of dollars under Model Cities, Urban Renewal, Charlotte Area Fund and other agencies in Charlotte, and he thinks the general public has reached the point that they are not going to continue to support these programs unless the results are turned around, and turned around very rapidly. He stated as an example, today it was pointed out that the Greenville Area began with an expenditure of about \$2.0 million and today it is over \$4.0 million; that this is the kind of thing that he does not think this government and the people who live in this city are going to continue to support unless some very good results are shown. That he does not say this as a warning but he says it as a fact. The public is rapidly becoming opposed to these type programs without results. That he is saying to Mr. Wiley - "We want results."

Councilman Whittington moved approval of the contract as recommended by Mayor Belk and Mr. Carstarphen. The motion was seconded by Councilman Thrower, and carried unanimously.

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PETITION FILED BY SANITATION WORKERS REQUESTING REMOVAL OF SUPERINTENDENT FROM OFFICE.

Mr. Gene Gore stated there has been a lot of discussion from the public about refuse collection in the last few weeks, and a lot of this blame has been laid upon the workers. He stated the Executive Board of the Brotherhood of Charlotte City Workers has drafted a petition in what they think will solve this problem.

Mr. Gore filed the petition with Mayor Belk.

He stated the petition requests the City Manager and Members of the City Council to use everything within their power to remove Superintendent Pressley Beaver from office; that it is their conviction that he has been a detriment to the entire Department since his appointment. Since his appointment, public service has been on a continual decline. The reasons for the decline are as follows:

- (1) Additional workloads for all sanitation workers. This addition makes it humanly impossible to complete any assigned route; some routes have received an addition of over 500 homes.
- (2) Anyone assigned to drive a packer truck in the past in order to secure experience was given an additional \$5.40 per week to take care of the added responsibilities; this has now been curtailed.
- (3) To run an effective operation we feel there must be a line of communication between the worker and his superintendent. The only time we see Mr. Beaver is when one of his numerous pictures appear on the bulletin boards.
- (4) The additional workloads placed upon the supervisors and foremen have caused serious damage to the relationship between themselves and the rank and file. (Mr. Gore stated all the foremen's names appear on the petition.)
- (5) He has staffed his office with a variety of individuals who know absolutely nothing about the operation of refuse collection. College students to serve as time study agents, a man straight out of the army to handle motor transport work and a man from the police department who constantly questions our activities.
- (6) Disregard of seniority, case after case.
- (7) Changing the dumpmaster driver's work schedule from six to four days per week. These routes were originally designed on a six day week so the worker would not have to over-tax himself or the city equipment. Under the four day week and the new city ordinance, the drivers receive hundreds of complaints weekly. This plan is very unfair to the businessman.

Mr. Gore stated they have contacted over 50 businessmen today such as Shoney's Restaurant, Kentucky Fried Chicken, Barclay Cafeteria, Southeastern Tool and Die, and received the same comments from all that they are getting two pickups per week, and it was three in the past under Mr. Davis's supervision; that it is impossible for them to keep sanitary conditions at the level it is supposed to be.

He stated they feel they have taken the abuse from the public long enough for his mistakes; they have given him every amount of respect they know how to offer and received inhumane treatment in return. That on five different occasions this past week they asked Mr. Beaver to address their group and to try to answer their numerous questions - the questions they receive from the public daily. To this date he has not come before the workers. They feel the records will show the public was more content before Mr. Beaver was assigned to the Sanitation Department. The workers were more

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content under the supervision of Mr. Davis as he would at least address the workers when problems arose and try to answer their questions.

Mr. Gore stated Mr. Beaver has driven the sanitation workers to the breaking point and they will not continue to operate under such inhumane treatment.

That if the City Manager and City Council does not wish to try and solve this problem, then the workers must seek other means; that they would like to explain to the public that they have tried everything possible to perform the best they can under the conditions; that the City Manager and City Council could solve the problem if they saw fit. If this is not done, they have but one route to take and they are giving advanced apology for the possible future inconvenience.

Mr. Gore stated the workers have gone for six months without uniforms. They work daily in six or seven dollar shirts - their own personal clothes. They go into the office and ask for uniforms as the uniforms furnished in January have run out; and they are told they will have them in 45 days. He called attention to several workers in the audience; one has been working for two months and has never been offered a uniform; another has been working for over six months and it is the same situation; another has been working 12 years and cannot get a uniform; he has had uniforms but they are worn out. He stated there are about 300 workers in the same situation.

Councilman Whittington asked if the men who are present today worked today? What time did they get off work; that they have been in the audience since 3:30? One stated he got off work at 3:30. Mr. Gore stated they cannot finish their routes. Councilman Whittington stated the reason he asked the question is that he understands the workers asked that their working hours be from 7:30 to 3:00; before they were working until 5:00; that this was changed at their request. Mr. Gore stated they would have been happy to leave it that way if they had received overtime for all over eight hours; that none of them finish their routes as it is humanly impossible.

Mr. William Wallace stated he works Route 218 and did not complete his route. That he had three new men today and none of them knew where to pick up a garbage can. The older crew did not show up and it makes it hard on one man. He stated he has worked for the city for the past 17 years and worked from sun up to sun down; that Mr. Ralph Bartlett and Mr. Fogus paid them for their overtime. Then Mr. Noe came and paid sometimes.

Mr. Johnny Thompson stated the reason the people were not at work is that the routes are too long and they just quit.

Mr. Charlie Black stated he has been working for the Sanitation Department a little over four years and he enjoyed his work with the Department; but with the new rules and regulations, it is going to be quite a while before the next man can come up here and say he enjoys working for the City of Charlotte.

Mr. Black stated in the last couple of weeks they have had 25 gallon drums at filling stations where they are supposed to have regulation cans and then the workers are blamed for not dumping them; there are the boxes the service stations fill with the oil cans and such and the workers no longer bring them from behind the station. The attendants at the stations get on them and they are only trying to abide by the law. He stated they now get containers with grass in them and the children have poured water over it and they have to bring them from the back of the houses; that this is in the Dilworth section. He stated he has reported this condition to his supervisor. That business places in the Dilworth section put magazines, telephone books and maps in cans without covers and they weigh over 100 pounds. If they would take these things and tie them up and put them on the curb it would be better for the workers. He stated his supervisor told him that as long as it is in a garbage can, there is nothing that can be done about this.

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Mr. Black stated the new ordinance helps some on Wednesdays, but on the other four days, it is killing a man who would normally stay with the Sanitation Department. He stated this past week a friend of his was retired; that he was old enough to retire, but it was a disgrace to retire a man who had never missed a day unless he was sick; that he did not have insurance with the city nor any income. He stated he did find him another job the day after he was retired without any retirement. That they did not understand why they retired him as he gave the city's its money's worth.

Mayor Belk asked Mr. Black to give him the man's name so it can be checked into.

Councilman Tuttle asked the City Attorney if the City can take measures to cut off collections from any one who deliberately does not abide by the ordinance? Mr. Underhill replied under the new ordinance you are not required to make collections if they do not follow the ordinance.

Mayor Belk stated the primary purpose is to try to serve the people; the reason the regulations were changed was to give better service and to have better working conditions for the sanitation department. Those that are not serving these two purposes can be changed so it will be better. That we still want to give the best service we can to the people. He stated we do have the interest of the Sanitation Workers at heart to show that we can do the best job of any Sanitation Department of any other city. Mayor Belk thanked them for bringing this to Council's attention and everything will be done to make improvements.

Also speaking were Mr. Walter Aerey and Mr. Ulyses Issac.

RESOLUTION SETTING DATE OF PUBLIC HEARING ON MONDAY, SEPTEMBER 21, ON PETITIONS NO. 70-111 THROUGH 70-118 FOR ZONING CHANGES.

Councilman Thrower moved adoption of the subject resolution setting date of hearings on Monday, September 21. The motion was seconded by Councilman Whittington, and carried unanimously.

The resolution is recorded in full in Resolutions Book 7, at Page 123.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR URBAN BEAUTIFICATION GRANT.

Council was advised the principal agencies involved in the subject contract are Park and Recreation, Mint Museum, Nature Museum and the City; the application is for 50% matching funds in the amount of \$132,080.00.

The following major items are included in the 1970-71 program:

City Hall Lighting	\$2,000.00
Fire Station No. 18 Landscaping	7,010.00
Fire Station No. 4 Landscaping	7,310.00
Shrub Tree Planting	17,500.00
Landscaping of Four Traffic Islands	13,880.00
Central Business District Landscaping	5,000.00
Charlotte Biblical Gardens (Mint Museum)	22,515.00
Southside Park Improvements	41,220.00
Midwood Park Improvements	24,420.00
Veteran's Park Improvements	60,720.00
Nature Museum Improvements	71,070.00
	<u>\$272,645.00</u>
Federal Inspection Fee	1,565.00
	<u>\$274,210.00</u>

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Councilman Whittington stated the total amount of the program is \$274,210.00 and the City's share is \$132,080.00. He referred to the landscaping of Number 4 Fire Station in the amount of \$7,310.00, asked if this is part of the city's money or part of government's money? Mr. Connerat, Local-Federal Coordinator, replied this is part of the total of the \$274,210.00, less \$10,000 which is our base figure.

Councilman Whittington stated he does not see how anyone can substantiate spending \$7,310.00 to beautify No. 4 Fire Station which is on West Fifth Street up against the street, with a warehouse or garage on the east side of it and the Cadallic place on the west side. Mr. Connerat replied this is for the new No. 4 Station to be built. Councilman Whittington stated it does not say that, nor is there a site for this station as yet; they were told about 18 months ago to get a site immediately and bring it back to Council and nothing has been heard from anyone since that time. He stated this looks as if you are spending \$7,310.00 to beautify a station that everyone would say should have been condemned a long time ago. If this is for a new station, the public does not know this. Here again is an expense of \$274,000 and most of it is proper and it will be a good job towards beautification, but people do not understand things like that.

Councilman Jordan stated he goes along with Mr. Whittington; but he assumes the reason for this is to get it in the budget for 1970-71.

Councilman Tuttle moved adoption of the subject resolution. Councilman Whittington seconded the motion provided it is stated that the \$7,310.00 is for the landscaping of the new No. 4 fire station, when and if it is ever built.

Councilman Thrower stated he assumes money was appropriated and given to the general contractor for landscaping on Fire Station No. 18; he asked if the city, in effect, will not get a \$7,010.00 credit against the general contract? Mr. Bobo, Administrative Assistant, replied that depends on how much money was in the general contract for this purpose.

Councilman Short stated under landscaping of four traffic islands, one is listed as the intersection of Laurel Avenue and Eastover Road; that he is not sure they run together. Mr. Bobo replied this is Cherokee and Laurel Avenue; the people in the neighborhood have petitioned for a number of years that something be done about that traffic island.

Councilman Short stated he does not know whether we want to chose the corner of Queens Road and Morehead for this program; that is a beautiful arrangement already. He asked if the money for this intersection cannot be placed somewhere else? Mr. Connerat replied that is possible; they simply used these locations; they may not come out this way when they decide to do it in terms of the precise works; if they want to substitute one for another, there is no problem about changing this. That the city has to do the work first and put the money out and then get half of it back; we are not obligated to do it and if there is a change, we can effect a substitution.

Councilman Short stated Mr. Walter Klein put up a number of thousands of dollars which we are now doubling by the federal multiplying; in effect, we are taking private money and doubling it by using it in this program. He asked if we cannot have a sort of Mayor's Foundation and monies could come into it and be used in this fashion. That he has some information from Flint, Michigan where they are getting something like \$10.0 million a year in this way; private individuals who want to place their money for civic uses are placing it there in a foundation, and it is multiplied federally and they are getting a tremendous income from it. He stated perhaps we can arrange a foundation here where the payor will get tax credit and it can be multiplied by putting it into a federal program.

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Mr. Bobo stated he met with Mr. Hobson, Mr. Don Bryant and the landscape architect, Hal Price, two weeks ago and discussed the future of the landscaping program and this is one of the things they went into. They took note that in a number of cities most of this program is supported by private donations. He stated Mr. Bryant will be coming to the Mayor shortly with some recommendations from his committee.

Councilman Whittington stated there is \$11,000 for paving nature trails? He asked if you pave nature trails for the people to walk on? Mr. Connerat replied they want some type of paving as much of the land is low and subject to some flooding.

The vote was taken on the motion and carried unanimously.

The resolution is recorded in full in Resolutions Book 7, at Page 124.

MEMORANDUM OF UNDERSTANDING BETWEEN REDEVELOPMENT COMMISSION AND CITY OF CHARLOTTE FOR TWENTY-FIVE PERCENT NON-CASH GRANT-IN-AID FOR CIVIC CENTER.

Motion was made by Councilman Whittington, and seconded by Councilman Jordan to approve the subject Memorandum of Understanding which will demonstrate to the Department of Housing and Urban Development that the City will construct a Civic Center in the Downtown Urban Renewal Area.

Councilman Tuttle asked what happens if the land is appraised at a price higher than our budget will afford? Mr. Sawyer, Executive Director of the Redevelopment Commission, replied the land has not been appraised at this time; this Memorandum of Understanding calls for the city to pay a fair market value based on appraisals that will be made in the future. That he does not know what will happen if the money the city has allocated to buy and the appraisal do not match up.

The vote was taken on the motion and carried unanimously.

RESOLUTION APPROVING A FORMAL RELOCATION PLAN FOR RESIDENTS DISPLACED BY DEMOLITION ACTIVITIES IN THE MODEL CITIES AREA.

Councilman Thrower moved adoption of the subject resolution. The motion was seconded by Councilman Tuttle and, after discussion, carried unanimously.

The resolution is recorded in full in Resolutions Book 7, at Page 125.

RESOLUTION SETTING DATE OF PUBLIC HEARING ON MONDAY, SEPTEMBER 14, ON PETITION OF LAW ENGINEERING COMPANY TO CLOSE A PORTION OF LISSOM LANE.

Upon motion of Councilman Tuttle, seconded by Councilman Jordan, and unanimously carried, the subject resolution was adopted setting date of hearing on Monday, September 14th.

The resolution is recorded in full in Resolutions Book 7, at Page 126.

ORDINANCE NO. 769-X AMENDING ORDINANCE NO. 732-X, THE 1970-71 BUDGET ORDINANCE, AUTHORIZING THE TRANSFER OF FUNDS FROM GENERAL CONTINGENCY FUND FOR INSTALLATION OF TRAFFIC SIGNAL ON SHARON LANE AT ARBOR WAY.

Councilman Whittington moved adoption of the subject ordinance authorizing the transfer of \$4,624.00. The motion was seconded by Councilman Short and carried unanimously.

The ordinance is recorded in full in Ordinance Book 17, at Page 287.

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LEASE AMENDMENT WITH UNITED AIR LINES, INC. APPROVED.

Councilman Thrower moved approval of the subject lease amendment with United Air Lines, Inc., deleting portions of terminal building ramp space at Douglas Municipal Airport. The motion was seconded by Councilman Tuttle, and carried unanimously.

CHANGE ORDER NO. 1 IN CONTRACT WITH PROPST CONSTRUCTION COMPANY FOR IMPROVEMENTS AT DOUGLAS MUNICIPAL AIRPORT.

Upon motion of Councilman Tuttle, seconded by Councilman Whittington, and unanimously carried, the subject change order was approved, increasing the contract price by \$325.00 to cover a concrete cap which was put over and existing manhole uncovered during grading operations on the Federal Aid Program at the airport.

FEDERAL AVIATION ADMINISTRATION'S REQUEST TO INSTALL FOUR VISUAL APPROACH INDICATOR LIGHT BOXES ON THE NORTH-SOUTH RUNWAY AT AIRPORT APPROVED.

Motion was made by Councilman Whittington, seconded by Councilman Tuttle, and unanimously carried, approving the subject request by the Federal Aviation Administration to install four visual approach indicator light boxes to be installed and operated by the FAA on land provided by the City of Charlotte.

CHANGE ORDER IN CONTRACT WITH HICKORY CONSTRUCTION COMPANY FOR RELOCATION OF SANITARY SEWER OUTFALL IN BROOKLYN RENEWAL SECTION II.

Councilman Jordan moved approval of the subject change order for relocating a 15-inch sanitary sewer outfall found after beginning excavation which conflicts with an unknown existing storm drain increasing the contract price by \$1,603.54. The motion was seconded by Councilman Tuttle, and carried unanimously.

INSTALLATION OF SANITARY SEWER MAINS, AUTHORIZED.

Upon motion of Councilman Tuttle, seconded by Councilman Jordan, and unanimously carried, contract was approved with Henry I. Flinn, Inc. for the construction of an 8-inch sanitary sewer main to serve Aaloha Apartments, inside the city, at an estimated cost of \$8,486.00, with all cost of construction to be borne by the applicant whose deposit in the full amount has been received and will be refunded as per terms of the agreement.

ENCROACHMENT AGREEMENT WITH STATE HIGHWAY COMMISSION FOR CONSTRUCTION OF SANITARY SEWER LINE WITHIN RIGHT OF WAY OF WILKINSON BOULEVARD.

Motion was made by Councilman Thrower and seconded by Councilman Jordan, approving an encroachment agreement with the State Highway Commission, to construct an 8-inch sanitary sewer line with two manholes within the right of way of Wilkinson Boulevard to begin at the intersection of Alleghany Street and Wilkinson Boulevard.

Councilman Whittington asked for a progress report on Alleghany Street; that he understands it went to the Supreme Court and it was lost and now it is being appealed.

Mr. Underhill, City Attorney, stated that is the McNelly case; that case was appealed to the North Carolina Court of Appeals; the North Carolina Court

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of Appeals refused to go into the question of whether or not the City was acting in a discriminatory or arbitrary manner; but they did decide and their opinion was to the effect that the lack of a specific resolution on the part of the Council at the time they initiated the condemnation in 1965 was defective; therefore, the case was dismissed. They stated further this opinion was in no way to bar or stop the city if it still desired to initiate another condemnation proceeding, utilizing the now existing condemnation procedures we have available to us. This means that, in effect, at the time we condemned the property, we did not have the right to use the Highway Commission's quick take procedure; now we do. The Court was very explicit in saying that right is still available to us; the only reason they dismissed the action was what they considered to be a defect in starting the action.

Mr. Underhill stated the City has written the property owner a letter offering him the high appraisal for the purchase of the property and he has not yet responded. That the City Engineering Department indicates it still desires to widen the street and open it up from Denver Avenue to Wilkinson Boulevard.

The vote was taken on the motion to approve the encroachment agreement, and carried unanimously.

**RIGHT OF WAY AGREEMENT BETWEEN THE CITY AND STATE HIGHWAY COMMISSION FOR CONSTRUCTION OF CULVERT ON SHARON VIEW ROAD.**

Councilman Tuttle moved approval of the subject right of way agreement for culvert construction on Sharon View Road to permit the extension of the present culvert on Sharon View Road at McMullen Creek. The motion was seconded by Councilman Whittington, and carried unanimously.

**RESOLUTION APPROVING THE PRELIMINARY ASSESSMENT ROLL FOR IMPROVEMENTS TO DRUID CIRCLE, FROM MORETZ AVENUE TO STATESVILLE AVENUE, AND PROVIDING FOR A NOTICE AND PUBLIC HEARING ON SEPTEMBER 14 ON CONFIRMATION OF THE ASSESSMENT ROLL.**

Upon motion of Councilman Thrower, seconded by Councilman Tuttle, and unanimously carried, the subject resolution was approved and is recorded in full in Resolutions Book 7, at Page 128.

**CITY PRIVILEGE LICENSE FOR PRIVATE DETECTIVE APPROVED TO COLEY MABANE SHARPE.**

Motion was made by Councilman Tuttle, seconded by Councilman Jordan, and unanimously carried, approving the subject license for private detective to Coley Mabane Sharpe.

**PROPERTY TRANSACTIONS, AUTHORIZED.**

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

- (a) Acquisition of 10' x 276.56' easement at 3700 Shoup Court, from Urban Builders, a Joint Venture by Westminster Company, at \$1.00, for sanitary sewer to serve Garden City - Capps Hill Mine Road Sanitary Sewer.
- (b) Acquisition of 10' x 281.13' easement at 3700 Clendon Court, from Urban Builders, a Joint Venture by Westminster Company, at \$1.00, for sanitary sewer to serve Garden City - Capps Hill Mine Road Sanitary Sewer.

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- (c) Acquisition of 29,951 sq. ft. of easement at 3818 Braden Drive, from Urban Builders, a Joint Venture by Westminster Company, at \$1.00, for sanitary sewer to serve Garden City - Capps Hill Mine Road Sanitary Sewer.
- (d) Acquisition of 10' x 90' easement at 1001 South Independence Boulevard, from Charlotte Mecklenburg Board of Education, at \$1.00, for Independence Boulevard and McDowell Street Intersection Improvement.

CLAIM OF MR. AND MRS. E. L. VINSON, JR. FOR COMPENSATION FOR MISTAKE OF FACT BY BUILDING INSPECTION DEPARTMENT, DENIED.

After discussion, Councilman Thrower moved that the subject claim in the amount of \$1,122.00, be denied as recommended by the City Attorney. The motion was seconded by Councilman Whittington, and carried unanimously.

CLAIM OF JAMES HUBERT MASSEY FOR AUTOMOBILE DAMAGE, APPROVED.

Motion was made by Councilman Thrower, seconded by Councilman Jordan, and unanimously carried, approving the subject claim in the amount of \$212.45, for damages to automobile, as recommended by the City Attorney.

ORDINANCES ORDERING THE REMOVAL OF WEEDS AND GRASS PURSUANT TO SECTION 6.103 AND 6.104 OF THE CITY CHARTER, CHAPTER 10, ARTICLE I, SECTION 10-9 OF THE CITY CODE AND CHAPTER 160-200 OF THE GENERAL STATUTES OF NORTH CAROLINA.

- (a) Ord. No. 780-X ordering the removal of weeds and grass at the corner of Gilbert and Newland Road.
- (b) Ord. No. 781-X ordering the removal of weeds and grass adjacent to 2317 Arden Street.
- (c) Ord. No. 782-X ordering the removal of weeds and grass adjacent to 233 Kings Drive.
- (d) Ord. No. 783-X ordering the removal of weeds and grass adjacent to 2002 Pinewood Circle.
- (e) Ord. No. 784-X ordering the removal of weeds and grass adjacent to 1101 South Boulevard.
- (f) Ord. No. 785-X ordering the removal of weeds and grass adjacent to 2616 Beechnut Road.
- (g) Ord. No. 770-X ordering the removal of weeds and grass adjacent to 4226 Hiddenbrook Drive.
- (h) Ord. No. 771-X ordering the removal of weeds and grass at rear of 3020 Florida Avenue.
- (i) Ord. No. 772-X ordering the removal of weeds and grass at rear of 610 Reeves Court.
- (j) Ord. No. 773-X ordering the removal of weeds and grass at 1500 Weststone Drive.
- (k) Ord. No. 774-X ordering the removal of weeds and grass adjacent to 414 N. Summit Avenue.
- (l) Ord. No. 775-X ordering the removal of weeds and grass adjacent to 614 West Hill Street.
- (m) Ord. No. 776-X ordering the removal of weeds and grass adjacent to 304 S. Summit Avenue.

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of Appeals refused to go into the question of whether or not the City was acting in a discriminatory or arbitrary manner; but they did decide and their opinion was to the effect that the lack of a specific resolution on the part of the Council at the time they initiated the condemnation in 1965 was defective; therefore, the case was dismissed. They stated further this opinion was in no way to bar or stop the city if it still desired to initiate another condemnation proceeding, utilizing the now existing condemnation procedures we have available to us. This means that, in effect, at the time we condemned the property, we did not have the right to use the Highway Commission's quick take procedure; now we do. The Court was very explicit in saying that right is still available to us; the only reason they dismissed the action was what they considered to be a defect in starting the action.

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- (m) Ord. No. 776-X ordering the removal of weeds and grass adjacent to 304 S. Summit Avenue.

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- (n) Ord. No. 777-X ordering the removal of weeds and grass at rear of 1916 Merriman Avenue.
- (o) Ord. No. 778-X ordering the removal of weeds and grass at corner of Morningside and Commonwealth Avenue.
- (p) Ord. No. 779-X ordering the removal of weeds and grass adjacent to 134 Perrin Place.

The ordinances are recorded in full in Ordinance Book 17, beginning at Page 288.

ORDINANCES ORDERING THE DEMOLITION AND REMOVAL OF DWELLINGS PURSUANT TO THE HOUSING CODE OF THE CITY AND ARTICLE 15, CHAPTER 160 OF THE GENERAL STATUTES OF NORTH CAROLINA.

Motion was made by Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, adopting the subject ordinances as follows:

- (a) Ord. No. 786-X ordering the demolition and removal of dwelling at 221 North Cedar Street.
- (b) Ord. No. 787-X ordering the demolition and removal of dwelling at 221 North Cedar Street.
- (c) Ord. No. 788-X ordering the demolition and removal of dwelling at 716 West Second Street.

The ordinances are recorded in full in Ordinance Book 17, at Page 304.

RENEWAL OF SPECIAL OFFICER PERMITS AUTHORIZED.

Upon motion of Councilman Jordan, seconded by Councilman Tuttle, and unanimously carried, the following Special Officer Permits were approved for a period of one year:

- (a) Renewal of permit to Howard W. Halberstadt, 5328 Randolph Road, for use on the premises of Sharon Memorial Park.
- (b) Renewal of permit to Paul E. Halberstadt, 5927 Sharon View, for use on the premises of Sharon Memorial Park.
- (c) Renewal of permit to Leonard W. Hedrick, 1233 Godwin Avenue, for use on the premises of Sharon Memorial Park.
- (d) Renewal of permit to Walter C. Thomas, Route 4, Matthews, for use on the premises of Sharon Memorial Park.
- (e) Renewal of permit to Lewis James Jackson, 2908 Botany Street, for use on the premises of Johnson C. Smith University Campus.

TRANSFER OF CEMETERY LOTS.

Motion was made by Councilman Tuttle, seconded by Councilman Jordan, and unanimously carried, authorizing the Mayor and City Clerk to execute deeds for the transfer of cemetery lots, as follows:

- (a) Deed with Mrs. Louvine R. Ellis, for Graves No. 1 and 2, in Lot No. 706, Section 6, at \$160.00.
- (b) Deed with Mrs. Elizabeth S. Francis, for Graves No. 6 and 7, in Lot No. 22, Section 2, at \$160.00.

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**CONTRACT AWARDED DICKERSON, INC. FOR SANITARY SEWER CONSTRUCTION FOR GARDEN CITY SUBDIVISION.**

Councilman Jordan moved award of contract to the low bidder, Dickerson, Inc., in the amount of \$88,475.00, on a unit price basis, for sanitary sewer construction for Garden City Subdivision. The motion was seconded by Councilman Thrower, and carried unanimously.

The following bids were received:

Dickerson, Inc.	\$88,475.00
Thomas Structure Company	99,461.00
Crowder Construction Company	107,033.40

**CONTRACT AWARDED GRINNELL COMPANY, INC. FOR C. I. PIPE FITTINGS.**

Motion was made by Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, awarding contract to the low bidder, Grinnell Company, Inc., in the amount of \$5,877.00, on a unit price basis, for C. I. Pipe Fittings.

The following bids were received:

Grinnell Company, Inc.	\$ 5,877.00
American Cast Iron Pipe Co.	6,235.17

**CONTRACT AWARDED MOTOROLA COMMUNICATIONS & ELECTRONICS, INC. FOR PORTABLE RADIO UNITS.**

Upon motion of Councilman Jordan, seconded by Councilman Thrower, and unanimously carried, contract was awarded the only bidder, Motorola Communications and Electronics, Inc., in the amount of \$155,870.00, on a unit price basis, for portable radio units.

**CONTRACT AWARDED GRINNELL COMPANY, INC. FOR TAPPING SLEEVES AND VALVES.**

Motion was made by Councilman Tuttle to award contract to the low bidder, Grinnell Company, Inc., in the amount of \$5,751.42, on a unit price basis, for tapping sleeves and valves. The motion was seconded by Councilman Thrower, and carried unanimously.

The following bids were received:

Grinnell Company, Inc.	\$ 5,751.42
Southern Meter & Supply Co.	5,944.21
U. S. Pipe & Foundry Co.	6,235.50

**CONTRACT AWARDED BIG CHIEF WRECKING CORPORATION FOR DEMOLITION OF STRUCTURES IN URBAN REDEVELOPMENT AREA R-60.**

Councilman Jordan moved award of contract to the low bidder, Big Chief Wrecking Corporation, in the amount of \$4,749.92, on a unit price basis, for demolition of structures in Urban Redevelopment Area R-60. The motion was seconded by Councilman Tuttle, and carried unanimously.

The following bids were received:

Big Chief Wrecking Corp.	\$ 4,749.92
Cochran & Ross Const. Co.	6,575.00
Max Berrier Wrecking Co.	7,825.00
D. H. Griffin Wrecking Co., Inc.	7,850.00
F. T. Williams Co., Inc.	8,975.00

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CONTRACT AWARDED CROWDER CONSTRUCTION COMPANY FOR CONSTRUCTION OF CULVERT ON SHAMROCK DRIVE.

Upon motion of Councilman Thrower, seconded by Councilman Tuttle, and unanimously carried, contract was awarded the low bidder, Crowder Construction Company, in the amount of \$61,540.00, on a unit price basis, for construction of culvert on Shamrock Drive.

The following bids were received:

Crowder Construction Co.	\$61,540.00
Hickory Construction Co.	63,639.00
Blythe Brothers Company	68,573.00

CITY ATTORNEY REQUESTED TO PREPARE FULL EXPLANATION OF MAP STREET ACT FOR COUNCIL.

Councilman Short requested the City Attorney to prepare, in writing, a full explanation of the situation under the so-called "Map Street Act".

He stated this is an act that allows us to file on a map locations where we expect to put a street and to prevent persons from constructing buildings in the pathway of the street.

COUNCIL ADVISED THAT WALL BEHIND CITY CHEVROLET HAS BEEN BUILT.

Councilman Short presented a photograph and stated, for the record, the wall behind City Chevrolet Company has been built. Councilman Whittington stated it looks good and Councilman Tuttle stated it is in improvement.

ADMINISTRATIVE ASSISTANT REQUESTED TO INVESTIGATE NEWS STORY ABOUT WHETHER OR NOT THE CITY IS DOING ALL IT SHOULD IN THE NORTH CHARLOTTE AREA.

Councilman Short stated there were some suggestions in the press about improvements to the North Charlotte area. It reports that perhaps the City has not done all it should; that at least the County Health Department thinks so. He asked if the City is failing to do what it is supposed to do in the area. He gave the report to Mr. Bobo, Administrative Assistant, and asked that he check to see if the City is doing all it should.

Councilman Whittington stated there is a lot of undergrowth out there, and it never seems to be cut.

CITY ATTORNEY REQUESTED TO REPORT TO COUNCIL ON WHETHER OR NOT THERE ARE ANY LAWS DEALING WITH THE MAINTENANCE OF APARTMENTS.

Councilman Tuttle asked the City Attorney to look into the laws we have, if any, dealing with maintenance; what our Inspection Department can do about maintaining these apartments. He stated he talked to an appraiser the other day who had been into several of the big complexes and he told him of an instance where a woman had been in there for three or four months; that he was in the kitchen inspecting for his appraisals and she was fussing about her hot water heater not working; that it was even beginning to rust. That it developed the woman did not know she had to have the gas turned on. He stated a lot of the apartments have dishwashers and other things that some of the people have never been instructed in the proper use, and the property depreciates and the tenants tend to degenerate along with the property.

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ORDINANCE NO. 789 AMENDING CHAPTER 3, ARTICLE I, SECTION 3-6.1 OF THE CITY CODE ADDING A NEW SECTION ENTITLED "FOWL RUNNING AT LARGE PROHIBITED".

Councilman Whittington moved adoption of the subject ordinance entitled "Fowl Running At Large Prohibited". The motion was seconded by Councilman Thrower and carried unanimously.

The ordinance is recorded in full in Ordinance Book 17, at Page 307.

ADMINISTRATIVE ASSISTANT REQUESTED TO CONTACT TWO COMPANIES ABOUT SETTING A PUBLIC HEARING ON CATV RATES.

Councilman Whittington stated all members of Council have received a letter from Mr. Charles Crutchfield indicating that he wants a public hearing on the C.A.T.V. rates; that he would assume WSOC-TV would join them. He requested Mr. Bobo, Administrative Assistant, to get in touch with these two companies and set up a public hearing.

STATEMENT RELATING TO AMBULANCE ADVISORY COMMITTEE.

Councilman Whittington stated since the Ambulance Advisory Committee was appointed, there have been articles in the newspapers which stated that Council's wishes were to take over the ambulance service. He stated he thinks this is erroneous as Council has not said they wanted to take over the Ambulance Service.

Councilman Whittington stated if the Advisory Committee is saying this or if the news media is saying it, it is wrong at this point and it should not be continued. That as he understands the purpose of the Advisory Committee, it is to look at the present ambulance system and make recommendations on what they can do better.

Mayor Belk stated the Committee has met and Dr. Chalmers Carr is the Chairman; that at this meeting, Dr. Carr assigned each member of the Committee to a certain phase and they are to bring their reports back. He stated he was very impressed with the first meeting.

Councilman Thrower stated for the record, there were four votes on Council to take the ambulance service over if the service was not improved; that he believes this is what they are referring to.

REQUEST THAT RECOMMENDED PROMOTIONS AND SALARY INCREASES BE BROUGHT TO COUNCIL PRIOR TO TIME OF PROMOTIONS OR SALARY INCREASES.

Councilman Whittington stated it has been the policy of the Personnel Department and the City Manager when an employee is going to receive a raise or a promotion, to notify City Council. He stated the intent was that Council would be notified of these recommended promotions and increases in salary before it is actually done; this has not been the case. He requested Mr. Bobo, Administrative Assistant, to speak to the City Manager about this as Council wants to know about this before it is done. It could be embarrassing if Council should say no to a recommendation and would not approve it.

Councilman Jordan stated Council has been caught on one this year. Councilman Tuttle stated this came up once before and Mr. Veeder said these raises are not actually effective until after Council Meeting when Council Members have had an opportunity to stop one; but it still could be embarrassing once their name is published.

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**POLICE CHIEF REQUESTED TO CHECK ON TRUCKS CARRYING GARBAGE AND BUILDING MATERIALS WITHOUT TAILGATES.**

Councilman Jordan stated he has a list of locations where there are some bad holes in streets which he will give to the City Manager tomorrow; also locations where the sidewalks and median have grass that is very high.

He stated there are still some trucking people carrying garbage and building materials without their tailgates on their trucks. He requested that Police Chief Goodman be asked to check into this, and to pull some of these in and give them tickets; that he does not know if the City has ever fined anyone for this or not. But they do continue to drop trash and debris along the streets.

**SURVEY REQUESTED ON CITY BUS SERVICE.**

Mayor Belk requested Mr. Bobo, Administrative Assistant, to make up a report for him on city busses. That he would like to have a complete survey of what would be the best system for the busses - whether they should all empty at the Square or whether it should be changed. That with the new rate going into effect the first of September, he thinks it is appropriate. They say they lost about \$40,000; that he would like to see the figures for the past ten years with an estimate on the next five years on what the services will be. He stated this will be a breakdown and a complete study.

**COUNCILMAN THROWER REQUESTED TO REPRESENT MAYOR AND COUNCIL AT MEETING OF SHERIFFS AND POLICE CHIEFS ON LAW AND ORDER.**

Mayor Belk stated he has a letter from the Division of Law and Order, Department of Local Affairs, calling a meeting of the sheriffs and chiefs of police in the following counties: Union, Mecklenburg, Gaston, Lincoln, Stanley, Cabarrus, Rowan and Iredell. He requested Councilman John Thrower to represent the Mayor and Council at this meeting.

**NEXT COUNCIL MEETING SET FOR MONDAY, AUGUST 24, 1970 AT 1:30 P.M. IN BOARD ROOM OF THE EDUCATIONAL BUILDING.**

Mr. Bobo, Administrative Assistant, stated on August 24 there is a report scheduled by Wilbur Smith at 4:00 o'clock in the Educational Building. He suggested that if Council is going to meet on the 24th it should hold the Council Meeting at the Educational Building.

Councilman Thrower moved that the next Council Meeting be held on Monday, August 24, at 1:30 o'clock p.m., in the Board Room of the Educational Building. The motion was seconded by Councilman Short, and carried unanimously.

Councilman Tuttle stated this will be instead of the meeting scheduled on August 31st.

**ADJOURNMENT.**

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

  
Ruth Armstrong, City Clerk