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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held on Monday, February 16, 1970, in the Council Chamber, City Hall, at 2:00 o'clock p.m., with Mayor John M. Belk presiding, and Councilmen Fred D. Alexander, Sandy R. Jordan, Milton Short, Jerry Tuttle and Joe D. Withrow present.

ABSENT: Councilmen John H. Thrower and James B. Whittington.

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, Blanton, Embry, Godley and Sibley.

ABSENT: Commissioners Brewer, Stone, Tate and Turner.

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#### INVOCATION.

The invocation was given by Reverend H. L. Ferguson, Minister of Thomasboro Baptist Church.

#### MINUTES APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, the minutes of the last Council Meeting, on February 9, 1970, were approved as submitted.

HEARING ON PETITION NO. 70-30 BY DENNIS F. ELLIOTT TO CONSIDER CONDITIONAL APPROVAL OF PARKING FOR LAND NOW ZONED R-6MF FRONTING 100 FEET ON THE NORTH SIDE OF KIRKLAND AVENUE BEGINNING 150 FEET WEST OF COKER AVENUE.

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

Mr. Fred Bryant, Assistant Planning Director, stated this is a request for additional parking for property that fronts on Kirkland Street which is out in the Tuckaseegee-Enderly Road area. This property consists of a tract of land that fronts 100 feet on Kirkland Street with a depth of 150 feet; Kirkland is a street that runs parallel to Tuckaseegee, one block removed from it. He stated the subject property is vacant at the present time although it has been already improved in preparation for its use for parking purposes; it has on it a coat of crushed stone and has been entirely fenced in, but officially, as far as permitted land uses is concerned, it is vacant at the present time.

Mr. Bryant stated on the Tuckaseegee Road side are a number of business uses located in this area behind and adjacent to the subject property; there is an appliance repair facility that is located with a parking area beside it and the subject property would be a proposed extension of that parking down to Kirkland Street. He stated there are several other businesses located in this immediate vicinity; a hardware store on the corner of Enderly Road West and also an office facility and a beauty shop. Other uses in the area are principally residential; on the south side of Kirkland, it is entirely utilized for single family residential purposes; to the west of subject property, along Kirkland, it is also single family uses. The corner property at Kirkland and Coker is vacant at the present time; a major transmission power line is located in this immediate area. He stated there are single family uses along Mathis Drive, Morris Street and the other principal streets in the general vicinity.

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He stated the zoning pattern is a fairly simple one; there is B-1 zoning all along Tuckaseegee Road and down Coker to Kirkland; other than that, the area is entirely R-6MF zoned; it is a combination of business zoning along Tuckaseegee Road and then multi-family zoning for the remainder of the area.

Councilman Jordan asked what type business are they asking parking for and Mr. Bryant replied the parking if approved, is to be associated with the appliance repair business.

Councilman Jordan stated a few weeks ago Council had another petition for parking and they had gone ahead and paved their lot and then these people have done the same thing except they have gone to a little more expense with the fencing; he asked if they go to this expense with the hopes that they are going to get this parking? Mr. Bryant replied he could not speculate on what their intent was but he was told by the Building Inspection Department that this work was done without their knowledge. In effect, the Inspection Department caught it and saw an ordinance was being violated and sent a notice to the owners.

Mr. Robert Hovis stated he is representing the petitioner, Dennis F. Elliott, who owns and operates the Tryon Repair Service which is located at 3125 Tuckaseegee Road. That the lot in question fronts on Kirkland but backs up to Mr. Elliott's place of business on Tuckaseegee; Mr. Elliott's business is the repair of small electrical appliances and other household electronic equipment; practically all of his business is brought in there by automobile, as people bring their appliances in to be fixed and come back and pick it up. That adequate parking is an absolute must for his business. He stated he has adequate parking for his business but he does not have it for his employees and that is the purpose of this petition. That sometime ago Mr. Elliott bought this lot on Kirkland and hoped to use it for this purpose. He stated through ignorance of the law he went ahead and graveled it; that he did not check into it; the fencing is simply done for protection because it backs right up to his place of business; it has a gate and lock.

Mr. Hovis stated Mr. Elliott's business has 21 employees at present; that presently those people are parking along the side streets, Enderly Road West and Coker Avenue and some on Kirkland because they have no place to park unless they take the customer parking area.

He stated in addition to customer parking, which they have to provide if they are going to do any business, they have to have room in the front for the delivery of their equipment which they get by truck and also a means of turning around for the trucks without backing into the street on Tuckaseegee Road. That it is proposed that there will be no entrance to this parking lot, if granted, from Kirkland Street; the entrance will come from Tuckaseegee Road in a driveway by the side of Mr. Elliott's building and then park at the rear of his place of business. He stated the lot adjoining on the east is already zoned business, on the corner of Coker Avenue and Kirkland; there are five or six additional lots on Kirkland which are mainly one family residences, with a duplex on one of the lots and these are rental houses.

Mr. Hovis stated it is their belief there will be no traffic problem as they are alleviating the problem by taking roughly 20 or 21 cars from street parking and putting them on a well-maintained parking lot; the lot will continue to be fenced and there will be no volume of traffic coming into the lot from Kirkland Avenue which they believe will help the neighborhood instead of detracting from it. He stated the lot adjoining on the east was formerly occupied by the Fisherman's Net which was a fish-camp type restaurant; that it burned sometime ago and now has grown up with weeds and certainly is an unsightly mess and so was the petitioner's lot so they put gravel on it and they believe putting parking here will not only help Mr. Elliott's business but will also help the traffic situation in the immediate vicinity.

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Councilman Short stated the map he has does not show the petitioner's property as running all the way through to Kirkland Street. Mr. Hovis replied the petition asked for the entire lot which would be 150 feet in depth, actually the surveyor marked off just half of the lot, 75 feet in depth for parking. He stated presently that is all they need; there are 16 parking spaces marked off in the rear half of the lot, adjacent to the Tuckaseegee Road property; however, this would leave a 20 foot setback from Kirkland Avenue which would reduce the use of the rest of the lot to about 35 feet which would be used for possible parking. Presently they do not need it but a year from now or two years from now, they may; that he has never seen a business that had too much parking available.

Commissioner Toy asked what type fence is used, and Mr. Bryant replied actually it is an 8 foot chain link fence; that the petitioner has actually violated the ordinance in the height of the fence and they have been asked to reduce this.

Mr. F. C. Watson stated he lives at 3121 Kirkland Avenue which is just across the street from the fence. That Mr. Elliott bought a house next to his business, picked up the house and moved it a block away and made a parking lot - which, if he used it, he would not need the lot that is being petitioned. Mr. Watson stated the neighborhood is made up of poor people and their homes mean just as much to them as anyone with a \$75,000 home; they want to keep their little homes decent and they cannot keep it decent with 8 foot penitentiary fences about them.

Mr. Paul S. Robinson stated he lives across from the property in question and the petitioner has run a fence all the way down to the street. He stated they are not opposed to Mr. Elliott's business and his parking but he does not have that many employees; that all the other businesses around the church have parking, plenty of parking. He stated as he understands it Mr. Elliott intends to run all of his trucks which deliver to his business to come through this back gate, and this will tear their street up. That he does not need that fence for the eight or so automobiles which have been parked in this area since the fence was put up and he feels that he is planning to put the trucks through Kirkland Avenue.

Councilman Short asked if there was a back gate and Mr. Hovis replied there is a back gate and he has been told by Mr. Elliott that he has never used this gate and is not planning to use it as an entrance way; that it is purely for protection. If the fence is worrying the people, they will take the fence down and put a small one up.

Mayor Belk asked if the fence is what they are objecting to and Mr. Robinson replied that is correct and also to any trucking on Kirkland Avenue.

Mr. Hovis stated they will take out the gate and put up a fence all the way around if this is the problem; that they are not planning an entrance from Kirkland Avenue.

Council decision was deferred until its next meeting.

ORDINANCE NO. 509-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE AMENDING THE ZONING MAP BY CHANGING THE ZONING FROM I-1 TO I-2 OF TWO TRACTS OF LAND LOCATED AT THE ENDS OF CHESAPEAKE DRIVE AND RAZORBACK LANE IN THE SEABOARD INDUSTRIAL PARK AREA, AND FROM R-9 TO I-2 OF ONE TRACT SOUTH OF AUTEN ROAD ADJACENT TO THE CITY OF CHARLOTTE WATER RESERVOIR.

The public hearing was held on the subject petition.

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The Assistant Planning Director advised this is an attempt to regularize the pattern of zoning in an area that has a somewhat illogical pattern as a result of various zoning changes which have been made over the years. For example, two areas that are now zoned I-1, light industrial, are completely surrounded by I-2, heavy industrial so that obviously there is no functional purpose served by this pattern of zoning.

Mr. Bryant stated the Planning Commission recommends that the I-1 zoning in these instances be eliminated so that the entire area will be zoned I-2 and can be utilized in a more logical fashion. He stated the same thing is true of the smaller area on the west side which is the rear portion of property that now has I-2, heavy industrial zoning on three sides of it and is zoned single family. He stated the property owners involved here are Pneumafil, Seaboard Coastline and a Mr. McCall; that all these property owners are aware of what is being proposed and are, to the best of his knowledge, in favor of it being done.

Mr. Bryant stated this is merely an attempt on the part of the Planning Commission to create for the area a more reasonable pattern than is now present.

Mr. Bryant stated Mr. McCall's property is zoned R-9. That he was contacted and came to the Planning Office and sat down and saw what was proposed and he said if he had any objections he would be back in touch with the Planning Commission and he has not been in touch with them so they are assuming that he has no objections.

Councilman Short asked Mr. Bryant how long ago was Mr. McCall in the Planning Office and Mr. Bryant replied about two weeks or 10 days ago.

No opposition was expressed to the proposed change in zoning.

Councilman Short moved the zoning be changed as recommended by the Planning Commission by the adoption of the subject ordinance. The motion was seconded by Councilman Alexander, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 16, at Page 499.

HEARING ON PETITION NO. 70-28 BY GUS PAPPAMIHIEL TO CHANGE ZONING FROM R-9 TO B-2 ON A TRACT OF LAND 312' X 300' ON THE NORTHEAST SIDE OF INDEPENDENCE BOULEVARD AND ALONG THE EAST SIDE OF MCALPINE CREEK.

The public hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, stated this is a request for property that is located on Independence Boulevard to the east of the city going toward Monroe; it is in the area of McAlpine Creek and Margaret Wallace Road; the area is still vacant and the subject property itself is vacant. He stated the property is adjacent to the Captain's Galley which is a restaurant; the only other significant land use on Independence Boulevard in this area is a Mexican Food Restaurant over on the other side of McAlpine Creek; other than that the area is vacant throughout.

He stated along Tarlton Drive, which runs from Independence Boulevard over to Margaret Wallace Road, there are a number of single family residences; there is a non-conforming cabinet shop located nearby and then along Margaret Wallace Road, there are also a number of single family homes but in the vicinity of the request, it is predominately vacant.

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Mr. Bryant stated both sides of Independence Boulevard out to McAlpine Creek is zoned B-2; there is a small area, including the subject property, which is R-9 single family zoning and then there is a spot of B-2 zoning which was zoned several years ago to take care of the then existing Captain's Galley Restaurant. That the pattern throughout the area is one of business zoning out to McAlpine Creek and then the whole area is zoned R-9 beyond that point except for the Captain's Galley location.

Mr. Nick Miller, representing the petitioner, Mr. Gus Pappamihiel, stated all the zoning out to McAlpine Creek and this particular property is B-2 on both sides of the road and Captain's Galley is also zoned B-2 so that this tract of land is sandwiched in between two pieces of B-2 property. He stated the map is a little bit deceiving in that it appears this is a tremendous piece of land to be rezoned with the possibility of a lot of different businesses but it only has 300 feet of frontage. He passed another map around to Council showing that Piedmont Natural Gas and the City have acquired rights-of-way across this property, right through the center of it, so that most of the property is tied up in rights-of-way and could be used for nothing other than possibly parking; you could not build any buildings on top of it.

He stated in addition that everything east of the rights-of-way is really a deep hole and in order to be used for anything would have to be filled in so we are talking about 85.71 feet that could be used for any type of building.

Mr. Miller stated there are no convenience stores or that type of business in this vicinity other than the two restaurants; there are quite a few homes out there and possibly this land could be used for this type of purpose. That Mr. Pappamihiel did not want the rights-of-way through there in the first place; he would have been happy with R-9 zoning with no rights-of-way but the City must have sewer right of way and so must Piedmont Natural Gas so he had to sell out. He stated he did not like the location of the rights-of-way but could not fight the engineers because he wanted it closer to the creek so that it would leave more land available to be used for some other purpose but they insisted that it go right through the middle of his property so that property is actually of little or no use unless you could have some small use like a convenience store.

Mr. Miller stated the area in the rights-of-way could be used for parking however, if you had a small convenience type store or beauty parlor or barber shop, small grocery store or something of that nature then they could park on top of the rights-of-way and if the City or Piedmont Natural Gas wanted to make improvements or changes then that would be acceptable.

Councilman Tuttle asked if this was the property in question four or five years ago involving some additional room for a kitchen and Mr. Bryant replied this is right. Councilman Tuttle asked if he is correct in assuming that he cannot conceive of R-9 going in there between that restaurant and the creek and Mr. Bryant replied it would be very difficult for anyone to build a single family home located in there.

Mr. Bryant stated when the business zoning was applied to the actual site of the Captain's Galley Restaurant, it was done because up until that time it was a non-conforming use and they needed to expand the kitchen's facilities; at that time that particular request covered more than just the site of the restaurant; that they requested business zoning all the way out to Tarlton Drive and it was sort of a compromise decision to zone just enough here to let him make the expansion he needed to make in order to continue to operate; that he would agree it would be very difficult to see how anyone could use this for single family residence.

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Councilman Short asked if the B-2 zoning as shown on the left of the map ran all the way back and connected to the B-2 at City Chevrolet and on the right it is residential all the way to the end? Mr. Bryant replied that is right; beyond McAlpine Creek we have a controlled situation which is either residential or rural.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until its next meeting.

HEARING ON PETITION NO. 70-29 BY EVANGELOS S. STASSINOS FOR A CHANGE IN ZONING FROM O-6 TO B-1 OF A LOT 52' X 150' AT 1915 EAST FIFTH STREET.

The public hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, stated this is a request to change zoning of property from office to business of one lot located on East Fifth Street in the area of Caswell Road and Presbyterian Hospital. He stated it has on it a residence and is adjoined on the Caswell Road side by an apartment building and beside that is the corner business at Caswell Road and East Fifth which was the site of a fire some few months ago and the structure on the corner has now been torn down but there remains an art shop and a picture framing shop at that location.

He stated on the opposite corner of Caswell and Fifth Street is the site of a restaurant which has been there a number of years known as George's; other than that, the property is vacant until you get down to the Presbyterian Hospital property; there is the recently expanded parking facilities for Presbyterian Hospital located coming out to Fifth Street and then at the corner of Fifth and Hawthorne is the site of the Balk home. That across on the opposite side of Fifth Street is St. John's Baptist Church; there is a combination office and apartment building, a single family home and then there is property owned and utilized by King's Business College, then Independence Park area.

Mr. Bryant stated as you go out Fifth Street, past Mercy Hospital, this is all single family use from that point on but basically, within the immediate vicinity, it is a mixture of uses including business uses on the corner of Caswell and Fifth, residential uses remaining and some office uses and a beauty shop at the corner of Clement and Fifth.

He stated the zoning pattern is predominately office uses along Caswell, along Fifth Street and Hawthorne Lane, leading over and including the park area and almost over to Seventh Street, with the exception that there is B-1 business zoning on both corners of Caswell Road, including property that is adjacent to the subject property. Also the land that is across Fifth Street from the subject property is zoned B-1. Further out Fifth Street it is zoned for multi-family purposes, but basically, it is a pattern of office zoning with business zoning at the corner of Caswell and Fifth Street.

Mr. Nick Miller, representing the petitioner, Mr. Evangelos S. Stassinou, stated the adjacent property which Mr. Bryant referred to is zoned B-1 and is adjacent to the subject property and is owned by the petitioner; that it is a 50 foot lot next to the corner lot. He stated this petition is not by choice but by necessity. Mr. Stassinou operates a little restaurant on the corner known as George's Grill and he has been there for a number of years; that his father and uncle ran the restaurant for a number of years before that. Mr. Miller stated the building is old, the landlord does not want to improve it or give an extended lease for a small restaurant operation on this corner and destroy a whole half of a block of property for a very small restaurant.

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Mr. Miller stated the Health Inspector has been very lenient to Mr. Stassinis and has advised him on several occasions that he has to do something; that he cannot continue to let him operate unless there are some major building improvements. That Mr. Stassinis is not in the position of doing this as he does not have a lease. Mr. Stassinis has acquired the two lots across the street, one is zoned B-1 and one is zoned O-6.

Mr. Miller stated the restaurant as proposed could conceivably be put on one lot - the fifty foot lot which is already zoned B-1, however, the location probably would not be the best for his business from a beauty standpoint or for convenience in parking, and the setback lines in B-1 and O-6 are different. If he put his building on one, he could not utilize all the space for parking. On the property which is now zoned B-1 there is a four-family apartment dwelling that has been and is now occupied and leased; on the property that is zoned O-6 there is a house in which the second floor is rented. If this petition is granted, then the petitioner would demolish the two buildings which are bringing him in the neighborhood of \$275.00 a month rental and then go into this investment and put up a new building and restaurant.

Mr. Miller stated this area is growing with new buildings and new offices in this area; that he understands the hospital is going to be enlarged again in the near future. He stated if Mr. Stassinis is willing to take this gamble and eliminate two old homes and establish a restaurant on these two lots, Council should be willing to take a gamble on the change in zoning.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until its next meeting.

**SUGGESTED ORDINANCE REGULATING IGNITION KEY REMOVAL LAW TAKEN UNDER STUDY BY COUNCIL TO BE PLACED ON COUNCIL AGENDA WITHIN A MONTH.**

Mr. Peter Foley stated he is representing the City Chamber of Commerce and the Law Enforcement Committee of that Chamber. He stated the Chamber of Commerce Law Enforcement Committee has recently passed a resolution and a model ordinance concerning the removal of ignition keys from automobiles here in the City of Charlotte. That this is in an attempt to combat the rising crime rate and in particular the rising rate of automobile thefts.

He stated the Chamber's Sub-Committee on Law Enforcement has passed the following resolution and the Board of Directors of the Chamber of Commerce has passed it also:

"Re: Ignition Key Removal Law

Automobiles are being stolen or used for joy riding in increasing numbers throughout the United States. The trend in Charlotte is no different from the rest of the nation.

During 1968, a total of 712 automobile thefts were reported. During 1969, there were 1,088. This was an increase of 52.8 percent. From June to December 31, 1969, 740 automobile thefts were reported, 274 of which the keys were left in the automobile and an additional 113 of which the ignition was left open without the key in the ignition. In this total of 740, only 141 doors were reported being locked.

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It is therefore apparent from the preceding statistics that automobile thefts continue to increase in the City of Charlotte and that preventive measures must be taken to reduce and prevent the thefts. Therefore, an ordinance alleviating the situation is proposed for adoption by the City Council of the City of Charlotte.

Cities throughout the country have enacted various types of ordinances, the general purpose of which is to make it a violation of law for an owner of a vehicle to fail to remove the key from the ignition when the vehicle is not in use and is parked on public streets and public property. In areas where such ordinances have been enacted there has been a marked decrease in the incidents of theft with the overall effect that a greater number of local authorities are released to concentrate on other areas of crime.

Charlotte presently has no such ordinance and it is felt by the local Police Department that such an ordinance would be beneficial and helpful to the Department in controlling unauthorized use of automobiles.

Therefore, it is proposed that the following ordinance be enacted by the Charlotte City Council at the earliest possible time in order to give the Police Department the full benefit of the law before the upcoming Summer Season when joy riding and theft tend to reach their highest peak.

It is recommended that a new section be added to Chapter 20 of the City Code, entitled "Traffic," to read as follows:

'(1) No person shall leave a motor vehicle standing or parked while unoccupied upon the streets or highways of the City of Charlotte or upon public property, without first locking the ignition and removing the ignition key from the ignition switch of the said vehicle and retaining the key in the possession of the vehicle operator.

(2) The provisions of this ordinance shall not be applicable to vehicles used for public transportation, vehicles used for delivery and emergency purposes, or vehicles owned and operated for governmental purposes by the City, County, or State.

(3) Any police officer of the City of Charlotte, upon finding a vehicle standing or parked in the designated areas with the ignition key in the vehicle ignition switch, is hereby authorized to remove the key from the said vehicle and deliver it to a designated officer at the Charlotte Police Department for safekeeping.

(4) Any person making claim for the return of any ignition key held for safekeeping by said Department, shall first pay \$5.00 before the key shall be returned.'

The Law Enforcement Committee recommends the adoption of this ordinance to the Charlotte Chamber of Commerce Board of Directors."

Mr. Foley stated the Charlotte Chamber of Commerce adopted this ordinance and it is the feeling of the Law Enforcement committee that the incident of automobile thefts is one which seems to grow in leaps and bounds. It is one of the crimes which most directly involves the young people; more teenagers by a fantastic, disproportionate number are involved in automobile thefts than anybody else. He stated it is to try to alleviate the crime in its entirety but in particular to try and remove the occasion of sin, as it were, from the teenager that they ask City Council to adopt this proposed ordinance.

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Councilman Tuttle stated he is genuinely interested in this thing and he has been opposed to it as it has been up before Council before. Two reasons why he is opposed to it making him responsible for the criminal, so to speak - if he is to be held responsible because he leaves his key in the car and a teenager or minor comes along and takes it, what is his position when he is out working in the yard on a warm fall afternoon and he hangs his jacket on the lamp post and a minor comes along and steals it; what is his position when he leaves his lawn mower in the yard and goes in to lunch; is he to nail this down or take it back into the garage and lock it up. He stated in principal, he would like to know why he is to be responsible for a minor stealing his automobile, if he is not responsible for a minor stealing his jacket or lawnmower or any other situation where he has left his property along unattended?

Mr. Foley stated this point is an excellent one; that he does not believe this ordinance tries to place the responsibility on the individual for the theft. Councilman Tuttle stated it does when you are fined when you leave the keys in your car. Mr. Foley stated the ordinance does say for this particular kind of a crime, the larceny of an automobile, as opposed to any other kind of theft, that we are going to try and cut down on the number of these crimes by placing an additional responsibility on the law abiding citizen. He stated it does not seem fair in a way; but the fact remains that the problem of the increased number of auto thefts exists; it is a very real thing and we have got to do something; it has been given a lot of weight, a lot of talk, a lot of consideration, through an ordinance of this nature, a stronger ordinance, a lot of different programs have been proposed but nothing has ever been done and so far we have not cut down on the increase of automobile thefts. He stated they are trying to take a step in that direction through this proposed ordinance.

Councilman Jordan stated he would like to thank Mr. Foley, his Committee and the Chamber of Commerce for this recommendation.

Councilman Jordan moved that Council take the suggested ordinance under study and that it be on Council's agenda within the next month for consideration. The motion was seconded by Councilman Withrow.

Councilman Alexander stated when Council has discussed the possibilities of such an ordinance previously, his only hangup was his failure to be convinced that it would relieve responsibility where keys are left in a car in a parking lot. His interpretation of this ordinance is that is excluded. Mr. Foley replied that is correct; the only parking lot covered per se would be parking lots owned or operated by the City Government; the recommended ordinance would not be applicable to private parking lots.

Councilman Tuttle asked what about the serviceman, the milk man, running in and out of the houses, the paper boy, who runs in and out, back and forth to his automobile? Mr. Foley replied this ordinance provides for that by excluding from the provisions of the ordinance those persons who are involved in the delivery or door-to-door service; the ordinance sets out in the body of the ordinance that those persons will be excluded.

Councilman Tuttle asked about his premises, at home, and this is where most cars are stolen from driveways. Mr. Foley replied no doubt there are a great number taken from just that location but the ordinance would only be applicable to automobiles parked on the city streets and highways and in government owned and city owned parking lots. That they have not tried to go so far as to tell the car owner what he can or can not do in your own driveway; they have tried to take the keys out of the ignitions of the cars that are parked on the public streets and in public parking lots.

A vote was taken on the motion and carried unanimously.

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**RESOLUTION AUTHORIZING THE REFUND OF CERTAIN TAXES WHICH WERE LEVIED AND COLLECTED THROUGH CLERICAL ERROR.**

Upon motion of Councilman Jordan, seconded by Councilman Tuttle, and unanimously carried, the subject resolution was adopted authorizing the refund of certain taxes in the total amount of \$977.53 which were levied and collected through clerical error.

The resolution is recorded in full in Resolutions Book 7, at Page 23.

**CONTRACTS FOR THE INSTALLATION OF SANITARY SEWER MAIN AND TRUNK, APPROVED.**

Motion was made by Councilman Short, seconded by Councilman Jordan, and unanimously carried, approving the following contracts for the installation of sanitary sewer main and trunk:

- (a) Contract with Arthur Smith Family, Inn, Inc. for the installation of 822 linear feet of 8-inch trunk to serve Arthur Smith Family Inn at Mulberry Church Road, outside the city, at an estimated cost of \$1,238.34, 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. (Approved by CFC February 3, 1970.)
- (b) Contract with William Trotter Development Company for the installation of 1,022 linear feet of 8-inch sanitary sewer main to serve University Commercial Place in University Commercial Center Subdivision, outside the city, at an estimated cost of \$7,131.24, 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. (Approved by CFC February 3, 1970.)

**RESOLUTION PROVIDING FOR PUBLIC HEARINGS ON MONDAY, MARCH 16, ON PETITIONS NO. 70-31 THROUGH 70-40 FOR ZONING CHANGES.**

Councilman Alexander moved adoption of subject resolution providing for public hearing on Monday, March 16, on Petitions No. 70-31 through 70-40 for zoning changes. The motion was seconded by Councilman Jordan, and carried unanimously.

The resolution is recorded in full in Resolutions Book 7, at Page 24.

**RESOLUTION PROVIDING FOR PUBLIC HEARINGS ON MONDAY, MARCH 23, ON PETITIONS NO. 70-41 THROUGH 70-43 FOR ZONING CHANGES.**

Motion was made by Councilman Tuttle, seconded by Councilman Alexander, and unanimously carried, adopting subject resolution providing for public hearings on Monday, March 23, on Petitions No. 70-41 through 70-43 for zoning changes.

The resolution is recorded in full in Resolutions Book 7, at Page 25.

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**STREETS TAKEN OVER FOR CONTINUOUS MAINTENANCE BY THE CITY.**

Upon motion of Councilman Tuttle, seconded by Councilman Jordan, and unanimously carried, the following streets were approved for continuous maintenance by the city:

- (a) Farmingdale Drive, from 190 feet east of centerline of Amity Place to 165 feet east of centerline of Cedarwood Lane.
- (b) Coronado Drive, from 175 feet north of centerline of Farmingdale Drive to 120 feet east of centerline of Cedarwood Lane.
- (c) Vandalia Drive, from Coronado Drive to 350 feet south of Coronado Drive.
- (d) Cedarwood Lane, from 170 feet north of centerline of Amity Place to 175 feet north of centerline of Farmingdale Drive.
- (e) Vescoa Court, from Cedarwood Lane to 325 feet west of Farmingdale Drive.
- (f) Westport Road, from I-85 Access Road to 1,650 feet south of I-85 Access Road.
- (g) Unnamed Street, from Westport Road to 150 feet east of Westport Road.

**PROPERTY TRANSACTIONS AUTHORIZED.**

Motion was made by Councilman Alexander and seconded by Councilman Jordan, authorizing the following property transactions:

- (a) Acquisition of Parcels 2 and 6, containing 5,116 square feet of space, at 529 West Fourth Street, from Whitton Brothers and North Carolina National Bank, Co-Trustees, at \$63,000, for the West Third and Fourth Streets Connector.
- (b) Acquisition of easement of 6,927.90 square feet (30' x 230.93') at 2360 Sharon Road, from Frederick A. Bruton and wife, John K. Gilbert, Jr. and wife, and Ralph B. Williams and wife, at \$1,700.00 for the Briar Creek Outfall.
- (c) Acquisition of easement of 7,109 square feet (10' x 710.90') on McBride Street at Rosecran Drive, from John Crosland Company, at \$1.00, for sanitary sewer to serve Hampshire Hills VI.

Councilman Short asked the status of the Fourth Street-Third Street Connector; that at one time Council had the information there was not enough money available from the earlier bond issues and apparently we are now able to go ahead of it? Mr. Veeder, City Manager, replied we had enough to proceed with some of the acquisition but not the balance of it; this is one that we had enough to proceed with and initiated a condemnation on it but we will not be able to complete the project with the initial funding, but it can be completed with new funding.

Councilman Short asked the situation on East Third Street, across the orphanage property? Mr. Veeder replied the State of North Carolina through the Highway Department is acquiring property needed for the portion of the expressway that traverses that property as well as for the property required by the City for Third Street Extension; they are doing all of the acquisition; once it has been acquired, the City will settle up with the State on that portion which is our responsibility.

The vote was taken on the motion and carried unanimously.

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**REAPPOINTMENT OF MR. FRED McPHAIL TO THE INSURANCE ADVISORY COMMITTEE FOR A THREE YEAR TERM.**

Councilman Tuttle moved the reappointment of Mr. Fred McPhail for a three year term on the Insurance Advisory Committee. The motion was seconded by Councilman Jordan and carried unanimously.

**ORDINANCE NO. 511-X AMENDING ORDINANCE NO. 255-X, SECTION 1, SCHEDULE A, OF THE 1969-70 BUDGET ORDINANCE, AUTHORIZING THE TRANSFER OF FUNDS FOR THE PURCHASING AND CENTRAL SERVICES DEPARTMENTS INTO PUBLIC SERVICE AND INFORMATION BUDGET.**

Mr. Veeder, City Manager, stated the reason for this transfer of funds is that we have been able to move faster than was anticipated when the final budget was approved and this was one of the things cut back on at the last minute in order to meet the constraints of the tax rate which Council decided on last year.

He stated we have been able to do things with this activity over and above that which this money permitted; that Council is familiar with the Action Report that is coming out now in the range of 80,000 copies per month; this is costing money and the results of it have been such that they prefer not to have to discontinue it for the balance of the fiscal year; that it is the desirable thing to do and should be improved rather than cut back for purposes of keeping the public informed; the Citizens Action Line which has been in effect now for several months, they would not like to cut back on that inasmuch as we are developing a further type of communication which results in a couple hundred of telephone calls per day and other things which this department has become involved in have proved advantageous and they would not like to cut them back.

Councilman Jordan moved adoption of subject ordinance amending Ordinance No. 255-X, Section 1, Schedule A, of the 1969-70 Budget Ordinance authorizing the transfer of a portion of the appropriation for the Purchasing and Central Services Departments into Public Service and Information Budget in the total amount of \$7,000.00. The motion was seconded by Councilman Tuttle.

Councilman Tuttle stated he would like to say that this department, thanks to Mr. Jordan who originated the idea, is doing an excellent job.

Mayor Belk stated he would also like to congratulate the Public Service and Information Department on their work.

A vote was taken on the motion and carried unanimously.

The Ordinance is recorded in full in Ordinance Book 17, at Page 1.

**TRANSFER OF CEMETERY LOTS.**

Upon motion of Councilman Withrow, seconded by Councilman Short, and unanimously carried, the Mayor and City Clerk were authorized to execute the following cemetery deeds:

- (a) Deed with Mrs. Lillian Brown for Lot 323, Section 6, Evergreen Cemetery, at \$320.00.
- (b) Deed with Mr. Burt S. Powell for Grave No. 7, in Lot 18, Section 2, Evergreen Cemetery, at \$80.00.
- (c) Deed with John Bass Brown, Jr. and wife, Angela Whitley Brown, for Lot 83, Section 2, Evergreen Cemetery, at \$640.00.
- (d) Deed with Mrs. Ruby A. Price for Grave No. 2, Lot No. 108, Section 3, Evergreen Cemetery, at \$40.00.

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JOINT RESOLUTION BY THE CITY COUNCIL AND COUNTY COMMISSIONERS REQUESTING THE U. S. ARMY CORPS OF ENGINEERS TO CONSTRUCT SUGAR AND BRIAR CREEK FLOOD CONTROL PROJECTS IN ACCORDANCE WITH ORIGINAL RIGHT-OF-WAY REQUIREMENTS.

Motion was made by Councilman Short, seconded by Councilman Alexander, and unanimously carried, approving ~~subject resolution~~ by the City Council and the County Commissioners requesting the U. S. Army Corps of Engineers to construct Sugar and Briar Creek Flood Control Projects in accordance with original right-of-way requirements.

The resolution is recorded in full in Resolutions Book 7, at Page 26.

LEASE WITH NATIONAL CAR RENTAL SYSTEM, INC. AT AIRPORT, APPROVED.

Councilman Alexander moved approval of a lease between the City and National Car Rental System, Inc. for approximately 709 square feet of space located in Room 214 of the second floor of the Airport Terminal Building, for a term of one year, with option to extend for an additional one year period. The rent will be \$221.56 per month for the first year and will increase to \$236.33 per month for the additional year. The motion was seconded by Councilman Jordan, and carried unanimously.

SPECIAL OFFICER PERMITS AUTHORIZED.

Upon motion of Councilman Withrow, seconded by Councilman Tuttle, and unanimously carried, the following special officer permits were authorized for one year:

- (a) Permit to Mr. Jack Moore, 1337 East Morehead Street, to be used on the premises of Belk Brothers Company.
- (b) Permit to Mrs. Nellie Price, 618 Edgegreen Drive, to be used on the premises of Belk Brothers Company.

CONTRACT AWARDED AMERICAN OPTICAL CORPORATION, SCIENTIFIC INSTRUMENT DIVISION, FOR ONE COMPARISON MICROSCOPE FOR THE POLICE DEPARTMENT.

Motion was made by Councilman Jordan, seconded by Councilman Withrow and unanimously carried, awarding contract to the only bidder meeting specifications, American Optical Corporation, Scientific Instrument Division, in the amount of \$5,662.64, on a unit price basis, for one comparison microscope for the Police Department.

Bid not meeting specifications:

Preiser Scientific Inc., Charleston, W.V.	\$4,450.60
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PROCLAMATION PRESENTED FOR COUNCIL'S ENDORSEMENT BY AMERICAN LEGION POST 262 AND SERVICE STATIONS ASSOCIATION OF MECKLENBURG COUNTY.

Mr. Frank Baker stated he represents Post 262 of the American Legion and they in conjunction with the Service Stations Association of Mecklenburg County have asked the Mayor of the City of Charlotte to sign the following proclamation:

"WHEREAS, A flag is a symbol of persons united in some common association with purpose, as our founding fathers who turned an old world around, founded a new nation and gave this union a new constellation to fly upon the breezes;

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WHEREAS, The Flag, like the Nation, has been further developed with the passage of time by a slow fusing of separate and discordant political communities into one common whole;

WHEREAS, Old Glory has been hallowed throughout the ages by a magnitude of patriotic sacrifices by Americans who fought for the freedom of all mankind both at home and abroad;

NOW, THEREFORE, I, John M. Belk, Mayor of the City of Charlotte, North Carolina, do hereby proclaim February 15 through February 22 as

THE TIME FOR OLD GLORY

THEREFORE, Let us all resolve to fly Old Glory proudly in commemoration of the Father of our Country. By this participation, each one will be rededicating himself to the American dream which is a deeper personal respect for love of God, Flag and Country."

Mayor Belk stated he is very glad to endorse this proclamation. Mr. Baker stated they appreciate the Mayor signing this proclamation and they hope to awaken the minds of the American Citizens of our community and that through these efforts getting the citizens of our city to fly the American Flag so that we can somehow better this community in which we live.

Mayor Belk thanked Mr. Baker for bringing this patriotism to Council's attention as we sometimes slip up and take too many things for granted and thanked him for calling the flag to Council's attention.

DIRECTOR OF REDEVELOPMENT COMMISSION REQUESTED TO REPORT TO COUNCIL AT ITS NEXT MEETING REGARDING NIP PROGRAM IN THE BELMONT-VILLA HEIGHTS AREA.

Councilman Alexander stated he has read in the newspaper the articles concerning the NIP Program in the Belmont-Villa Heights Section and much discussion has taken place and certain questions have been raised concerning the Redevelopment Commission as to what will be done to protect the interest of these property owners who are involved in this program.

He stated from what he has seen in the newspapers, he is somewhat confused about what they are doing. He suggested that Council ask Mr. Sawyer, Director of the Redevelopment Commission, to come before Council next week and explain just what systems are in operation and how it is proposed to offset the conditions that exist and there will be a more formal inspection with regards to this program.

Councilman Tuttle stated he concurs in what Mr. Alexander has just said. He would hope that Mr. Veeder will ask for an explanation. If the newspapers are correct, NIP Officials had inspected this work and now they say they will hire an outside inspector. He stated if they had inspectors, he does not see why they were not qualified or why they needed to hire an outside inspector; that he would like to hear an explanation.

Councilman Short stated he would like to endorse what has been said about the Neighborhood Improvement Program; that while Council is a little bit removed from this, it is still a part of Urban Renewal and Council should, indeed, look into this situation.

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**CITY ATTORNEY REQUESTED TO CHECK THE LEGALITY OF OUR COUNTY'S MARRIAGE LICENSE FORM CALLING FOR RACE OF BRIDE AND GROOM.**

Councilman Alexander stated he has a copy of the marriage license form used in Mecklenburg County which calls for the race of the groom and the bride; that he wonders if this is legal under the new interpretation as he believes they are. He stated he would like for the City Attorney to look into this matter and come back to Council with some legal facts as to the manner in which this form is prepared with regards to designation of the race of the groom and bride.

**FUNDS FOR WIDENING AND EXTENDING ELLINGTON STREET TO BE INCLUDED IN NEXT YEAR'S BUDGET.**

Councilman Short stated the County has made known to Council the necessities that they have for further streets in the area of the Mental Health Facility that is being built; that the amount of money totally involved is \$20,300.00. He stated this is to widen from sixteen to twenty-four feet that portion of Ellington Street that is already open and that the street be extended to run into Wheatly Avenue.

He stated Council has received a map regarding this request; the County is trying to make progress with this particular facility and it is in order for the City, who is in the street business to proceed to handle this work and he is referring to the entire amount of it - \$20,300.00. That he would like to know the feelings of Council regarding this.

Councilman Jordan stated Council has been appraised of this fact; that a good many of them were there for the ground breaking and he sees no reason why the city should not go along with the request. Councilman Withrow stated he feels this is the city's responsibility.

Councilman Short moved that Council include the amount of \$20,300.00 in the next year's budget for this work. The motion was seconded by Councilman Withrow, and carried unanimously.

**DISCUSSION OF NEED FOR WIDENING SHARON LANE TO MOVE TRAFFIC AT PROVIDENCE ROAD.**

Councilman Tuttle stated time and again when the widening of Sharon Lane to four lanes has come before Council, he has asked what will be done with the traffic when it hits Providence Road. That in the past around five o'clock, during rush hours, traffic stacks up with cars backing up clear back to Sharon Road. Now that Southpark has opened this backup begins at three o'clock in the afternoon.

He stated he is again asking what can be done with the traffic when it hits Providence Road?

Mr. W. J. Veeder, City Manager, stated there are two projects which are a part of the thoroughfare plan, each of which will give a measure of relief to the volumes that now must use the intersection of Providence Road and Sharon Lane - Sharon Amity. One is the Belt Road as it relates to extending it from where it now ends on Eastway at the top of the hill and extending it through to connect at Woodlawn and Park Road. There is no good route now to follow to make the movement basically through this section. The Belt Road will provide a measure of relief. If it had been possible to build it when everyone would have liked to have built it - if there had been money available, it would have already afforded a measure of relief.

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He stated the other project is bracketed on the other side of this particular intersection; this project has been part of the thoroughfare plan for some ten years and is the extension of Fairview from where it now deadends at Sharon Road to connect across country and end up on Carmel Road, near the intersection of Carmel and Providence Road. He stated these two projects will give a measure of relief.

Mr. Herman Hoose, Traffic Engineer, stated the money for the widening of Sharon Lane was in the Bond Issue and will begin right away. Councilman Tuttle asked what will happen to the traffic when it gets to Providence Road; this is the question? Mr. Veeder replied this was his point that we would try to lead some of them off so that they will not use Sharon Lane; at the moment they have no choice but to use Sharon Lane.

Councilman Tuttle stated this again brings up the matter of the McAlpine Creek-Belt Road which we are now studying; we have been talking about it for four or five years and we are building out there more and more and the sooner we start on it, the less it is going to cost us.

Mr. Hoose stated upon the completion of the Belt Road, those streets which intersect Morrison Boulevard which is on one side of Southpark Shopping Center will tie into Runneymeade; Colony ties into Runneymeade which will give you an outlet into that area without going over to Barclay Downs and that area to feed over this particular section. That his department is working now with the shopping center and the highway department to five lane a section of Sharon Road in the Shopping Center for left turn slots and also on Fairview which is supposed to be a part of this project; this will give some relief in the area which we have at this particular point.

He stated he is also working with a developer next to Celanese Corporation to change their drive which will come in at the intersection of Park Road and Fairview so you do not have that off-set drive between Blythe and Eastern Air Lines and Celanese; if they move their drive down there, then you will not have to come out and fight your way to a lane to turn left, you will be opposite the intersection; this is to be built as a street type intersection; we are working this out with Celanese.

Mr. Hoose stated it is not just this Southpark traffic, it is Celanese traffic and Eastern Air Lines so the more you can get out over there, the better.

Councilman Jordan stated he would like to emphasize what Councilman Tuttle has said about the Belt Road further out because he would hate to be on this Council and certainly he would hate to see the same thing happen again on another belt road that happened on the last one; that he hopes Mr. Hoose's department will continue to get some study on this for further out. Mr. Hoose stated our study is about 60% completed; the origin and destination is actually penning down this type of facility; we will know where they are going, the number of lanes needed and we are further along in this survey than we were on the other one.

Mr. Veeder, City Manager, stated the State Highway Commission, about a year ago, in a report on priority of expressway needs included this outer loop in a state-wide report of priorities.

Councilman Tuttle stated the point he is trying to make is that we may be five or ten years away from turning any dirt on this road but the important thing to do is to delineate this and stop the building out there. Mr. Veeder stated this is exactly the process that is continuing jointly with the State and the Bureau of Public Roads.

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DISCUSSION OF PARKING ON WELLESLEY AVENUE FROM QUEENS ROAD TO SELWYN AVENUE.

Councilman Tuttle stated he would like to know about parking on Wellesley Avenue from Queens Road to Selwyn Avenue and also Stanford Place.

Mr. Hoose, Traffic Engineer, presented a report to Council showing a map of the area in question, noting the streets where parking is allowed and also noting where it was removed on January 30. He stated also in this immediate area is Ratcliffe, a street 23 feet wide and has parking removed from both sides to move the traffic; 15,000 cars in a 24 hour period; from 11,025 to 15,056 on Wellesley and 975 on Hastings. He noted that Hastings is only 23 feet wide and Wellesley is only 19 feet wide and if parking were permitted, this would leave a five foot lane on one side and on Wellesley, it would be down to one 12 foot lane.

Mr. Hoose stated the six houses on Hastings all have driveways; that parking is permitted on Bucknell which is 24 feet on one side and he feels the parking restrictions which we have now are needed to serve the area.

He stated Queens College has two parking lots and there is a drive going thru from Wellesley over to Myers Park Elementary School, and goes all the way through for circulation in that area and that parking lot is also used by both schools and they feel they need the street width for circulation.

Mr. Hoose stated some of the people wanted parking for their guests; that it is pretty hard to set up parking for guests because you do not know who the guests are; there is no way to check the license number. He stated he feels the parking restrictions are needed in the area and would like to have the restrictions remain in accordance with Section 20-13 of the City Code which states it shall be taken off streets less than 27 feet. One street has 19 feet and one has 23 feet; there should be no parking on these streets.

Councilman Tuttle asked if you could park on Stanford and Mr. Hoose replied yes. Councilman Tuttle stated you may not park on either side of Wellesley from Stanford Avenue to Selwyn Avenue and Mr. Hoose replied that is right.

Councilman Tuttle stated when people come down before Council and ask for something and Council gives it to them, it upsets them when, all of a sudden, they find themselves without parking and they have not had the benefit of appearing before Council and have not had the benefit of Council telling them they could not do this any longer.

He stated on February 17, 1964, Councilman Jordan moved that parking be allowed on one side of the street, on Wellesley from Queens Road to Selwyn Avenue, and the motion was seconded by Councilman Whittington and was unanimously carried. He stated these people came to Council and fought for that and then, all of a sudden, they find themselves without parking. Mr. Hoose stated he had received requests from people who live on Wellesley who want the parking in front of their houses only.

Councilman Tuttle stated it is hard to explain to people when they call you and tell you that Council has allowed them to park there and then it was taken away from them.

Mr. Hoose, Traffic Engineer, stated it is part of his job to see that traffic moves, and under the City Code which he is authorized to follow, this is the only means to try to expedite the movement of traffic.

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Councilman Tuttle stated the people out there are real upset and this college, as worthwhile as it is, still these people own their own homes and they are just about to find themselves without a place to put an automobile. Mr. Hoose replied this is true of a lot of streets; you have this problem on Park Road, Beatties Ford Road, Trade Street; you either park off the street or on the side streets.

**DISCUSSION OF GRADE SEPARATION FOR BELT ROAD AT INTERSECTION WITH PROVIDENCE ROAD.**

Councilman Short asked if it has been determined whether the Belt Road will cross Providence at grade level or will there will be a separation there and Mr. Hoose replied it will be at grade level; the only separation there is at the railroad at Monroe Road and at Independence Boulevard.

Councilman Short stated he is sure that one of these two intersections will have to be separated in time; that it is just going to be chaos. He stated since we have not built it yet, it is something to think about. Either at the Sharon Amity-Providence Intersection or the Belt Road Intersection, it is going to have to be separated; that he is no pro and Mr. Hoose is, but no matter what is done out at Sardis Road and what is done with the Bond Money that we had on Sharon Lane, one of those two is just going to have to be a grade separation. That you cannot get those thousands and thousands of cars out Providence Road morning and night, which is north and south, and then the other thousands and thousands east and west along the other two roads morning and night. He stated he does not believe any kind of traffic control ever heard of can handle that situation.

Councilman Short stated if it is definitely planned for a grade crossing there at the Belt Road and Providence Road, somebody better start re-thinking this situation over before it goes further.

Mr. Hoose stated as it stands right now, it is at grade level; there is to be no separation; if a separation is to be built, you would have to build an interchange on it; you could not just separate it, you would have to build an interchange.

**CITY MANAGER REQUESTED TO REPORT EXPENSE INVOLVED ON STREET IMPROVEMENTS IN THE QUEENS COLLEGE AREA.**

Councilman Short stated he has mentioned to Mr. Veeder a number of times the situation near Queens College; the fact is the very narrow streets around the college are just not adequate and practical now that we have the Dana Auditorium and the Little Fine Arts Building on that corner. That regardless of whether we can accommodate those who live there and those who want their guest parking, that street system is completely impractical for what is located there. He stated rather than just a minor street improvement which gets rather expensive, he is going to ask Mr. Veeder to advise Council the expense involved as the situation is close to being intolerable and asked him to give Council a rather comprehensive reading of this situation; that it would only be a block or so of widening of the streets here.

That in the case of Wellesley, on the south side of the street there is a shoulder that is very wide which is a planting strip and he feels sure the College would cooperate regarding this. That Council needs information regarding this.

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TRAFFIC ENGINEER TO CHECK OLD PINE STREET REGARDING NO PARKING SIGNS AND REPORT BACK TO COUNCIL.

Councilman Alexander asked whether the portion of the street that is left at the connection of West Trade and Fifth Street, right below the Builder's Building, a parcel of the old street is left there and on the east side of that parcel there is a no parking sign; what is the specific reason for this sign? That this is not on the connector at all but on a portion of the old street that is still there. Mr. Hoose, Traffic Engineer, replied this is a portion of Old Pine Street and the City has sold this property and no longer owns it.

Councilman Alexander asked Mr. Hoose why the City Traffic people are putting parking tickets on cars in this area? Mr. Hoose replied he did not know why the police are doing this. Councilman Alexander stated he does not feel the police have any right to go in there and put parking tickets if this is on private property; that he feels Council should make the man close this up so that it would not be an open street.

Mayor Belk asked the City Manager and Traffic Engineer to check this parking situation and report back to Council.

COUNCIL MEETING SCHEDULED FOR FEBRUARY 23 DISPENSED WITH AND NEXT MEETING OF COUNCIL TO BE MARCH 2ND.

Mr. Veeder, City Manager, stated next Monday will be a holiday for city employees and he asked Council if they wished to still have a Council Meeting.

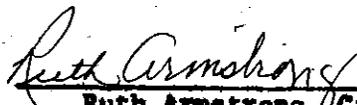
Councilman Jordan moved that Council dispense with the next meeting due to the holiday honoring George Washington's birthday and that the next Council meeting be on March 2nd. The motion was seconded by Councilman Tuttle and carried unanimously.

REQUEST TO ADOPT A RESOLUTION REGARDING LIMITATIONS ON ASBESTOS CEMENT PIPE, TAKEN UNDER ADVISEMENT.

Mayor Balk stated Mr. Charles Lowe, Chairman of the County Commissioners, called him and stated the County Board today accepted the recommendation of the CFC and the County Manager was requested to communicate with the Community Facilities Committee to ask them to re-examine their limitations on asbestos cement pipe with a view to opening this up to 8", 10" and 12" sizes; that City Council is asked to adopt a resolution similar to the one the County adopted this morning. He stated Council will take action on this in the near future.

ADJOURNMENT.

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

  
Ruth Armstrong, City Clerk