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A regular meeting of the City Council of the City of Charlotte, North Carolina was held on Monday, February 26, 1973, at 3:00 o'clock p.m., in the Council Chamber, City Hall, with Mayor John M. Belk presiding, and Councilmembers Fred D. Alexander, Sandy R. Jordan, James D. McDuffie, and James B. Whittington present.

ABSENT: Councilmembers Ruth M. Easterling at the beginning of the meeting, and Milton Short and Joe D. Withrow for the entire meeting.

* * * * *

INVOCATION.

The invocation was given by Dr. Warner Hall, Chairman of the Charlotte-Mecklenburg Community Relations Committee.

MINUTES APPROVED AS CORRECTED.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, the minutes of the last meeting on February 12, 1973 were approved as submitted with the following correction:

Page 258 under the subject of the Nominations to the Charlotte Area Fund Board, in the first sentence, change the spelling of "Macken" to "Macon".

CITY OF CHARLOTTE EMPLOYEE PLAQUE PRESENTED TO FLOYD LEE JORDAN.

Mayor Belk recognized Mr. Floyd Lee Jordan, Labor Foreman I, Sewer Maintenance Division, Utility Department, and presented him the City of Charlotte Employee Plaque. Mr. Jordan was employed April 16, 1953 and retired February 20, 1973.

The Mayor and each member of Council wished Mr. Jordan well in his retirement and thanked him for his services to the City.

COUNCILWOMAN EASTERLING COMES INTO MEETING DURING FOLLOWING DISCUSSION.

Councilwoman Easterling came into the meeting during the discussion on the following item before the vote was taken.

RESOLUTION CLOSING A PORTION OF CHASE STREET IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA.

The public hearing was held on the petition of Mercy Hospital, Inc. to close a portion of Chase Street, northeast of its intersection with Vail Avenue for a distance of approximately 257 feet. Council was advised that the request has been investigated by all city departments concerned with street rights of way and there are no objections to the closing.

Mr. Robert Potter, Attorney for the petition, was present to answer any questions.

Mr. R. H. Cooksey, resident of Kenmore Avenue since 1936, stated he is speaking for the homeowners and residents of Kenmore Avenue, and asking that the request of Mercy Hospital not be granted. They feel to convert Chase Street into a paved parking lot will be detrimental to the neighborhood. There is a creek that runs from Mercy Hospital's parking lot through many of the backyards on Kenmore. Since the Hospital cut down all the trees and made this parking lot at Vail and Osborne Avenue, they have noticed a big increase in the flow

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of water in the creek, and down Kenmore Avenue. This flow of water is causing the creek to flood the yards, undermine large trees and the banks to cave in, causing much damage to homeowners' properties. If Chase Street is closed, and the trees uprooted, and the area paved, they will have more flooding, and erosion, as this flow of water will flow down the hill into the creek. He stated many of these are long time residents and are retired and elderly, and have owned their own homes for more than 30 years. They have spent many hours of work to make their homes attractive. Kenmore Avenue is still a very stable, solid and desirable place to live, and they want it to continue to be so.

Councilman McDuffie asked if his primary objection is the flooding from the parking lot? Mr. Cooksey replied that and the fact if you put a parking lot in a residential area it causes the property values to drop, and the area to deteriorate. The flooding is one of the big items as it floods all the way down. Councilman McDuffie stated this is a common problem inside the city as apartment houses and shopping centers do cause water to run off faster. That it would appear that we need to work on Mr. Cooksey's problem more from a drainage situation than to try to prohibit the hospital from having adequate facilities.

(COUNCILWOMAN EASTERLING CAME INTO THE MEETING AT THIS TIME AND WAS PRESENT FOR THE REMAINDER OF THE SESSION.)

Mr. Cooksey stated the only solution he can see to the drainage problem would be to pipe it all the way down Kenmore Avenue. That there is a parking lot at Osborne and Vail Avenue, and they have a lot more water and at that time the hospital assured them they would take care of the water; but there is no way to take care of the water unless drains are put in.

Mr. Potter stated they will take care of what drainage they can.

Councilman Jordan asked the City Manager if the city will do everything possible to help improve this situation? Mr. Burkhalter replied it will.

Councilman Whittington moved adoption of a resolution closing a portion of Chase Street in the City of Charlotte, Mecklenburg County, North Carolina. The motion was seconded by Councilman McDuffie, and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Pages 41-42.

RESOLUTION CLOSING PORTIONS OF FONTANA AVENUE AND PHARR STREET IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA.

The public hearing was held on petition of the Redevelopment Commission to close portions of Fontana Avenue and Pharr Street, in Greenville Urban Renewal Area, Project No. N. C. R-78.

Council was advised the petition has been investigated by all city departments concerned with street rights of way and there are no objections to the closing.

Mr. James Allison, Attorney for the Redevelopment Commission, stated they are requesting the abandonment of portions of streets in the Greenville Urban Renewal Area. The Commission owns the property that adjoins the streets, and by the City Council abandoning these streets, it will give the Redevelopment Commission title to the land that lies within the streets.

Mr. Sawyer, Executive Director of the Commission, pointed out the streets on a map, and stated once these streets are closed they will become a part of the area they will plot to resell.

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No opposition was expressed to the street closing.

Motion was made by Councilman Jordan to adopt a resolution closing portions of Fontana Avenue and Pharr Street in the City of Charlotte, Mecklenburg County, North Carolina. The motion was seconded by Councilman Alexander, and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Pages 43-44.

RESOLUTION CLOSING PORTIONS OF SPRING STREET AND ARGOSY STREET IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA.

The public hearing was held on petition of the Redevelopment Commission to close portions of Spring Street and Argosy Street, in Greenville Urban Renewal Area, Project No. N. C. R-78. Council was advised the request has been investigated by all departments concerned with street rights of way and there are no objections to the closing.

Mr. Sawyer, Executive Director of the Commission, pointed out the location of the streets from a map.

No opposition was expressed to the closing of the streets.

Upon motion of Councilman Alexander, seconded by Councilman Jordan, and unanimously carried, a resolution closing portions of Spring Street and Argosy Street in the City of Charlotte, Mecklenburg County, North Carolina, was adopted and is recorded in full in Resolutions Book 9, at Pages 45-47.

MAYOR BELK LEAVES CHAIR AND MAYOR PRO TEM ALEXANDER PRESIDES.

Mayor Belk left the Chair at this time due to a conflict of interest, and Mayor pro tem Alexander presided.

ACQUISITION OF PROPERTY IN THE 5500 BLOCK OF YORK ROAD, FROM HEIRS OF LULA B. AUSTIN, AUTHORIZED.

Consideration of the acquisition of 68.83 acres of property in the 5500 block of York Road, from the Heirs of Lula B. Austin (Mrs. T. E.), at a purchase price of \$197,000 to be used for future municipal needs was presented.

Mayor pro tem Alexander stated Mayor Belk has left the meeting due to a conflict of interest through property ownership in this same area under discussion.

He stated Council will hear three persons on this subject. Mr. T. L. Odom, Reverend Bledsoe and Mr. Bob Helm are the three persons Council will hear. He stated the legal hearing has been heard, and Council has agreed, and the City Attorney affirms this decision, that Council can hear these three people. He asked these people to limit their statements to five minutes or less each.

Mr. Odom, Attorney representing the Southwest Action Committee, passed around a proposed resolution for the Council to consider, not only on this question, but on a number of questions that are directly related to this.

He referred to the resolution and stated the landfill has been there since 1968; there have been repeated requests by the citizens of the Southwest area to set up a time table; they have expressed their concern over the past for the mode of operation of the landfill; and they feel they have borne a disproportionate share of the public facilities for the whole City of Charlotte. The City now owns 200 acres which they say is more than adequate to take care of the needs for the next five years or longer if other sites are sought. They feel the purchase of the 68 acres should not occur.

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Mr. Odom stated there are already 500 truck loads of garbage per day going out there; that means 1,000 trucks going through this particular intersection through this particular neighborhood. This landfill area will now be placed within 200 feet of the Allwood Subdivision; this means the area is going to be completely blocked extending on around to the very edge of Allwood Drive. He stated they feel Council should consider these homeowners who have been there for a number of years even before the first operation was started on York Road, and not expand it. To ignore their fears and to ignore the facts of the matter is to completely disregard what is right in this situation.

He stated one of the Whereás' of the resolution is as follows: "As stewards of the natural resources of this Earth, all citizens of this County should be aware of the illogical style and madness of using only once products derived from our national resources and then discarding or acting with indifference to the burdens placed upon the public taxpayers by discarding any and all refuse without thought or attempt to reuse, recycle, eliminate in some fashion other than by burying or desecrating the bowels of the earth by filling it with unwanted twentieth century merchandise and merchandise packaging." He stated they feel an educational program should be started and so that the citizens of this county and city would be encouraged and given incentive to minimize the needs for landfills. They do not feel the Council should further expand the landfill; they feel additional sites for landfill should be secured in other parts of the city, and the county of Mecklenburg in order to reduce the congestion of traffic.

He stated Page 3 of the resolution contains a number of resolutions and suggestions to Council.

One, there be no further expansion of the York Road landfill site right now.

Two, that in the operation and conduct of the York Road landfill site, not only attempts and efforts be made but in fact it immediately become the model for the nation in non-adverse affects upon the watershed, air pollution, odors, dust, breeding ground for any vermin, insects and birds.

Third, that the public works department of the City of Charlotte be instructed to secure options to purchase strategically located small sites for landfill operations within the city limits and the County of Mecklenburg within the next eighteen months, while actively seeking more efficient methods of refuse disposal. He stated if this burden is borne by all the citizens, we will all be more aware of it, and we will all seek ways to go to a new system.

Four, they ask that an ordinance be considered that would seek some type of reclamation of the refuse and methods to reduce the amount of refuse now being buried.

Five, deals with a situation of education, which they think the city should begin.

Six, they believe the public works department is not going the last mile to seek some ways to eliminate the great need for great landfill sites. They also believe the public works department should seek ways and means to recycle any and all possible items such as glass, paper, wood, leaves, food waste, metal cans and other such items.

Seven, they believe that immediate consideration should be given to an ordinance to require all garbage pickups and all garbage deliveries to any sanitary landfill site to be separated as to the above referred to items by separation or separate containers in order to facilitate some type of recycling program.

Eight, in order to reduce the volume in weight of refuse submitted to any landfill site, consideration be given to an ordinance whereby those persons and firms using landfill sites should be charged in accordance with the weight or volume of the refuse and that some type of credit be given for those who separate and facilitate some type of recycling program.

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Nine, that the public works department be directed to work with the public utility companies to seek a method of incineration or disposal of items and goods that cannot be recycled whereby the energy from such incineration could be utilized for electric power or for forms of usable heat. Mr. Odom passed to Council members some information they secured; they understand that two cities are already using it whereby they use some form of an electric arc and they create a vacuum and use it, and when they get through they have usable gas and some form of slag. They think this should be investigated and should be considered.

Ten, that an ordinance be adopted requiring that all consumable liquids sold in the City of Charlotte utilize returnable bottles and that disposal bottles and containers be prohibited.

Eleven, that a possible ordinance be studied for the prohibition of the massive amounts of paper wrappers, plastic wrappers and paper and plastic containers utilized in the food dispensing business.

Twelve, that every effort be made by the City Council to minimize the desecration of the land of this county, and the air and the water of this county by the use and the continued use and the expanded use of landfill areas. They feel it is a sin for the people to continue to do so, and to seek the easiest way out of this bad situation.

Thirteen, Resolve that the public works department immediately submit to the City Council a reasonable time table to indicate the number of years necessary to utilize fully the approximately 200 acres now owned at the York Road site to enable the City Council to submit to the citizens of the southwest area a reasonable assurance as to when the York Road landfill site will be fully utilized, abandoned as a landfill area and converted into an open space for park, recreational area or other open land use for the benefit of the southwest area.

Mr. Odom stated his organization has ordered for each councilmember a subscription to "Organic Gardening". This magazine over the years has carried a number of articles as to what other municipalities are doing in the way of recycling their refuse. That he thinks something can be learned from this.

He asked that Council not purchase this property.

Also speaking against the purchase of the property were Reverend Lewis Bledsoe, Steele Creek Presbyterian Church and Mr. Bob Helm of the Charlotte Citizens Action Team.

Councilman McDuffie stated he is very much encouraged that the document Mr. Odom passed around talked about the different alternatives the city has in disposing of waste and doing away with bottles that are non-returnable, and doing away with paper cups and other litter in drive-ins and other types of facilities, supporting the sorting of garbage, supporting the kind of operation that would cause the need for having a smaller landfill, for charging at the landfill. All these things have been opposed in the not too distant past - by other action groups who did not want to sort their garbage and people still do not want to do that. We had much criticism about garbage not being taken away in a proper manner and the service was poor and three out of five of the working days the residents of the city have someone coming to their house to take away garbage. Yet the people are not happy; they complain about the \$5.0 million the sanitation department spends. All these things cost money, and the statement has been made this city and this government will provide any kind of service the public is willing to pay for. To have an incinerator that will cost about three times as much to dispose of garbage. If we had another alternative to suggest, if this group today had brought another site, or another way to dispose of record tonage of garbage that would be something for

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Council to consider. But there are no alternatives. The proposition brought to Council was 68 acres of land that is available now. When a site was sought in the northwest part of the community, you people were not there supporting the county commissioners who needed to rezone it so there would be another site, so we could disperse the garbage and the 500 trucks. He stated he can support other sites and remove half or more of the trucks that go out there and get into other parts of the community. Those are the things we need to work on, week in and week out. Not just once a year when something like this comes about.

The following statement from Councilman Short was read into the record:

"I regret that a commitment I made several months ago requires that I be out of town when the York Road landfill extension comes before Council.

In studying this matter, I have obtained information about some of the interesting uses being made of former landfill sites in several places about the country, and would like to share these with Council and the York Road area residents.

In a number of instances, these uses were planned in advance, and the grading, filling, and compacting of the landfill was done so that the new use was being constructed as the solid waste was covered.

Virginia Beach - a 100 acre park and outdoor amphitheater were formed and graded as fill operations proceeded.

Lucas County, Ohio - several baseball diamonds and picnic area.

Toronto, Canada - landfill was formed into ski slope.

Brighton, Colorado - children's playground, fishing lake, and natural wooded area constructed as landfill was operated.

Neptune, New Jersey, and four other New Jersey communities - have systematically graded for parks and buildings as landfills were used.

Wenatchee, Washington - public buildings placed in a park setting on former landfill.

Holland, Michigan - home of world famous Tulip Festival. They planned landfill operations so as to be able to convert filled up landfill into tulip gardens and Cutch landscape park.

Rolling Hills, California - created South Coast Botanic Gardens from former landfill.

Detroit, Michigan (project incomplete) - planning calls for golf course, baseball field, football field, and fishing lake on former landfill.

San Diego, California - Chollas landfill became municipal buildings site, and will have golf course. Another landfill is to become Paradise Hills Neighborhood Park. Other landfills in this area are being considered for school sites.

Oshkosh, Wisconsin - landfill was formed into a sledding slope after being used for several years as a landfill. This is now in use and keeps children from sledding in streets. "A monument to parents" who sought to arrange this.

Toledo, Ohio - Detwiler Municipal Golf Course and Merrick Park Golf Course were formed from landfills as they were filled. Golf course architects were employed to plan the landfill operations accordingly.

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Bradenton, Florida - the city obtained a much-sought contract to have the Pittsburgh Pirates do winter training at Bradenton by making half the landfill (i.e., the filled part) into a baseball training facility.

Dundee, Scotland - playing field built from landfill.

Phoenix, Arizona - landfill turned into only park in the area with hills (all others are flat.)

I would suggest that Council, Planning Commission, and Park and Recreation Commission begin now to plan the ultimate new useage for York Road landfill. I also suggest a committee of citizens from the area be appointed by the Mayor to confer with Mr. Hopson on the operation of this landfill to insure that it will be neat, clean, free from litter, odor, and rodents."

Councilman McDuffie moved approval of the purchase of the 68.83 acres of property in the 5500 block of York Road, from the Heirs of Lula B. Austin (Mrs. T. E.) at a purchase price of \$197,000.00. The motion was seconded by Councilman Whittington, with the following additions to the motion:

- (1) The City will continue to keep tight controls on uncovered trucks bringing material of any kind to the landfill. And the City Manager will instruct the police department to issue citations to any driver of a vehicle violating the litter ordinance.
- (2) Request the county police to patrol the area in an attempt to prevent individuals from dumping on the roads, in and/or near the residents in the vicinity of the landfill site. He stated this has been a problem in the past and we will do what we can to prevent it occuring in the future.
- (3) As soon as it is reasonable to do so establish a date for the discontinuance of the landfill operation at this site.
- (4) The city will not use state or city owned land in this area, in the present site, to expand the present facility. He stated so that all the fears will be allayed, he is saying the city will not use land owned by the State of North Carolina, or land owned by the City of Charlotte for the Irwin Creek Disposal Plant to expand this facility beyond the 68 acres we are talking about today.
- (5) A wooded buffer will remain between the small stream and the landfill to screen the homes on Allwood Drive and Fircrest Drive. He stated as you go down Allwood Drive from Yorkmont Road, he is talking about the wooded area behind the homes to the right of the area involved where the red markings are off of Josephine Drive.
- (6) As sections of the landfill are phase out, the department of public works will cooperate with the residents of the area in beautification and the rendering of the land for public use.
- (7) That these resolutions submitted by Mr. Odom be studied by the department of public works and staff and other departments affected, and their recommendations be brought back to Council as quickly as possible so that Council can give the resolutions consideration.

Councilman Whittington stated he is seconding Councilman McDuffie's motion, and moved that the items he has mentioned be a part of the motion and a part of the directives of this Council as of this date.

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Councilman Jordan stated he has been in favor of incinerator plants for many years, and he has gone to see these plants all over the world. Some have just been completed and some have been in operation for some time. But we find the price of these incinerator plants run anywhere from \$10.0 to \$50.0 million. That he does not believe our people would vote for this kind of money on a bond issue. He stated he has asked the city staff to investigate the possibility of getting federal aid to build one of these plants, and he assumes they are still investigating the possibility of this, and other means to get money or another way of disposing waste and garbage.

Councilwoman Easterling stated this is one of the questions that has faced Council that has taken more of her personal time than any other question. It has been time she thinks very well spent in considering the needs of the total population, the total citizens, of our city. In this connection she would have to thank the citizens from this area for making it imperative that she look at the needs of the entire city in considering this question. The people in the area have been most cooperative. One of her friends who lives there came and picked her up and they spent the entire afternoon going up one street and down another with a map showing the entire zoning of the area. She stated they are correct, they are furnishing in their area a lot of services for the entire city - the prison camp, the sewage disposal plant, the airport and a landfill. She stated she also investigated conditions in other cities who have made studies of land values around such facilities. If a landfill is not in an area, land values near an airport, near a prison camp, near a sewage treatment plant for residential purposes always go down. But as the area gradually changes, and almost ultimately and inevitably becomes industrial land values do go back up. She stated this is not the ultimate concern because people are the ultimate concern, and 2,000 people in relation to the entire city of over 200,000 people must of necessity assume a relative value. They already have the other three things. If these other three services were not already in the area which would force land values down anyway, we might have to take another look at this. But the landfill is there; the requirements of the city are a mandate that we have to find additional facilities, additional sources. The city has considered and is still considering the alternates or the additional ways of disposing refuse and garbage. The city is not negligent in this; it is a constant search for the ways to do things. And this will go on. This is a very good suggestion; some of it we are already doing; some of the things may be new ideas. But she knows this is not a cavalier idea of assessing the services for the city on one segment of the population. Yet she cannot come to any other conclusion but that in the best interest of the whole city, we must acquire this land.

She stated as a Councilmember charged with responsibility for the entire city she feels she must vote for the acquisition of this land.

The vote was taken on the motion and carried as follows:

YEAS: Councilmembers McDuffie, Whittington, Easterling and Jordan.

NAYS: None.

PUBLIC WORKS DIRECTOR DIRECTED TO BEGIN IMMEDIATELY AND REPORT BACK WITHIN 90 DAYS OF TWO OTHER SITES IN THE NORTHWEST AND SOUTHEAST SECTIONS OF MECKLENBURG COUNTY FOR LANDFILL SITES.

Councilman McDuffie moved that Mr. Hopson, Public Works Director, begin immediately and report back to Council within 90 days of the possibility of two other land sites inside Mecklenburg County in the northwest section of the community and in the southeast section out Providence Road, towards Waxhaw. That he bring back reports to Council on land that is available and the cost so that Council can consider the possibility of having other sites. The motion was seconded by Councilman Whittington, and carried unanimously.

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MOTION STATING THAT CITY COUNCIL DOES NOT INTEND TO HEREAFTER EXPAND IN GEOGRAPHICAL LIMITS THE YORK ROAD LANDFILL FACILITY.

At the request of Mr. T. L. Odom, Attorney for the Southwest Action Committee, Councilman Whittington moved that the City Council of the City of Charlotte, recognizing that unlimited expansion of the York Road landfill site will adversely affect the environment and neighborhoods in close proximity to it, publicly states its intention to not hereafter expand in geographical limits the York Road landfill facility. The motion was seconded by Councilwoman Easterling, and carried unanimously.

MEETING RECESSED.

Mayor pro tem Alexander called a recess at 4:05 o'clock p.m.

MEETING RECONVENED WITH MAYOR BELK PRESIDING.

The meeting reconvened at 4:15 o'clock p.m., with Mayor Belk presiding.

REQUEST OF PARK AND RECREATION COMMISSION TO PURCHASE TWO PARCELS OF LAND FOR PARK USE, APPROVED. (BEAL STREET PARK AND METHODIST HOME PARK.)

Mr. Ace Walker, Chairman of the Parks and Recreation Commission, stated under the Commission's Charter, they cannot acquire property without the Council's approval. That they are in the process of beginning the procedures for acquisition of two parcels of property for which they would like to have Council's approval.

The first parcel, and the more important of the two, is the Beal Street site for a community center and neighborhood park in the Billingsville-Grier Town Randolph area. This site consists of a little more than eleven acres which is comparable with the first property they looked at in the area. It fronts on Beal Street, near Walker Road, but has no frontage on Walker Road. It lies well for a park development and especially for community center development. It will be across the proposed belt road from the Grier Heights Community. On the other hand in the meetings they have held in the past with the people in the Grier Heights Community, they have indicated a desire to have the community center and park at this site as one of their alternates. After considering it and looking at all the other property in the community that is available they are convinced this is a good site for a community center and park. They would like Council's approval of the acquisition of that site. They have not yet obtained the appraisals on it and they are in the process of attempting to get a survey which is preliminary to appraisals. They do not want to spend the money on appraisals until they receive Council's approval at that stage.

Mr. Walker stated the second parcel is two lots on Shamrock Drive, adjacent to the present Methodist Home Park. All the negotiations and arrangements preliminary to the purchase of these two lots have been made, and they stand ready to acquire them subject to Council's approval. These lots would enlarge the Methodist Home Park which is probably one of the most intensively used park in the city. At present the total park land use is about 18 acres; more is needed on Shamrock Drive for parking than they have had, and they need to be continually aware of the possibilities of enlarging this Methodist Home Park.

Councilman McDuffie stated Council received a letter from Marsh Realty about some property, and he asked if the Commission has looked at this property? Mr. Walker replied prior to receiving that letter, the Commission itself with the real estate consultant and engineer had walked the property to which he was referring.

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It does not lie well; the portion that would front on the belt road is rough, it falls off into a gulley and a creek; there is very little of the property within their range; there is some 68 acres and it runs all the way back to the railroad; but the portion near Beal Street and the portion they could afford to buy does not lie well for a park. There is no indication they could get it on any other basis than condemnation, or that the price would be materially less than the Beal Street site which in their opinion is far superior as a site for a park and community center.

Councilman Alexander asked if the residents of Grier Town are aware of this change and agree on his? Mr. Walker replied they have made no specific effort to go back to them after settling on the Beal Street site. But in the last meeting held with them, it was at the Billingsville School, and at that time the Commission was considering the possibility of utilizing a building on the school ground as a park site, and they had not formally given up the Craig Avenue site. At that meeting again it was expressed to the Commission that a desirable location from their viewpoint was the Beal Street site. Councilman Alexander stated this is the point he is getting at; now they are coming back to the Beal Street site there are no problems? Mr. Walker replied they have heard nothing to the contrary from them; it would represent a change of thinking on their part, and the Commission has had no indication there has been.

Mr. Walker then explained the location of the property from a map. Councilman Alexander stated whenever the belt road is built he would like consideration to be given to a crosswalk.

Mr. Charles M. Carson stated he lives in the neighborhood abutting the proposed Beal Street site. He stated they would like for Council to table this Beal Street site until they can meet with the Commission and talk about land use, and what is planned for the property. They feel they have not had enough time to meet with the Commission, and they would like to meet with them.

Motion was made by Councilman McDuffie to approve the purchase of the two sites for park purposes, as recommended by the Chairman of the Park and Recreation Commission. The motion was seconded by Councilman Whittington.

During the discussion that followed, Mr. Walker stated Mr. Carson is referring to the area in the vicinity of Ashworth Road and to the south of that. What it shares is a corner in common with that neighborhood. Ashworth Road presently deadends at the southwest corner of the property. He stated the Commission does not now have, nor has it ever had the intention of extending Ashworth Road as far as park development through to Walker Road. There is ample access to this park off Beal Street, and will be off the belt road, and can be through a very short right of way from Walker Road, and you do not ^{want} through access to an 11 acre park. There would be no cut through.

Mr. Carson stated they do not have assurance that the road will not be cut through or improved in any way, and it is things like this they would like to discuss with Mr. Walker and the Commission.

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

RESOLUTION PROVIDING FOR PUBLIC HEARINGS ON MONDAY, MARCH 19, ON PETITIONS NO. 73-5 THROUGH 73-10 FOR ZONING CHANGES.

Motion was made by Councilman Alexander, seconded by Councilman Jordan, and unanimously carried, adopting the subject resolution through 73-10 for zoning changes.

The resolution is recorded in full in Resolutions Book 9, at page 48.

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PETITION NO. 73-3 BY WEST MECKLENBURG CITIZENS COMMITTEE FOR A CHANGE IN ZONING OF PROPERTY SOUTH OF TUCKASEEGEE ROAD, EAST OF MULBERRY CHURCH ROAD, INCLUDING PROPERTY ON FORESTBROOK DRIVE AND NORTH STREAM DRIVE, DENIED.

Councilman Jordan moved that the subject petition requesting a change in zoning from R-6MF and O-6 to R-15MF of about 51 acres of land south of Tuckaseege Road, east of Mulberry Church Road, including property on Forestbrook Drive and North Stream Drive, be denied as recommended by the Planning Commission. The motion was seconded by Councilman Whittington, and carried by the following vote:

YEAS: Councilmembers Jordan, Whittington, Alexander, Easterling, Mayor Belk.
NAYS: Councilman McDuffie

PETITION NO. 73-1 BY HOWARD O. GRAHAM FOR A CHANGE IN ZONING OF PROPERTY ON THE EASTERLY SIDE OF EATON ROAD, NORTH OF MONROE ROAD, DENIED.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, the subject petition requesting a change in zoning from R-9 to O-6 of a lot 80' x 180' on the east side of Eaton Road, was denied as recommended by the Planning Commission.

ORDINANCE NO. 732-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE OF THE CITY OF CHARLOTTE AMENDING THE ZONING MAP BY CHANGING THE ZONING OF PROPERTY ON THE EAST SIDE OF BRADFORD DRIVE, EXTENDING FROM RELIANCE STREET TO 192 FEET SOUTH OF ROWAN STREET AND INCLUDING LOTS AT 944 AND 945 ROWAN STREET, ON PETITION OF JAMES F. HARRINGTON, ET AL.

Councilman Whittington stated the property owner immediately behind this property on Bradford Drive, Lewis R. Mingus, has asked that Council not act on this petition until he has the opportunity to have his property included in the petition. Mr. Fred Bryant, Assistant Planning Director, stated Council will have to schedule a new hearing on the portion of the property to be included; that some person called him and talked about additional property on a street to the rear but he is not sure it was Mr. Mingus. Councilman Whittington stated Mr. Mingus owns the two parcels of land on Reliance Street immediately behind the subject property; that he is in the hospital and asked that Council delay the Harrington petition. Mr. Bryant stated he does not think the addition of this property would make any difference in the Planning Commission's recommendation. There is some inadequate depth involved, and the advantage in having more property included would be if some of the properties were put together for some particular use. He suggested that Council go ahead with the subject petition and consider Mr. Mingus' request at the time he files; that he does not think it will change the consideration of his property in the least to have this already zoned.

Motion was made by Councilman Whittington, seconded by Councilman McDuffie, and unanimously carried, adopting the subject ordinance changing the zoning from R-6MF to B-1 as recommended by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 20, at Page 9.

Councilman Whittington requested Mr. Bryant to contact Mr. Mingus and tell him he can bring his petition to Council.

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RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE APPROVING PURCHASE AGREEMENT FOR SALE OF LAND IN BLOCK NO. 2, PARCEL NO. B, IN PROJECT NO. N. C. R-78, GREENVILLE URBAN RENEWAL AREA TO SECOND CALVARY BAPTIST CHURCH.

Councilman Alexander moved adoption of the resolution approving the purchase agreement for the sale of 98,489 square feet of land in Block No. 2, Parcel No. B, in Project No. N. C. R-78, Greenville Urban Renewal Area to Second Calvary Baptist Church at a total price of \$19,500.82. The motion was seconded by Councilman Jordan, and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Page 49.

ORDINANCE NO. 733-X AMENDING THE 1972-73 BUDGET ORDINANCE AUTHORIZING AN ADDITIONAL CLERK-TYPIST II POSITION FOR THE CHARLOTTE-MECKLENBURG PLANNING COMMISSION.

Motion was made by Councilman McDuffie to adopt the ordinance amending the 1972-73 Budget Ordinance authorizing an additional Clerk-Typist II position for the Charlotte-Mecklenburg Planning Commission to accommodate additional workload due to change in the zoning process. The motion was seconded by Councilman Jordan.

Councilman McDuffie asked if this is due to the changes in procedures by the County Commissioners? Mr. Burkhalter, City Manager, stated some of the notifications they require and information they want sent out requires more than the present clerical help can do. It is something the City is not involved in 100% but the County has gone along with the City on some additional staff which was not necessarily for the county.

Councilman McDuffie asked about their provision that would allow someone to come back before the Board when the decision is made, more or less as a rebuttal. Mr. McIntyre, Planning Director, stated the proposal in the new procedure is that individuals will receive the Planning Commission recommendation and will have an opportunity to respond in writing to the governing body. It is not anticipated they will make a second personal appearance.

The vote was taken on the motion and carried unanimously.

The ordinance is recorded in full in Ordinance Book 20, at Page 10.

ORDINANCES AFFECTING HOUSING DECLARED UNFIT FOR HUMAN HABITATION UNDER PROVISIONS OF THE CITY'S HOUSING CODE.

Motion was made by Councilman Jordan and seconded by Councilman Alexander, to adopt the following ordinances affecting housing declared unfit for human habitation:

- (a) Ordinance No. 734-X ordering the dwelling at 301 South Cloudman Street to be vacated and closed.
- (b) Ordinance No. 735-X ordering the dwelling at 307 South Cloudman Street to be vacated and closed.

No opposition was expressed to the orders.

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

The ordinances are recorded in full in Ordinance Book 20, beginning at Page 11.

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AVIGATION EASEMENT AUTHORIZED.

Councilman Jordan moved approval of the purchase of an avigation easement on Parcel 224, Belle Oaks Drive, in the vicinity of Douglas Municipal Airport, from Jay P. Coley and wife, Shirley N. Coley, at \$4800.00. The motion was seconded by Councilman Whittington, and carried unanimously.

PROPERTY TRANSACTIONS AT DOUGLAS MUNICIPAL AIRPORT, AUTHORIZED.

Councilman Alexander moved approval of the acquisition of 2.6 acres of vacant land off Byrum Drive at Piney Top Road, from R. F. Grubb, Jr. and wife, Pauline M., at \$7,500.00. The motion was seconded by Councilman Whittington, and carried unanimously.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, a resolution was adopted rescinding City Council's authorization to institute condemnation proceedings against Parcel 443, property belonging to Robert Franklin Grubb, Jr., and wife, Pauline M., located on Byrum Drive in connection with the Airport Expansion Program.

The resolution is recorded in full in Resolutions Book 9, at Page 50.

Motion was made by Councilman Jordan approving the acquisition of 4 acres of land containing a one story brick residence, on Byrum Drive, from R. F. Grubb, Jr. and wife, Pauline M., at \$55,000.00. The motion was seconded by Councilman Whittington, and carried unanimously.

Councilman Alexander moved adoption of a resolution rescinding City Council's authorization to institute condemnation proceedings against Parcel 418 to acquire property belonging to Robert Franklin Grubb, Jr., and wife, Pauline M., located on Byrum Drive. The motion was seconded by Councilman McDuffie and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Page 51.

SETTLEMENTS FOR THE SHARON LANE WIDENING PROJECT, APPROVED.

Motion was made by Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, approving the following settlements for the Sharon Lane Widening Project:

- (a) Settlement in the amount of an additional amount of \$400.00 in the case of the City v. Stanley Woodard Westerfield and wife, for Parcel 52, Sharon Lane Widening Project.
- (b) Settlement in the amount of an additional amount of \$300.00 in the case of the City v. William W. Gotherman and wife, et al, for Parcel 46, Sharon Lane Widening Project.

CONTRACTS FOR THE CONSTRUCTION OF WATER MAINS AND SANITARY SEWER EXTENSIONS, APPROVED.

Councilman Jordan moved approval of the following contracts for the construction of water mains and sanitary sewer extension, which motion was seconded by Councilman Whittington, and carried unanimously:

- (a) Contract with City National Bank, Trustee U/A for J. Mason Wallace, Jr. for the construction of 1100 feet of 12 inch water main and one fire hydrant to serve property abutting on Wallace Road, outside the city limits, at an estimated cost of \$12,700. Funds will be advanced by the applicant and refunded under the terms of the existing city policies as related to such water main construction.

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- (b) Contract with Evans Construction Company for the construction of 2,595 lineal feet of 8-inch sanitary sewer mains and 555 linear feet of 8-inch trunk to serve McClintock Woods Subdivision, inside the city, at an estimated cost of \$35,000. The applicant will construct the mains in the streets, and the city will own the mains at no cost to the city; the city will construct the 555 linear feet of 8-inch trunk. Refund will be made as per terms of the agreement.
- (c) Contract with William Trotter Development Company for the construction of 440 linear feet of 8-inch sanitary sewer trunk and 2,532 linear feet of 8-inch sanitary sewer mains to serve Eastbrook Woods VIII, off Barrington Drive, outside the city, at an estimated cost of \$34,530.00. The applicant has deposited 100% of the estimated cost. Of this amount, \$11,017.54 is proportional cost to previous contracts, making construction cost \$23,512.46; city forces will construct the lines and no money is needed from the city. Refund will be made as per terms of the agreement.
- (d) Contract with Gulf Oil Company, U. S., for the construction of 690 linear feet of 8-inch sanitary sewer trunk and 400 linear feet of 8-inch sanitary sewer main, to serve Gulf Oil Company, outside the city, at an estimated cost of \$12,800.00. The applicant has deposited 100% of the estimated cost and refund will be made as per terms of the agreement.

ENCROACHMENT AGREEMENTS, APPROVED.

Upon motion of Councilman Alexander, seconded by Councilman Whittington, and unanimously carried, the following encroachment agreements were approved:

- (a) Agreement with State Highway Commission permitting the City to construct an 8-inch C.I.P. and V.C.P. sanitary sewer line within the right of way of NC 16 (Providence Road) to serve 8425 Providence Road, Shallow Wood Lane at Providence Road.
- (b) Agreement with the State Highway Commission permitting the city to construct an 8-inch sanitary sewer line within the right of way of NC 29 & 49 (North Tryon Street) to serve Sugar Creek Presbyterian Church.
- (c) Agreement with the State Highway Commission permitting the City to construct six sanitary sewer lines within the right of way of Interstate 77, located to the area north of Gilead Road SR 2136, to the area north of Westmoreland Road, SR 2147.

PROPERTY TRANSACTIONS AUTHORIZED.

Motion was made by Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, approving the following property transactions:

- (a) Acquisition of 10' x 209.38' of easement at 3250 Freedom Drive, from Mary B. A. Howell c/o First Union National Bank, at \$1.00 for sanitary sewer to serve Red Lobster Inns of America.
- (b) Acquisition of 15' x 188.05' of easement at 8700 Albemarle Road, from Ralph Squires Construction Company, Inc., at \$1.00 for sanitary sewer to serve Olde Savannah.
- (c) Acquisition of 287.45' x 13.72' x 105.47' x 184.26' x 7.14', plus construction easement of 6,968 square feet at 2357 Sharon Road, from Gailyn Properties, Inc., at \$11,000 for Sharon Road Culvert.

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RESOLUTIONS AUTHORIZING CONDEMNATION PROCEEDINGS.

Councilman McDuffie moved adoption of a resolution authorizing condemnation proceedings for the acquisition of property belonging to Honey Properties, Inc., located at 1000-1016 South Tryon Street in the City of Charlotte for the South Tryon Street Widening Project. The motion was seconded by Councilman Whittington, and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Page 52.

Upon motion of Councilman Whittington, seconded by Councilman McDuffie, and unanimously carried, a resolution was adopted authorizing condemnation proceedings for the acquisition of property belonging to Henry Rector Harvey and wife, Reppie Mae Harvey, located at 940 North Caldwell Street in the City of Charlotte for the North Caldwell Street Improvement Project.

The resolution is recorded in full in Resolutions Book 9, at Page 53.

Motion was made by Councilman Whittington to adopt a resolution authorizing condemnation proceedings for the acquisition of property belonging to Reppie Mae Harvey and husband, Henry Rector Harvey, located at 942 North Caldwell Street in the City of Charlotte for the North Caldwell Street Improvement Project. The motion was seconded by Councilman McDuffie, and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Page 54.

Upon motion of Councilman McDuffie, seconded by Councilman Jordan, and unanimously carried, a resolution was adopted authorizing condemnation proceedings for the acquisition of property belonging to Henry Rector Harvey and wife, Reppie Mae Harvey, located at 944 North Caldwell Street in the City of Charlotte for the North Caldwell Street Improvement Project.

The resolution is recorded in full in Resolutions Book 9, at Page 55.

SPECIAL OFFICER PERMITS AUTHORIZED.

Upon motion of Councilman Jordan, seconded by Councilman Alexander, and unanimously carried, special officer permits for a period of one year each were authorized as follows:

- (a) Issuance of permit to Ronzel Marcus Teasley for use on the premises of 1 Jefferson First Union Plaza and 308 South Tryon Street.
- (b) Issuance of permit to William Arthur Czarniawski for use on the premises of 1 Jefferson First Union Plaza and 308 South Tryon Street.
- (c) Renewal of permit to Mrs. Nellie L. Price for use on the premises of Belk Brothers Company.
- (d) Renewal of permit to Pete A. Thore for use on the premises of K-Mart, 3700 East Independence Boulevard.
- (e) Issuance of permit to Paul Zollie Hill for use on the premises of Douglas Municipal Airport.
- (f) Issuance of permit to James Lyndell Robertson for use on the premises of Douglas Municipal Airport.
- (g) Issuance of permit to Philip Randall Thomas for use on the premises of Douglas Municipal Airport.

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REQUEST FOR TEMPORARY EXTENSION OF FIRE DEPARTMENT'S CURRENT PROMOTIONAL LIST POSTPONED.

Councilman Whittington moved that the request of a temporary extension of the Fire Department's current promotional list for District Fire Chief until such time as a new list is established or six months, whichever is the earlier be postponed. The motion was seconded by Councilman Jordan, and carried unanimously.

APPOINTMENTS TO CHARLOTTE AREA FUND BOARD.

Councilman Alexander moved the appointment of Reverend R. A. Macon, 2101 Norwich Place, and Mrs. Mary Ann Moore, 2411-A Double Oaks Drive to the Charlotte Area Fund Board. The motion was seconded by Councilman Jordan, and carried unanimously.

RESOLUTION AMENDING THE PAY PLAN AND THE 1972-73 BUDGET ORDINANCE TO AUTHORIZE PERSONNEL CHANGE. IN THE BUILDING INSPECTION, FIRE, NEIGHBORHOOD CENTERS, POLICE AND PUBLIC WORKS DEPARTMENT, POSTPONED ONE WEEK.

Councilman Whittington stated this is one of the items he asked be delayed two weeks ago, and he would like for this to be delayed another week and that Mr. Earle, Personnel Director, came back at that time and give Council in writing the reasons why the mechanical inspector in these recommendations is not being included for an assistant. Also that Mr. Earle and the City Manager tell Council in writing if these position changes are approved, will these people be raised now and raised again at budget time.

Councilman Whittington moved that the item be postponed for one week. The motion was seconded by Councilman Jordan, and carried unanimously.

CONTRACT AWARDED UP-RIGHT SCAFFOLDS, FOR ONE POWER SCOPE FOR THE CIVIC CENTER.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, contract was awarded the low bidder, Up-Right Scaffolds, for one power scope for the Civic Center, in the amount of \$7,747.00, on a unit price basis.

The following bids were received:

Up-Right Scaffolds	\$7,747.00
Holly Sales & Service	8,000.00

CONTRACT AWARDED NORTH CAROLINA EQUIPMENT COMPANY FOR ONE VACUUM STREET AND CATCH BASIN CLEANER.

Motion was made by Councilman Alexander, seconded by Councilman Whittington, and unanimously carried, awarding contract to the only bidder meeting specifications, for one vacuum street and catch basin cleaner, in the amount of \$19,492.00, on a unit price basis.

Other bid not meeting specifications:

Interstate Equipment Company	\$19,050.00
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CONTRACT AWARDED A. E. FINLEY AND ASSOCIATES, INC. FOR FIVE 1500 GALLON QUICK DUMP TANKS.

Councilman Jordan moved award of contract to the low bidder, A. E. Finley and Associates, Inc. for five 1500 gallon quick dump tanks, in the amount of \$31,075.00, on a unit price basis. The motion was seconded by Councilman Alexander, and carried unanimously.

The following bids were received:

A. E. Finley & Associates, Inc.	\$31,075.00
Mitchell Distributing Co.	34,445.00

CONTRACT AWARDED BURGESS FIRE EQUIPMENT COMPANY FOR ONE TRACTOR DRAWN, CLOSED CAB, AERIAL LADDER TRUCK.

Upon motion of Councilman Whittington, seconded by Councilman Alexander, and unanimously carried, the subject contract was awarded the only bidder meeting specifications, Burgess Fire Equipment Company, for one 100 ft. tractor drawn, closed cab, aerial ladder truck, in the amount of \$84,260.00 on a unit price basis.

Other bid not meeting specifications:

American La France Div. of American LaFrance, Inc.	\$84,027.00
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MOTION OPPOSING LEGISLATION CONCERNING THE FUNDING OF COG AT STATE LEVEL, ADOPTED.

Mayor Belk stated he would like to bring up the matter of COG. That he is sorry he has to bring it up while Councilman Short is away; but he understands that Raleigh is pushing on this. That Mr. Harris, Chairman of the County Board of Commissioners, says the County will take a stand on it, and he thinks City Council should take a stand.

Councilman Alexander stated everybody knows his opinion as far as COG is concerned. That he is inclined to vote no on the regional form of government unless they enumerate them a little better than they have as far as the responsibilities. He stated he can see the wisdom in a central organization of governments for things like water systems, sewer systems etc.; but he does not think anyone in another county has any business telling him as an elected representative of the City of Charlotte when he should vote on a housing project for the City of Charlotte. That he does not think they should have the right to negate our own responsibilities that are delegated to the council! by the citizens. He stated that is just one illustration. As far as central organizations of governments are concerned, there should be limitations as to where their authority is, and he will never be willing to vote for them until that happens. He stated he will not agree unless they are going to put some limitations as to their authority.

Councilman McDuffie stated he wants to hear some discussion from Councilman Short and from the local people, and whoever else is going to be involved on what their makeup is, and what they propose to do. Councilman Alexander stated he used housing as an illustration; they have the right to veto any action that this council takes. If this council voted here on a local issue that has no concern to anybody anywhere else but to the citizens of Charlotte, this COG situation could veto it and the federal government would approve the veto, and we could not get the funding for it.

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Councilman McDuffie stated the water systems and sewage treatment plants have to be done on a regional basis; but on the other hand the drawback to COG seems to be that we only have one vote for the city and one for the county, and the other small communities have the same vote. It should be equalized so that number of citizens would give you a higher weight in the vote. Councilman Alexander stated he would not care how the vote came as long as some other town is not voting on why we do something here that is for our local benefit; that he does not think they have anything to do with what we do here for the improvement of life and living in Charlotte.

Councilman Whittington stated he is going to Raleigh to appear with the League on Tuesday and Wednesday of this week as a member of their legislative committee and a member of the executive committee. He stated he thinks it is perfectly in order to tell our Delegation from Mecklenburg of our concern for this legislation that is being proposed; that he thinks there will be several members of the League of Municipalities who will express the same concern. Hopefully, Council will meet with the local delegation shortly after the first of the month, and at that time we can more fully discuss it with them. But to give them a clear wide-open stream to go ahead at this point would be a mistake until we can get all the impact of what this bill will do.

Councilman McDuffie stated he does not want to vote no and he does not want to vote yes either, so he will just pass.

Mayor Belk stated he would like for Council to give Mr. Whittington the authority to present Council's stand that it is not in favor of the state giving money to COG for their operation. This is what they are trying to do now, and this is the reason he thinks Council should take a stand.

Councilman Alexander stated he thinks we are moving into a situation or a period now where states and local governments and many other kinds of government are going to have to take a new look at city-county and employee relationships. That he thinks it is just like the ostrich sticking its head into the sand, if we think it is going away. Some statement should be made that there is a concern that we begin to give some understanding to that type of thing.

Councilman Alexander stated he is in favor of going on and discussing the municipal package, and he moved that Council consider it with the recommendation that COG not be funded at the state level. The motion was seconded by Councilman Whittington, and carried by the following vote:

YEAS: Councilmembers Alexander, Whittington, Easterling and Jordan.
NAYS: Councilman McDuffie passed.

NORTH CAROLINA LEAGUE OF MUNICIPALITIES 1973 LEGISLATIVE GOALS AND POLICIES, APPROVED BY COUNCIL.

Councilman Whittington stated he would like to ask Council now to vote to approve, with the two exceptions, the 1973 Legislative Goals and Policies of the North Carolina League of Municipalities. That he thinks Council should be on record in favor of it.

Councilman Whittington moved that Council approve the 1973 League of Municipalities Legislative Goals and Policies. The motion was seconded by Councilman Jordan, and carried unanimously.

CITIZEN ADVISED HE SHOULD TALK WITH PUBLIC WORKS DIRECTOR ON THE PLANS FOR RELOCATION OF PARK ROAD THROUGH PARK ROAD PARK.

Mr. Jay Harbinson stated he lives in Spring Valley. That he would like to talk to Council about the possibility of the relocation of Park Road. He asked what he might expect to be the results of such a discussion? Would it be necessary for any concern he has with the relocation of Park Road that would come through the Park Road Park.

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Mayor Belk suggested that Mr. Harbinson talk with Mr. Hopson, Public Works Director, to find out the plans for the road and then come back to Council. That Mr. Hopson will be glad to go over any phase that Mr. Harbinson desires.

Mr. Harbinson asked if the proposed bond referendum for April includes monies with which Park Road might be relocated through Park Road Park, or have those monies already been appropriated? Councilman McDuffie replied no, that is a long time off. Mr. Harbinson asked if he is saying this is five or six years before Park Road will be relocated through Park Road Park? Councilman McDuffie replied that is right.

REPRESENTATIVE OF THE STATESVILLE AND GREENVILLE ACTION GROUP TO BE ADVISED DATE AND TIME OF PRESENTATION OF REDEVELOPMENT COMMISSION ON PRESENT STATUS OF URBAN REDEVELOPMENT.

Mr. John H. Jones, representative of the Statesville and Greenville Avenue Action Group, stated they are asking that Council not support the bond issue and give serious consideration to the improvement of a deteriorating section of Statesville Avenue and Greenville Section. This section needs some immediate attention, and has needed it for years and years. They are asking Council now to do something for them and to do something about it now instead of the bond issue for the purpose of a million and half dollars for red lights for the downtown area. He stated this area needs attention; it has been neglected.

Mayor Belk asked if he has some specific portion of the area he is interested in, and Mr. Jones replied the portion the Redevelopment Commission has torn down; that he would like to know what plans they have for the future.

Councilman Alexander stated the bond issue that will be before us is a bond issue for two things only - streets and traffic. That is all that will be involved in this bond issue. As far as the redevelopment of Greenville is concerned, that is a different city project; it is being worked out in staff as fast as possible; it is tied up now in a lot of federal changes that are not controlled locally but in Washington. The slowness of Greenville comes from law suits that were initiated by citizens and things of that sort. The road bond package has nothing to do with Greenville other than as far as streets are concerned; the redevelopment program for Greenville will provide some streets through that area as they are doing now. Mr. Jones replied it does require the same citizens that will be asked to support this bond package. He stated they have been cooperating with these other 13 organizations, and they are planning to work together for a common cause. Councilman Alexander stated money for the street and traffic program will not have anything to do with Greenville. What money is involved in Greenville is already in the works somewhere. That Council can only go by what instructions it gets from Washington, and now the guidelines have been changed and this is why housing has stopped. That will involve housing in Greenville and everywhere.

Mr. Jones asked if it is true that we are now out of funds in the redevelopment commission for this Greenville project? Councilman Alexander replied we are not out of funds; but the guidelines have changed and we do not know what the regulations from Washington are at present.

Councilman Alexander stated Council has asked that the Redevelopment Commission come before Council and give the present status of urban redevelopment and all of its parts under the new constraints that are before us. When that is done it will be a public presentation, and this is the time that Mr. Jones should be present to hear where we stand now with urban redevelopment in light of the new restraints that have been put upon us.

The Mayor asked Mr. Jones to leave his full name and address, and the City Manager will advise him of the date and time this presentation will be made to Council.

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REQUEST THAT COUNCIL VISIT THE NORTH CHARLOTTE AREA AND MAKE IMPROVEMENTS TO THE STREETS IN THE AREA.

Reverend Paul Horne, member of the North Charlotte Action Association, stated he would like to talk to Council on the road bond issue. He stated this is a street bond issue which Council is asking the people of Charlotte to approve for the improvement of streets. That many of their streets were paved in the early 1960's and they were made out of the coarse stone with asphalt. In the last year or two several have been dug up and new beds put down and resurfaced with the hope of improving them. But these streets are about as bad as they were before they did that.

He stated a month ago there was some bad pavement on one street in a low place, and a stopped up sewer; instead of correcting the sewer it was covered up with a block, and proceeded to surface the eroding part which makes a puddle when it rains. He stated with regards to the bond issue, they are asking Council before anything is done with it, that they consider the streets in this area; that councilmembers come out and look at them.

He strongly urged Council before taking any action with regard to where it is going to put the money for paving streets in the City of Charlotte that each member come out and see their streets and then bring their streets up to par.

Mr. Horne presented a list of the streets which are as follows:

Yadkin Avenue - from Charles Avenue to 36th Street.
Holt Street - from Academy to The Plaza.
Oakwood Avenue - from Herrin Avenue to Sweetbriar Street.
32nd Street - from North Davidson to North Alexander Street.
33rd Street - from North Davidson to Yadkin Avenue.
34th Street - from North Davidson to N. McDowell Street.
34th Street - from The Plaza to Wesley Avenue.
34th Street - from Spencer Street until end.
37th Street - from N. Davidson Street to Spencer Street.
McDowell Street - from 35th Street to 37th Street.
Academy Street - from Spencer Street to Oakwood Avenue.
N. Myers Street.
Benard Avenue - from Ritch Avenue to 36th Street.
Mercury Street - from N. Alexander Street to N. Davidson Street.
N. Alexander - from 36th Street to 37th Street.
Patterson Street - beginning on North Davidson until end.
Warp Street - beginning on Herrin Avenue until end.
Card Street - beginning on Herrin Avenue until end.
Spencer Street - from Academy Street to Herrin Avenue.
Whiting Avenue.
Faison Avenue - from Brevard Street to N. Davidson Street.
Wesley Avenue - from 36th Street to Whiting Avenue.
Charles Avenue - from Whiting Avenue to 36th Street.
Woodside Avenue - from Clemson Avenue to Pinckney Avenue.
Anderson Street - from Spencer Street to Oakwood Avenue.
Garrison Street - from 35th Street until end.
Duncan Avenue - from Leigh Avenue to Lunsford Place.

Reverend Horne stated it has not been easy but they have received cooperation in the past.

Mr. Hopson, Public Works Director, stated he would like to have a list of these streets so they can review them because they are in the process of letting their spring resurfacing contract. Reverend Horne stated he hopes the spring paving will be more than the spring patchwork they have done in the past.

Councilman Whittington stated he would want to know what action Mr. Hopson's department takes on these streets; he asked that a report be made to Council on this.

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COMPLAINT ON CONDITION OF STREET AND SIDEWALK IN THE SECOND AND THIRD BLOCKS OF EAST TRADE STREET.

Mr. Ellis Berlin stated he would like to tell Council what has been done to the merchants on East Trade Street. This East Trade Street, the second and third blocks, has been closed to traffic on their side of the street completely. There was not a sidewalk on the south side of the street; there was a hole in the sidewalk on the north side of the street for four months and it was impossible for traffic to go up and down the street. Now they are lowering the sidewalk 16 inches. He asked how they can expect to get in and out of their stores. In his case, the sidewalk in front of his business will be cut down from 14 to seven feet. In the hollow under the bridge it will be six feet. A light will be put right next to the sidewalk which will mean about four feet of space between the light and the building. That he knows all of this is plans for the future, and this is progress. But the City just gave Denton Furniture Company a permit to build a building. The marquee extends out eight feet; the sidewalk is going to be about seven and 2/3 feet. You will have a marquee sticking out over the street.

Mr. Berlin stated he does about half the business he did a while back; that he cashes a lot of checks for the benefit of his customers and he cashed twice as many checks in December of 1971 as he did December of 1972. That he pleads with the City to finish the street and do what is right with them.

He stated if a person gets hurt on the street in front of their business, they can be sued. Yet the City is taking off six feet of their sidewalk. No one has ever talked to him about cutting his sidewalk off. All he knows is he has a neon sign sticking out over the road, and he does not know who is going to move it; that he does not think he is going to pay to move it. But the City has never spoken to him about the damages done him. That he does not think the City is doing him right. As far as the bond issue is concerned, he would have to vote against it, because if it takes a year to do two blocks, how many people in Charlotte will they have to mistreat; how many people will they have utter disregard for in their progress. He stated they do not go out and talk to people, they do not explain anything to them. He stated individuals are hurt by the city's progress.

Mr. Hopson, Public Works Director, stated he has talked to Mr. Berlin, and the day he was up there things started to happen so that at the Christmas season he did have a much improved situation.

Mr. Hopson stated they are making good headway on the street now, and it should be open by the end of March.

COUNCIL ADVISED THAT COUNCILMAN SHORT REQUESTS THAT ACTION ON COG BILL BE RECONSIDERED SO THAT HE CAN COMMENT ON IT AT NEXT MEETING.

Mr. Burkhalter, City Manager, stated Mr. Short has just called on the telephone and stated he would appreciate it if Council would reconsider the action on the COG Bill so that he could speak to them at the next meeting.

MEETING SET WITH STATE HIGHWAY COMMISSIONER ON MARCH 7, AT DOWNTOWNER EAST.

Mr. Burkhalter, City Manager stated a meeting has been set with Mr. Perrin Anderson, the Highway Commissioner, for Wednesday, March 7, from 12:00 until 2:00 P.M., at the Downtowner East, McDowell and Fourth Streets.

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MOTION TO HOLD EXECUTIVE SESSION FOR THE PURPOSE OF CONSIDERING NEGOTIATIONS BETWEEN THE CITY AND CERTAIN EMPLOYEE GROUPS REGARDING TERMS AND CONDITIONS OF EMPLOYMENT.

Mr. Burkhalter, City Manager, stated it has come to his attention through the Personnel Department that there are certain matters staff needs to discuss with Council in an executive session concerning an employee group, and he would ask Council to meet with them for this purpose.

Councilman Whittington moved that the City Council hold an executive private session at 7:30 A.M. o'clock on March 8th at the City Hall for the purpose of considering negotiations between the City and certain employee groups regarding terms and conditions of employment. The motion was seconded by Councilman Alexander, and carried unanimously.

WRITTEN REPORT ON THE PARKING GARAGE AT FOURTH AND COLLEGE STREET REQUESTED BY COUNCILMAN WHITTINGTON.

Councilman Whittington asked when Council will receive a report on the status of the parking garage at 4th and College Streets? Mr. Burkhalter, City Manager, replied the agreement has been prepared in rough draft and it was submitted to staff for review and a few suggestions were made and it was sent back to Mr. Little. That Mr. Little made some changes and it is now being reviewed by the staff and hopefully it will be completed within the next week.

Mr. Bobo, Assistant City Manager, stated Mr. Little is not losing time; he is proceeding; he is going about purchasing the property and preparing his plans, and there is no hold up or any delay in the development of the site.

Councilman Whittington asked that Council be given a written report on this as he would like to think about going on to the second site. Until we know where we stand on the first one, we cannot go to the second one.

Mr. Bobo stated his target date for actually starting construction is June 30.

COUNCILMAN JORDAN LEFT MEETING.

Councilman Jordan left the meeting at this time and was absent for the remainder of the session.

ASSISTANT CITY MANAGER REQUESTED TO CONTACT DIRECTOR OF EDUCATIONAL T.V. FOR POSSIBLE DATES ONCE A MONTH FOR TELEVISED COUNCIL MEETINGS.

Councilman Whittington stated he has asked Mr. Bobo, Assistant City Manager, to contact the Director of the Educational T.V. about the possibility of making dates for Council one night a month for televised council meetings. He stated this is only a preliminary approach to see if the dates are available; and hopefully if they are, Council would then consider whether it wanted to have such meetings or not.

REQUEST THAT CITY CONSIDER PLACING POLICE OFFICERS AT BELHAVEN BOULEVARD AND I-85 AND BELHAVEN AND NEW FREEWAY.

Councilman McDuffie asked what is being done about the traffic problem at Belhaven Boulevard and I-85. Why does the city not place some police officers out there at peak hours? Mr. Burkhalter, City Manager, stated the staff has been talking to the state about this. That he had lunch at the school and things are being done; that staff is trying to get advice from the state. There is an unusual situation being caused by school problems where they go all the way across and bring in a few people to balance out their school situation. These children have things worse than Belhaven; they have a railroad crossing that is very steep and things of this kind. He stated staff has been out there and walked with them, and built sidewalks and all these things.

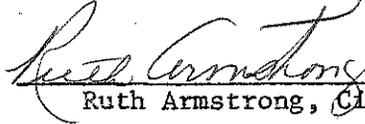
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Councilman McDuffie stated he is talking about the motor vehicles and what is being done to get these people out at peak hours. The people sit there and they cannot see. The point is if we want police officers out there to direct the traffic at peak hours. Belhaven dead ends at the new freeway and there is no traffic light for people to get out; and that is unreasonable also at peak hours.

Mr. Burkhalter stated he would have someone look at the situation.

ADJOURNMENT.

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


Ruth Armstrong, City Clerk