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The City Council of the City of Charlotte, North Carolina, met in regular session on Monday, July 29, 1974, in the Council Chamber, at 3:00 P.M., at City Hall, with Mayor John M. Belk presiding, and Councilmembers Fred D. Alexander, Kenneth R. Harris, Pat Locke, Milton Short, James B. Whittington, Neil C. Williams and Joe D. Withrow present.

ABSENT: None.

The Mecklenburg County Commissioners sat with the City Council for the Joint Hearing to consider the adoption of Flood Area Maps for Kings Branch, Little Sugar Creek, McAlpine Creek and Tributaries of McAlpine Creek and McMullen Creek, with Chairman W. T. Harris and Commissioners Peter A. Foley, Phillip E. Gerdes and Elizabeth Hair present.

ABSENT: None.

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INVOCATION.

The invocation was given by Reverend J. Leo Pittard, Calvary United Methodist Church.

MINUTES APPROVED.

Motion was made by Councilman Short, seconded by Councilman Whittington, and unanimously carried, approving the minutes of the last meeting, on July 15, 1974, as submitted.

FLOOD AREA MAPS FOR KINGS BRANCH, LITTLE SUGAR CREEK, MCALPINE CREEK AND TRIBUTARIES OF MCALPINE CREEK AND MCMULLEN CREEK ADOPTED.

The joint hearing of the City Council and County Commissioners to consider the adoption of Flood Area Maps for Kings Branch, Little Sugar Creek, McAlpine Creek and Tributaries of McAlpine Creek and McMullen Creek was called.

Mr. Bob Landers of the Planning Commission staff explained from maps the locations of the flood areas and the land uses in the areas.

During the discussion, Councilman Whittington stated from the discussions there will be a meeting within two weeks in Charleston, S. C. with the Corp of Engineers, and he moved that the two staffs, city and county, bring back to the County Commissioners and to the Council, what steps can be taken to implement the widening and dredging of Sugar Creek, from Princeton Avenue to Archdale Drive. The motion was seconded by Councilman Short, and carried unanimously.

Commissioner Hair moved that the County Commissioners, after the study is completed, look into the best way to alleviate flooding conditions between Princeton Avenue and Archdale Drive. The motion was seconded by Commissioner Foley, and carried unanimously.

Commissioner Foley stated during the budget sessions, there was a move on the part of the County to spend some sums of money to aid in the drainage and flood control projects. At that time they discussed the problem that existed; frequently they would go into an area that was affected with flooding and could not obtain right of way from people to take the necessary equipment into a creek for the work to be done. He asked if the Planning Commission, at the time it is directing some notice to the people that they are in the flood area and the insurance is available, is making some effort to let them know that through the county government

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there is some possibility for relief through flood control. Mr. Landers replied no notice has been given to the people to that effect. The emphasis has been towards advising them of the flood insurance.

Commissioner Foley stated he thinks it would be a matter of some expediency if the Planning Commission were to take this additional step to notify the people in these areas that the county does have this service available, and also to notify them that there is a need for right of way permission.

Commissioner Foley moved that through the County Manager, the Planning Commission be notified to give this notice to the people. The motion was seconded by Commissioner Gerns, and carried unanimously.

Mr. Landers stated concerning the Pineville Area he understands from the County Manager that the Township of Pineville has, as provided in the state legislation, requested the County to assume that jurisdiction. In terms of adoption of the maps in the Pineville area, it would be desirable if the County Commissioners accepted the Pineville jurisdiction.

Commissioner Gerns moved acceptance of the jurisdiction of Pineville. The motion was seconded by Commissioner Foley, and carried unanimously.

Councilman Short moved that the areas under the city's jurisdiction, as explained by Mr. Landers, be incorporated into the City's flood control ordinance. The motion was seconded by Councilwoman Locke, and carried unanimously.

Commissioner Gerns moved that the areas under the county's jurisdiction, as explained by Mr. Landers, be incorporated into the flood control ordinance. The motion was seconded by Commissioner Foley, and carried unanimously.

COUNTY COMMISSIONERS LEAVE MEETING.

The County Commissioners left the meeting at this time.

CITY OF CHARLOTTE EMPLOYEE PLAQUES PRESENTED.

Mayor Belk and the City Councilmembers recognized each of the following city employees and wished them well in their retirement:

- (1) Samuel Williams, Laborer I, Public Works, employed July 31, 1956 and retired July 23, 1974.
- (2) Lexington Brown, Laborer I, Public Works, employed April 12, 1949 and retired July 1, 1974.
- (3) Ruben Johnson, Laborer I, Public Works, employed October 8, 1952 and retired July 1, 1974.
- (4) James Gemes, Laborer I, Public Works, employed March 1, 1967 and retired July 1, 1974.
- (5) George M. Summers, Painter, Public Works, employed October 2, 1968 and retired July 23, 1974.

RESOLUTION CLOSING THAT PORTION OF THE PUBLIC ALLEY WITHIN THE BLOCK BOUNDED BY EAST TRADE, SOUTH COLLEGE, EAST FOURTH AND SOUTH TRYON STREET, IN THE CITY OF CHARLOTTE, UPON PETITION OF URBAN REDEVELOPMENT DEPARTMENT.

The public hearing was held on petition of the Urban Redevelopment Department to close a portion of the Public Alley within the block bounded by East Trade, South College, East Fourth and South Tryon Streets.

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The Council was advised that the petition had been investigated by all departments concerned in street right-of-way, and there are no objections to the closing.

Mr. Sawyer, Director of the Urban Redevelopment Department, explained the location of the alley from a map. He stated they have notified the only two remaining tenants on the site, Farris Bros. Furniture Company and Bob's Loan, and have received the written consent of their attorney. Notice has been posted in the alley; it was advertised in the newspaper, and special notice was given to these tenants.

No opposition was expressed to the closing of the alley.

Councilman Short moved adoption of the resolution closing that portion of the public alley within the block bounded by East Trade, South College, East Fourth and South Tryon Streets. The motion was seconded by Councilman Alexander, and carried unanimously.

The resolution is recorded in full in Resolutions Book 10, beginning Page 63.

CORRECTIONS IN THE COUNCIL MINUTES OF JULY 1, 1974, APPROVED.

Councilman Harris moved approval of the following corrections to the minutes of July 1, 1974:

- (a) Minute Book 60 - Page 283, bottom of page. Change the ordinance number from "128-X" to "218-X".
- (b) Minute Book 60 - Page 285. (1) First line, change the ordinance number from "216-X" to "220-X", and the page number of the ordinance book from "85" to "89". (2) Tenth line (title), change the ordinance number from "220-X" to "221-X", and the page number of the ordinance book from "89" to "90".

The motion was seconded by Councilwoman Locke and unanimously carried.

PILOT PROGRAM FOR SCREENING ON HEAVILY TRAVELED STREETS, APPROVED.

Councilman Short stated this concerns a pilot program for screening generally within the city on roads that are heavily traveled with automobiles. That he has asked Mr. Frank Thies, one of the original members of the Planning Commission, and one who has had some experience in this type of screening, to come to Council today and discuss this with Council. That the indicated action is to move, and he subsequently has in mind to move that the \$15,000 be appropriated for the study of various types of screening. It would then be possible for the staff to deal with individuals on Woodlawn Road, or anywhere, to see if they would like to have this type of screening.

Mr. Thies then explained the type of screening he has on his property of trees and shrubbery. He stated he would like to see Council address itself to the matter of these motorcycles and mostly small car owners who race up and down Providence Road, and in other sections of the City, at all hours of the day and night - they were going at 3:00 this morning. That you can hear them for two miles and no amount of planting will nullify that. If Council wants to reduce the noise level of traffic they should take that into account at the same time they are working on the planting aspect. That it would be intolerable if he did not have the planting in front of his house.

Councilman Short moved that the \$15,000 be appropriated for this program. The motion was seconded by Councilman Whittington.

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Ms. Edna Bingham, 823 Woodlawn Road, stated she would like to support the plan for screening of Woodlawn Road as she does not want to move. But she has eight trees in her yard, and they have not helped any at all; they have not stopped the cars from coming into her yard; they have not stopped the hubcaps; they have not done anything. She stated she took a count of trucks, and from 7:30 until 9:30 there were 355 trucks - this goes on 24 hours a day. Ms. Bingham stated she thinks the only solution is rezoning. She also pointed out that the houses are going to deteriorate. That she had her house appraised. She was told that her house would not appraise for a full residential value as she lived on Woodlawn Road. Someone else came out and raised her property tax \$3,000 because she lived on Woodlawn Road.

Councilman Alexander asked if there is any type of diagram to show where the trees will be planted? Councilman Short replied this money is allocated purely in a generalized way for experimenting to see if this sort of thing will help, and to see what can be done to examine into noise levels, to check out things, and to see what can be done. That he thinks it is reasonable expenditure for that type of experiment. That we should find out if we cannot do screening because obviously it is not going to be possible to make a solid strip of business out of every heavily traveled street in the city. Councilman Alexander asked if there is enough room in front of the houses to plant the trees? Ms. Bingham replied there is an 18 inch strip between the street and the walk. Councilman Short stated if this is a desirable program it would be necessary for citizens to allow it to be installed on their property.

Councilman Harris stated in driving along this street this past week it looked to him as if there are adequate trees along there; the problem is bigger than that. That he commends Mr. Short's attempt to try to solve this problem, and in other areas also. Strictly from the standpoint of solving this problem he does not see that it would do any good. That he is concerned not with the intent of the idea, but the implementation of the idea with the \$15,000. That the City has just employed an arborist. Perhaps someone can clarify the difference between what an arborist would do, and a landscape architect doing this independently. It looks as if the City staff could prepare a brochure if that is what we are talking about spending this amount of money for. Mr. Burkhalter, City Manager, replied it is more than tree planting; it is also placing of berms, fences or trees. Mr. McDermott, Landscape Supervisor, stated this is not just planting a tree or bush; but is to create something that will improve the appearance of the property on both sides of the street. It is the placing of fences and brick walls or some type of wall with planting in front of it. Also berms that would defuse somewhat the noise level as it comes to the house. Councilman Harris stated that is individual application. Mr. McDermott replied that is exactly what we are talking about. Individual application, however, instead of considering each individual, they will consider four or five separate treatments that could be done. Councilman Harris asked if we do not have city staff members that could do this? Mr. McDermott replied he does not have staff members that have the time to put in that much work. He stated they come up with a type of treatment that can be done in a certain situation, and if your house is in that same situation, then you could apply the plan.

Councilman Harris stated the City does not have someone capable of doing this without going outside and hiring a landscape architect to do it? Mr. McDermott replied we have people capable of doing the job, but it has to be over a much longer period of time. Councilman Short asked if it has been determined whether it would be a matter of adding to our personnel, or if it would be contracted? Mr. McDermott replied it would be contracted.

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Councilman Alexander stated nobody has told him yet whether or not these citizens will allow their property to be used to put up a wall or a fence or a tree or berm; or whether or not they will donate it. Mr. McDermott replied that will be strictly up to the individual property owner if they desire this type of treatment on their property. We feel this will improve their property. If they do not want it, then we will not force it on them. But he believes the majority of the people on Woodlawn Road or any other road like it would like that type of thing done. At least this would be the knowledge of how to do it.

Councilman Alexander stated his personal opinion is that he does not see any resolve for this other than granting the rezoning of this property. He asked if that is possible on Council action? Mr. Bryant, Assistant Planning Director, replied Council has the right to grant any zoning after a public hearing. Councilman Alexander stated he thinks this is the only solution to it. Mr. Bryant replied he hopes not; this is a problem that is much greater than Woodlawn Road, and is much greater than Eastway Drive, and much greater than any single street in the City of Charlotte. It is the major overall question of what is ultimately to happen to all our major thoroughfares; and whether or not, because of the amount of traffic that has to be there, that this is the sole criteria used to judge whether or not strip commercial activities will occur. It is possible to offer a solution here. If the residents do not want to avail themselves of these opportunities you have to assume that all they want is rezoning. If rezoning is the only answer then that is it. If you offer alternatives that can be considered and they are refused then he does not know what else to say. Councilman Alexander stated what we are hearing today is a major alternative and is an opportunity to try this experiment to see if this works. Mr. Bryant replied this is an alternative that can be studied and some designs effected that will make possible the carrying out of an experimental pilot program. Councilman Alexander stated then if this works this is what we can offer on other streets. Councilman Short stated this, within itself, is not aimed at any street at all. This money is not aimed at Woodlawn or any particular street.

Mr. Bryant stated the problems of strip commercialization has been well documented in terms of the problem that it brings to the general public. Councilman Alexander stated if Council passes this motion, before the city goes out and starts any experiment, it will give the citizens the chance to vote on whether they want to try this experiment with their property? Mr. Bryant replied there is no thought about trying to force this on any property owner. Each property owner would have the right to decide whether or not they want to be a part of the program.

Councilman Williams stated he opposes this motion; that he sympathizes with Mr. Short in wanting to do something for these unfortunate people. There are people like this all over town on every major artery. That his general concept of government is that we should do for people what they cannot do for themselves. But in this situation, it looks like people could better do whatever is necessary for themselves in the way of screening. Councilman Short stated this is an effort to plan various types of screening which citizens could then utilize. They could see it and copy it if they want to. Councilman Williams stated his point is that it does not take all that imagination to see what you need to do to protect yourself against this noise.

Councilman Whittington stated this is an effort by Council to offer some innovations to help these people other than zoning. When we think about Woodlawn Road, we also have to think about all the other streets, including Park Road, that will come up. This is a way to help, and he would hope that Council would appropriate this money for the Landscape Architect to develop plans for these people on this street, and others, and that they will accept it.

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Councilman Whittington stated another thing that Council can do, and Council has asked the Police Department, through Mr. Burkhalter, time and time again, to do something about the truck traffic. It has been stated here by Ms. Bingham that 355 tractor trailer trucks went down that road in a day. Surely there was one police car on that road sometime in that daylight period. That he knows she is telling the truth, and he knows from experience that it is a fact, because he goes up and down that road four times every day to go to work, and it is not on the truck route. Neither is Eastway Drive on the truck route. The trucks are on there, and we do nothing about it. Councilman Whittington stated he is going to support Mr. Short's motion because it is an effort by local government to try and help these people. For Council to rezone that road would be a catastrophe, if you do it for business. When you do it there you have to go right on down; and where are you going to stop.

Councilwoman Locke stated of course the value of these homes have gone down, down, down, and the taxes have gone up. She asked why is that, and how can it be remedied. She asked that someone on the staff find out why Ms. Bingham's property at 823 Woodlawn Road has increased.

Also speaking against the program was the lady who lives at the corner of Woodlawn Road and Murrayhill Road.

(Councilwoman Locke left the meeting at this time due to an emergency.)

Councilman Withrow stated he cannot say anything about Woodlawn as he has property there. But he believes the Housing Authority and federal government has spent millions of dollars studying just what we are talking about today. In Toronto they built fences all along the interstate highways to cut down on noise. He asked if we cannot get this information from studies that have been made by other cities and by the federal government? Mr. McDermott replied studies have been made on major interstates, but there is very little in the way of residential streets. That the city is trying to get something that will fit into the front yards of the homes.

The vote was taken on the motion to appropriate the \$15,000, and carried as follows:

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

Mayor Belk declared the motion carried, Councilwoman Locke having left the meeting before the vote is recorded voting in favor of the motion.

ORDINANCE NO. 278-X, AMENDING ORDINANCE NO. 214-X, THE 1974-75 BUDGET ORDINANCE, ESTABLISHING AN APPROPRIATION OF \$10,000 FOR THE CHARLOTTE-MECKLENBURG HISTORIC PROPERTIES COMMISSION, ADOPTED.

Mr. Edgar Love, Chairman of the Charlotte-Mecklenburg Historic Properties Commission, was present and presented the goals and objectives of the Commission.

Mr. Love stated in May they put through a budget request to arrange for a staff member for the Committee - a coordinator. They also put through the same request to the County Commission, and they have appropriated \$10,000 conditional on the City appropriating a like amount. He stated they have a secretary which the city has given them, and the county says they have the space, and they will not have to get other space. The Commission feels it needs a part-time staff member to provide some on-going, day to day basis, for the Commission to meet with the Committee, and with other governmental organizations and to provide the expertise

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the Commission needs. This is a working commission, and each member has put in a great deal of work. But they feel the need for some professional expertise - a person they could hire on a part time basis, 15 to 20 hours a week.

Councilman Harris asked Mr. Love what specifics he can give Council on what they would like to accomplish in the fiscal year 1974-75.

Mr. Love replied the first thing is to continue to designate the National Register Properties as Historic Properties. They are particularly interested in projects in the Fourth Ward; they have been working with another group which would involve a restoration of many of the Victorian Houses, with a private organization in town that has the funds to do it in a private way. They are currently very interested in trying to give the benefits of this statute to the structures in the Fourth Ward, and perhaps the structures in the First Ward that are doomed by Urban Renewal, and Victorian Structures that might be moved to Fourth Ward. They are interested in Camp Greene Park; they have already looked at the McIntyre Log Cabin, and have recommended to this Body that the land on which it stands be bought, and it would be added to the Hornets Nest Park. They have dealt with Mecklenburg County records, and made recommendations regarding those. They feel there is a lot of work to be done in this area, in identifying and designating structures that should be recognized for what they are - that are important landmarks to the City of Charlotte.

Councilman Harris stated this Commission is suppose to be the focal point of local government. He understands with the bi-centennial coming up there are some plans underway with Mr. Whitney to do a lot of things. Mr. Love replied they have a special committee working with Mr. Whitney; they have a Special Projects Committee which has made a report to the Commission naming the structures it thinks would be suitable projects for preservation in connection with the bi-centennial celebration. Councilman Harris asked if they are involved in the program of the Woman's Club; this is a program which they plan for the public schools. Mr. Love replied there is a member from the Junior Woman's Club on the Commission, Mrs. Barbara Casstevens.

Councilman Alexander stated on behalf of the Commission one of the main things for resolve is for a part time professional worker. The Commission has run out of what the volunteer members can do. They have done about everything they can do up to this point. There is not much they can do now and he would not like for the work that has been put together to go to nought because there is no one to correlate it and keep the investigations of the Historical Properties going, and all the other various facts that are necessary. This is why a professional is needed - to do the day to day work of the Commission, which the volunteers cannot do.

Councilman Harris moved that an ordinance be adopted appropriating the \$10,000 matching funds for the Charlotte-Mecklenburg Historic Properties Commission. The motion was seconded by Councilman Williams, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 21, at Page 156.

COUNCILWOMAN LOCKE EXCUSED FROM MEETING.

During the discussion of the following item, Councilman Williams stated that Mrs. Locke had previously been called away from the meeting because of a family emergency, and he moved that she be excused from the meeting according to Section 3-23 of the City Charter. The motion was seconded by Councilman Withrow, and carried unanimously.

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SPECIAL USE PERMIT TO LOCATE FRATERNAL ORGANIZATION AT 3401 PARK ROAD,
AUTHORIZED TO CHARLOTTE SCOTTISH RITE BODIES ON CONDITION.

The request from the Charlotte Scottish Rite Bodies for a Special Use Permit approval to locate a Fraternal Organization at 3401 Park Road in an R-9 Zoning district was presented for Council's consideration. The Clerk advised that the Planning Commission recommends the request be approved.

Speaking for the request was Mr. Louise Bledsoe, Attorney; and in opposition was Mr. Bill Hamel, Attorney and Mr. W. M. Marley.

Mr. Bledsoe advised that in the beginning there was some additional parking proposed. In an attempt to accommodate any fears that the neighbors have that the drainage will run off faster, the grading in the rear has been removed. That the facility for 200 cars will probably never be used for 200 cars as most of the people will be brought in from hotels on a bus, or by several buses.

During the discussion, Councilman Whittington stated to his knowledge Council has never had a special use permit objected to, and no precedent has been set prior to today. The thing that he has been concerned about was if the people who lived on these streets and believe they will be adversely affected were properly notified. That Mr. Bryant, Assistant Planning Director, in his memo to Council says they were notified by letter. Mr. Bryant replied the immediately adjacent property owners were notified; only those property owners whose property actually attaches to, or is contiguous to the subject property. If the property touches the subject property in any fashion, they were notified.

Councilman Whittington stated he has suggested to the members of the Scottish Rite Bodies, who called him, that they meet with Mr. Hopson, Public Works Director, and his staff to go over this development plan concerning the water. According to that meeting, Mr. Hopson said to him that the effort the Scottish Rite architect and engineer intends to do here will neither help nor hurt the people on these streets as far as the water is concerned. It was suggested at that meeting that the Scottish Rite people attempt to meet with the people who are concerned about this special use permit. That Mr. Browder was contacted and he advised he did not see the need for a meeting.

Councilman Whittington stated as a conditional use, in addition to the requirements already set down, if this is to be approved, that we should require the Scottish Rite Bodies to go on the property, from Park Road to Townes Road, which would be the creek between this property and Marlwood with the peoples' permission, and widen it and dredge it. Then with the cooperative effort of the city, the city would then put a new culvert under Townes Road and a new culvert under Willow Oak Road to carry this water on to Sugar Creek. He states as he understands it according to the plan, and according to the special use permit which will be granted, Scottish Rite has agreed to pond the water where it would flow off gradually instead of all at one time. They have agreed to leave the trees and to eliminate the extra 100 or so parking spaces in the original plan. He stated he feels very strongly that Council should reach an agreement here today to do something about this water, that has been stated by engineers that what the Scottish Rite is going to do will not help nor hurt those people. But every time it rains, and everytime they empty the swimming pool at the YWCA, one of the neighbors on Townes Road is flooded. Mr. Bledsoe stated he has no authority, and the duly constituted body would have to vote on whatever commitment they might make in this regard. That he would suggest if the granting of the special use is condition, whatever conditions are imposed on it in order for them to comply, then this would give them the alternative if they want to build the facility.

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Councilman Harris stated he agrees with what Mr. Whittington is saying concerning the solving of the water problem. That he thinks it is a matter of how we go about it. The water problem was there before we ever started having the hearing regarding this matter, and that needs to be solved by the City as soon as possible. In trying to come up with a decision on what to do about this, you wind up getting buffered about by reasons and also emotions. It is sometimes hard to separate the facts from the emotions. If he were to determine in his own mind that this property would not be used for residential use, he would think this would be an excellent use of this property. He feels it could be used for residential use, however. That he thinks the lower price of the land, using residential land like this, is of benefit to the Scottish Rite. The water problem is well contained in this plan, and there is no problem there. On the other side, looking at the reasons against it, he thinks the community does not want it; that single family residential areas, such as this, are so prominent in the comprehensive plan that we have to do everything we can to protect them. This could have a dominate effect of the area on Park Road, and we can be hearing even more comments in the future concerning commercialization of that street. The parking needs do far exceed the space. By looking at why we should decide either for or against this permit, going back to the zoning code, one item, paragraph sub (c) of 21-43 says "the petitioner will not unduly intrude into, nor disrupt the residential characteristics of the neighborhood; will not create traffic problems for minor residential streets; will relate satisfactorily to the general neighborhood development objectives and has provided sufficient means for protecting adjacent properties from any adverse effects." Councilman Harris stated this decision has nothing to do with the quality of the group who wants to build there; but we need to look back to the ordinance itself when we see whether or not we are abiding by the intent there. After looking at it very hard, he will vote against the permit.

Councilman Withrow stated if the Scottish Rite Bodies will contain the water as proposed, and the runoff water will not be any more than it is right now, or will not cause the creeks to flood any more than it is right now, he moved that we go ahead and approve this petition today.

Councilman Whittington asked if he would agree to put the further condition about the widening and dredging of the creek? Councilman Withrow asked who will pay for that, and Councilman Whittington replied the Scottish Rite will pay for it; the City will pay for the culverts under Townes Road and Willow Oak Road. Councilman Withrow replied he does not know if the City can require them to dredge on private property. Councilman Whittington replied it can be put in as a conditional use, under a special use permit. Councilman Withrow stated then he will accept that as a stipulation that the Scottish Rite Bodies will take care of the water and the creeks but to what extent.

Mr. Hopson, Public Works Director, stated to answer specifically what would be involved, if Council so wishes and the Scottish Rite Bodies accepts this responsibility, they would have to supply the pipe or the dredging on private property, and the City would take care of Townes Road and Willow Oak Road. Councilman Withrow asked what happens if all the property owners will not allow them to come onto their property, and where will they put the dirt? Mr. Hopson replied that will be the exact problems the city is faced with all the time on maintenance of the present creeks throughout the city. He stated with the plans as presented, there will be no addition or subtraction of water through years. If Council wishes to go further, it can consider the following: "The Charlotte Scottish Rites Bodies of Charlotte, North Carolina, agrees to build the Temple according to the plan titled Site Development and dated June, 1974, which includes retaining perimeter trees and the construction of a storm water retention basin.

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In addition, the Charlotte Scottish Rites agrees to install proper drainage systems on the primary channel from the proposed site downstream to Willow Oaks Road, and on the secondary channel from under Townes Road to Willow Oak Road, provided (1) that the involved property owners supply the necessary drainage easements and agree to permit the drainage work, and provide for the necessary maintenance upon completion; and (2) that the City accomplish the necessary drainage work to take the drainage under Townes Road and Willow Oaks Road, all as shown on the plan which is attached."

Mr. Hopson stated involved in that ^{and} the crossing the two streets themselves would be a cost to the city of about \$30,000. It is work that would be necessary sometime in the future. It is a question of priority. That he agrees if that condition is imposed the Scottish Rites people will have difficulty getting permission from the adjacent property owners; but it would be a real help to people upstream.

Councilman Withrow asked what if they do not give permission? Mr. Hopson replied as he sees it, it would kill the conditional permit. It would be a long range thing to do it this way; this would treat the Scottish Rite people just as we do other people.

Councilman Whittington stated there is no way that this governing body, or any other governing body down the road, can stop the development of private land if the people have the money to buy the land and develop on it. That he thinks most of the people in the audience who are concerned about this zoning petition know that he has voted consistently against the rezoning on Park Road for multi-family units. But he thinks now there is a plan and a good plan for this property that would help the neighborhood, and would also stabilize Park Road - a million and half dollar Temple. That he is concerned that we do something about this water because the Hicks property is much higher at that point than it is anywhere on Park Road, between Marsh Road and Hillside. It flows towards Townes Road, and towards this creek on Marlwood, and also behind Reid Shumaker's home and others. As a part of this conditional use, if the Scottish Rites would agree to widen and dredge this creek, from Park Road where the creek comes under Park Road, from St. Lukes Lutheran Church, and goes towards Townes Road, and the property owners would agree to let them go on there, and widen and dredge the creek then when the water gets to Townes Road, and to Willow Oak, the city put in the new culvert, and the water can then get through. This is the problem now, the water cannot get through because the streams are filled with undergrowth and not wide enough or deep enough.

Councilman Whittington stated if Mr. Marley who owns quite a bit of the bottom stream will not agree that it be done, then the Scottish Rite cannot do anything about it; but he has tried. Councilman Withrow stated the Scottish Rite Bodies have promised they will not make it any better or any worse by building the Temple; they will not cause any more flooding, and the flooding that is already there will still be there, but no more. He asked if it would not then be fair for the property owners to pay half and the Scottish Rite pay half. Councilman Whittington replied he thinks it should be a conditional use, and he then has done all he can to help both sides. He asked if Councilman Withrow will make the conditions a part of his motion? Councilman Withrow accepted it as part of the motion. He stated he does not think if they are not going to make the flooding any worse by building the Temple, it will be placing an extra burden on the Scottish Rite Bodies; the City should do the dredging if it needs to be dredged.

Councilman Whittington seconded the motion, with the conditions as read by Mr. Hopson.

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Councilman Williams stated this is an extremely close question. It sounds to him if Council votes to approve this motion, it is in effect a vote to kill the project, as he is not sure that the Masons, in the first place, will spend the money, and in the second place, it is highly unlikely that all the property owners who oppose the project, would give permission for people to come on their land and dredge the creek. He stated he had letters and phone calls from people on both sides of the question for several days. He stated there are good reasons for and against; that he does not think the Masons would be bad neighbors; that he thinks they would be honorable and respectable and dignified neighbors. This is not the reason he feels about it the way he does. He is concerned about it because this area right now is zoned single family, residential. If you look in the table of permitted uses in the City Code, some members of Council may be surprised at all the permitted uses under single family residential. This is one such use. Other such uses are cemeteries, nursing homes, day care centers, YWCAs, churches and so forth. These can be accomplished without rezoning a neighborhood. In his opinion, this amounts to a rezoning because of an institution coming into a neighborhood; if it were truly and legally a rezoning, then we would have to have a public hearing, and you would have to have the 3/4 vote of the whole Council and the Mayor if there was a protest as there apparently is in this case. The reason for the 3/4 Rule is to give the neighbors around places like this some protection; and give them some voice in what goes next door to them. But we do not have an opportunity to invoke the 3/4 Rule in this situation because it is not a rezoning legally. That he would like an opportunity later to talk about the table of permitted uses and perhaps change some of them. That he is afraid what might happen on Park Road is that we will have an institutional encroachment in the single family residential neighborhoods by institutions such as these. Sooner or later he would bet that the property owner on the northside, adjacent to this 6.0 acres, who owns 5.3 acres is going to come to Council and say, "I have a YWCA across the street, a day nursery in the neighborhood, and a Masonic Temple next door to me, how about letting me put up a church, or a condominium, or apartment." These two tracts of land together is something in the neighborhood of 12 acres. That it gets harder to tell each succeeding property owners no we cannot give you the special permit, or we cannot rezone the land for you. If neighborhood preservation means anything, somebody has to be the bad guy at some point and say no. He stated his head tells him he should vote for this, and his heart tells him he should not, and he is going to listen to his heart in this case.

The vote was taken on the motion to approve the special use permit with the conditions as set out in the statement read by Mr. Hopson, and carried as follows:

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

PETITION NO. 74-31 BY CLARA M. MCMANUS FOR A CHANGE IN ZONING FROM R-9 TO B-1 OF PROPERTY 156' x 170' ON THE NORTH SIDE OF CENTRAL AVENUE, BEGINNING 334 FEET EAST OF LANSDALE DRIVE, DENIED.

Upon motion of Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, the subject petition was denied as recommended by the Planning Commission.

UNNAMED PORTION OF STATE ROAD 1009, RUNNING BETWEEN INDEPENDENCE BOULEVARD AND MARGARET WALLACE ROAD NAMED CONFERENCE DRIVE.

Councilman Short moved that the unnamed portion of State Road 1009, running between Independence Boulevard and Margaret Wallace Road be named Conference Dr. The motion was seconded by Councilman Withrow, and unanimously carried.

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YEAR END REPORT ON STATUS OF FY 74 OBJECTIVES. DEFERRED.

Due to lack of time, Councilman Harris moved that the report on the Year End status of FY 74 objectives be deferred. The motion was seconded by Councilman Whittington, and carried unanimously.

RESOLUTION AMENDING THE PERSONNEL RULES AND REGULATIONS OF THE CITY TO DELETE ELEMENTS THAT MAY TEND TO BE DISCRIMINATORY EITHER ON THEIR FACE OR APPLICATION, AND TO INCLUDE AS ADDITIONS, RULE IV, SECTION 7, AND RULE XI, PROCEDURE FOR RECRUITMENT, SELECTION, AND APPOINTMENT AND PROMOTION OF EMPLOYEES.

Motion was made by Councilman Whittington, seconded by Councilman Harris, and unanimously carried, adopting the resolution amending the Personnel Rules and Regulations of the City to delete elements that may tend to be discriminatory either on their face or application, and to include as additions, Rule IV, Section 7, and Rule XI, Procedure for Recruitment, Selection, and Appointment and Promotion of Employees.

The resolution is recorded in full in Resolutions Book 10, at Page 64.

MEMORANDUM OF UNDERSTANDING BY AND AMONG THE CITY OF CHARLOTTE, EQUAL EMPLOYMENT OPPORTUNITY COMMISSION AND CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE, APPROVED.

Upon motion of Councilman Whittington, seconded by Councilman Harris, and unanimously carried, memorandum was approved, by and among the City of Charlotte, Equal Employment Opportunity Commission and Charlotte-Mecklenburg Community Relations Committee.

Councilman Alexander suggested that Council ask the City Manager if it is possible to ask that this agreement be signed in the City of Charlotte. These things have a certain amount of importance, and he would like to see the City take the "brownie points" when this is done.

Mr. Burkhalter, City Manager, stated there is some indication the Mayor may be invited to Washington for a ceremony in signing this. That might get more attention at this time, than signing here in Charlotte. Councilman Alexander replied they could transfer that to Charlotte.

Mayor Belk requested the City Manager to take this suggestion under consideration and report back to Councilman Alexander.

ORDINANCE NO. 279-X AMENDING ORDINANCE NO. 214-X, THE 1974-75 BUDGET ORDINANCE AMENDING THE TABLE OF ORGANIZATION FOR THE CHARLOTTE FIRE DEPARTMENT BY DELETING ONE POSITION IN CLASS NO. 726, DISTRICT FIRE CHIEF, AND ADDING ONE POSITION TO CLASS NO. 739, FIRE DEPARTMENT PLANNER.

Councilman Harris moved adoption of the subject ordinance which motion was seconded by Councilman Whittington, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 21 at Page 157.

AMENDMENT TO THE CONTRACT WITH MECKLENBURG COUNTY FOR THE PURPOSE OF PROVIDING FINANCIAL ASSISTANCE FOR VOLUNTEER FIRE SERVICE, APPROVED.

Motion was made by Councilman Short, seconded by Councilman Williams, and unanimously carried, approving the amendment to the contract with Mecklenburg County for the purpose of providing financial assistance for volunteer fire service; to include the Sharon Volunteer Department at a cost of \$725.00 per month.

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RESOLUTION, ORDINANCE, AND AGREEMENT APPROVED TO REQUIRE MEMBERS OF JOINT COMMISSION AND COMMITTEES TO ATTEND AT LEAST 75% OF THE MEETINGS HELD DURING ANY ONE YEAR PERIOD.

Upon motion of Councilman Withrow, seconded by Councilman Harris, and unanimously carried, the following resolution, ordinance and agreement were approved to require members of joint commissions, and committees to attend at least 75% of the meetings held during any one year period:

- (a) Joint Resolution of the City Council and the County Commissioners for the following Commissions and Committees:
- (1) Advisory Environmental Quality Council of Charlotte-Mecklenburg.
 - (2) Charlotte-Mecklenburg Historic Properties Commission.
 - (3) Charlotte-Mecklenburg Insurance Advisory Committee.

The resolution is recorded in full in Resolutions Book 10, at Page 71.

- (b) Ordinance No. 280 Amending Chapter 2, Article III, Division 1 of the Code of the City establishing a new subsection relating to the Charlotte-Mecklenburg Planning Commission.

The ordinance is recorded in full in Ordinance Book 21, at Page 158.

- (c) Amendment to the agreement between the City of Charlotte and Mecklenburg County jointly establishing a Community Facilities Committee.

MARK R. BERNSTEIN APPOINTED TO CIVIL SERVICE BOARD.

Upon motion of Councilman Harris, seconded by Councilman Short, and unanimously carried, Mark R. Bernstein was appointed to the Civil Service Board for a three year term, to fill the vacancy created by the expiration of the term of C. T. Brown.

TRANSIT STUDY COMMITTEE EXPANDED.

Councilman Whittington moved approval of a motion to expand the Transit Study Committee to include all members of City Council. The motion was seconded by Councilman Harris, and unanimously carried.

RESOLUTION URGING THE EXTENSION OF THE FEDERAL TRANSPORTATION STAMP PROGRAM INTO NORTH CAROLINA.

Motion was made by Councilman Short, seconded by Councilman Whittington, and unanimously carried, adopting the resolution urging the extension of the Federal Transportation Stamp Program into North Carolina.

Councilman Short stated this is a federal program that is now implemented and is highly successful in the State of West Virginia; it has not been extended to any other states; there is no funding allocation for other states. That his suggestion here is to at least ask our delegation to see about implementing it in North Carolina. That he believes it will spread to the 50 States in time.

The resolution is recorded in full in Resolutions Book 10, at Page 72.

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UTILITY EASEMENTS FOR SERVICE TO ANNEXED AREAS, APPROVED.

Upon motion of Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, the following fifty-eight (58) utility easements were approved:

- (a) HICKORY GROVE AREA SANITARY SEWER TRUNKS
2 easements
- (b) CAMPBELL CREEK SANITARY SEWER OUTFALL
8 easements
- (c) ANNEXATION AREA I (2) SANITARY SEWER TRUNKS
32 easements
- (d) ANNEXATION AREA I (11) SANITARY SEWER TRUNKS
14 easements
- (e) ANNEXATION AREA I (1&12) SANITARY SEWER TRUNKS
2 easements

PROPERTY TRANSACTIONS AUTHORIZED.

Councilman Whittington moved approval of the following property transactions, which motion was seconded by Councilman Withrow.

- (a) Acquisition of 6.0' x 146.52' x 6.18' x 144.96' of property, plus a construction easement, from Gerald A. Gruber and wife, Brenda Jo, at 3204 North Sharon Amity Road, at \$675.00, for Sharon Amity Road Widening Project.
- (b) Acquisition of 48.50' x 82.36' x 48.50' x 81.92' of property with a one-story frame residence at 924 Calvin Street, from Betty M. Henderson (Heirs), at \$4,025.00, for the Caldwell-Brevard Connector Project.
- (c) Acquisition of 85.12' x 87.34' x 80.58' x 87.65' of property, with a one-story frame residence, at 941 North Caldwell Street, from Avant Fuel and Ice Company, at \$10,181.00, for the Caldwell-Brevard Connector Project.
- (d) Acquisition of 48.35' x 83.06' x 48.50' x 82.83' of property, with a one-story frame residence, at 940 Calvin Street, from Elizabeth B. Will (widow), at \$4,800.00, for the Caldwell-Brevard Connector Project.

ENCROACHMENT AGREEMENTS, APPROVED.

Motion was made by Councilman Short, seconded by Councilman Withrow, and unanimously carried, approving the following encroachment agreements:

- (a) Encroachment Agreement with the North Carolina Department of Transportation for the construction of a 24-inch water main in Old Statesville Road (NC #115).
- (b) Encroachment Agreement with the North Carolina Department of Transportation for construction of an 8-inch cast iron water main in Old Mt. Holly Road (SR 1619).

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ACQUISITION OF REAL PROPERTY LOCATED IN THE FIRST WARD PROJECT NO. N. C. R-79 BY THE URBAN REDEVELOPMENT DEPARTMENT.

Upon motion of Councilman Alexander, seconded by Councilman Whittington, and unanimously carried, the following properties were authorized purchased:

BLOCK & PARCEL	OWNER	ADDRESS	PRICE
15-6	Hobbs	614 North Caldwell St.	\$ 8,370
16-10	Bolden	717 North Davidson St.	10,000

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

Councilman Whittington moved adoption of the subject resolution of the City Council for Condemnation Action in the First Ward Urban Renewal Area Project No. N. C. R-79, as follows:

BLOCK	PARCEL	OWNER	FINAL OFFER
16	1	Michael Cotton (tenant)	\$ 700
16	12	Mrs. James H. Bogle	9,500

The motion was seconded by Councilman Withrow and carried unanimously.

The resolution is recorded in full in Resolutions Book 10 at Page 73.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR ACQUISITION OF PROPERTY BELONGING TO CRAIG S. LOVE AND WIFE, MARGUERITE LOVE, LOCATED AT 601 MICHAEL DRIVE (IN GROVE PARK) IN THE CITY OF CHARLOTTE FOR THE HICKORY GROVE AREA SANITARY SEWER TRUNKS PROJECT.

Motion was made by Councilman Short, seconded by Councilman Whittington, and unanimously carried, adopting the subject resolution authorizing condemnation proceedings for the Acquisition of property belonging to Craig S. Love and wife, Marguerite Love, located at 601 Michael Drive (in Grove Park) in the City of Charlotte for the Hickory Grove Area Sanitary Sewer Trunks Project.

The resolution is recorded in full in Resolutions Book 10 at Page 74.

CONTRACT WITH KISER'S MOBILE AUTO CRUSHERS, INC. RENEWED FOR ONE YEAR FOR THE DISPOSAL OF ABANDONED AUTOMOBILES.

Upon motion of Councilman Withrow, seconded by Councilman Harris, and unanimously carried, the subject contract with Kiser's Mobile Auto Crushers, Inc., was renewed for one year for the disposal of abandoned automobiles.

ORDINANCE NO. 307 AMENDING CHAPTER 5, ENTITLED "BUILDINGS" OF THE CODE OF THE CITY OF CHARLOTTE, TO PERMIT TYPE UF FLEXIBLE CABLE.

Councilman Whittington moved adoption of the subject ordinance amending Chapter 5, entitled "Buildings" of the Code of the City of Charlotte. The motion was seconded by Councilman Short, and unanimously carried.

The ordinance is recorded in full in Ordinance Book 21 at Page 186.

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RESOLUTION OF THE CITY COUNCIL TO ENTER INTO A RECIPROCAL AGREEMENT WITH THE CITIES OF ASHEVILLE, BURLINGTON, DURHAM, GREENSBORO, RALEIGH, AND WILMINGTON, AND WITH THE COUNTIES OF DURHAM, GUILFORD AND UNION FOR THE QUALIFICATION AND CERTIFICATION OF JOURNEYMEN ELECTRICIANS.

Motion was made by Councilman Withrow, seconded by Councilman Short, and unanimously carried, adopting the subject resolution which is recorded in full in Resolutions Book 10 at Page 75.

RESOLUTION AUTHORIZING THE APPROVAL OF A SUBGRANT APPLICATION TO THE NORTH CAROLINA DEPARTMENT OF NATURAL AND ECONOMIC RESOURCES, DIVISION OF LAW AND ORDER, FOR LEAA FUNDS, FOR DOCUMENT STORAGE AND RETRIEVAL SYSTEM.

Motion was made by Councilman Short and seconded by Councilman Williams to adopt the subject resolution authorizing approval of a subgrant application to the North Carolina Department of Natural and Economic Resources, Division of Law and Order, for LEAA Funds, in the amount of \$233,072.

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

The resolution is recorded in full in Resolutions Book 10, at Page 77.

RESOLUTION PROVIDING FOR PUBLIC HEARINGS ON MONDAY, AUGUST 26, 1974.

Councilman Withrow moved adoption of the subject resolution providing for Public Hearings on Monday, August 26, 1974. The motion was seconded by Councilman Short, and unanimously carried.

The resolution is recorded in full in Resolutions Book 10, at Page 78.

CONTRACTS FOR THE CONSTRUCTION OF SANITARY SEWER LINES AND INSTALLATION OF WATER MAINS.

Motion was made by Councilman Withrow, seconded by Councilman Short, and unanimously carried, approving contracts for the construction of sanitary sewer lines and installation of water mains, as follows:

- (a) Contract with Bensch & Kerns for 170 linear feet of 8-inch sanitary sewer line in Sardis Lane in front of fire station #19, inside the city, at an estimated cost of \$3,120.00. The applicant has deposited 100% of the estimated cost, and refund will be made in accordance with the agreement.
- (b) Contract with Richfield Properties for the installation of 630 feet of 8-inch water main and one fire hydrant, to serve Dorton Street, inside the city, at an estimated cost of \$4,200.00. Funds will be advanced by the applicant and refunds made, all in accordance with existing city policies.
- (c) Contract with Ervin Company for the installation of 650 feet of 6-inch water main to serve Cranbrook Lane, inside the city, at an estimated cost of \$3,500.00. Funds will be advanced by applicant, and refunds made all in accordance with existing policies.

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STREETS TAKEN OVER FOR CONTINUOUS MAINTENANCE BY THE CITY.

Upon motion of Councilman Withrow, seconded by Councilman Alexander, and unanimously carried, approval was made of the following streets to be taken over for continuous maintenance by the City:

- (a) Boulevard Homes
Faye Street Extension - from Holabird Street to 327.63' West.
- (b) McClintock Woods
Coatbridge Lane - from 140' south of McIlroy Road to 187.5' northwest
McIlroy Road - from Coatbridge Lane to 369' east.
- (c) Old Georgetowne
Prince George Street - from Whistlestop Road to 1,865' south
Constitution Lane - from Whistlestop Road to 570' south.
- (d) State Road #1302
from South Boulevard to Old Pineville Road.

ORDINANCES ORDERING THE REMOVAL OF WEEDS AND GRASS.

Councilman Short moved adoption of twenty-five (25) ordinances ordering the removal of weeds and grass, as follows. The motion was seconded by Councilman Alexander and unanimously carried.

- (a) Ord. No. 281-X ordering the removal of weeds and grass on premises adjacent to 3025 Simpson Drive.
- (b) Ord. No. 282-X ordering the removal of weeds and grass on premises adjacent to 1025 Rodey Avenue.
- (c) Ord. No. 283-X ordering the removal of weeds and grass on premises at rear of 2610 Duncan Avenue.
- (d) Ord. No. 284-X ordering the removal of weeds and grass on premises at 1812 Fulton Avenue.
- (e) Ord. No. 285-X ordering the removal of weeds and grass on premises located at vacant lot to left of 3625 Driftwood Drive.
- (f) Ord. No. 286-X ordering the removal of weeds and grass on premises located at vacant lot to right of 3627 Driftwood Drive.
- (g) Ord. No. 287-X ordering the removal of weeds and grass at 651 Fawnbrook Ln.
- (h) Ord. No. 288-X ordering the removal of weeds and grass at 742 Edgegreen Dr.
- (i) Ord. No. 289-X ordering the removal of weeds and grass at 829 Echodale Dr.
- (j) Ord. No. 290-X ordering the removal of weeds and grass at 306 Echodale Dr.
- (k) Ord. No. 291-X ordering the removal of weeds and grass at 425 Hartford Ave.
- (l) Ord. No. 292-X ordering the removal of weeds and grass at 615 Kenlough Ave.
- (m) Ord. No. 293-X ordering the removal of weeds and grass at 1807 Montford Dr.
- (n) Ord. No. 294-X ordering the removal of weeds and grass on premises adjacent to 1507 East Boulevard.
- (o) Ord. No. 295-X ordering the removal of weeds and grass on premises adjacent to 1623 Glenn Street.
- (p) Ord. No. 296-X ordering the removal of weeds and grass on premises located at vacant lot adjacent to 912 Rodey Avenue.
- (q) Ord. No. 297-X ordering the removal of weeds and grass on premises located at vacant lot at rear of 2300 block Custer Street.
- (r) Ord. No. 298-X ordering the removal of weeds and grass on premises located at vacant lot to left of 2214 Custer St.
- (s) Ord. No. 299-X ordering the removal of weeds and grass on premises located at rear of 400 block N. Poplar Street.
- (t) Ord. No. 300-X ordering the removal of weeds and grass at 2331 Booker Ave.
- (u) Ord. No. 301-X ordering the removal of weeds and grass at 3119 Rush Avenue.
- (v) Ord. No. 302-X ordering the removal of weeds and grass on premises adjacent to 703 South Hoskins Road.
- (w) Ord. No. 303-X ordering the removal of weeds and grass at 4210 Welling Ave.
- (x) Ord. No. 304-X ordering the removal of weeds and grass at 4509 Glenwood Dr.
- (y) Ord. No. 305-X ordering the removal of weeds and grass at 1844 Garibaldi Avenue.

The ordinances are recorded in full in Ordinance Book 21, beginning on Page 160.

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CLAIMS DENIED.

Motion was made by Councilman Withrow, seconded by Councilman Whittington, and unanimously carried, denying the following claims as recommended by the City Attorney:

- (a) Claim of John G. Lewis, Jr. on behalf of Mrs. Mary N. Tomlin, in the amount of \$425.00;
- (b) Claim of Walter H. Bennett, Jr. on behalf of John Wells, in the amount of \$2,000.00;
- (c) Claim of John B. Whitley, on behalf of Edgar Eugene Webb, in the amount of \$14,000.00;
- (d) Claim of F. P. Hiltz, in the amount of \$330.67;
- (e) Claim of Joseph A. Cohen, Inc., in the amount of \$425.00;
- (f) Claim of James L. Mason, attorney on behalf of Michael Lee Taylor, in the amount of \$2,500.00.

SPECIAL OFFICER PERMITS, APPROVED.

Motion was made by Councilman Short, seconded by Councilman Withrow, and unanimously carried, approving the following applicants for Special Officer Permits for a period of one year:

- (a) Renewal of permit to Madison Allen for use on the premises of K-Mart on Freedom Drive;
- (b) Renewal of permit to Robert W. Bankhead for use on the premises of 1 Jefferson First Union Plaza & 308 South Tryon Street;
- (c) Issuance of permit to Hugh Edward Dickey for use on the premises of Douglas Municipal Airport;
- (d) Issuance of permit to Bobby Harold Edwards for use on the premises of Douglas Municipal Airport;
- (e) Issuance of permit to Kenneth Ercel Hutchison for use on the premises of 1 Jefferson First Union Plaza and 308 South Tryon Street;
- (f) Renewal of permit to Nezzie O. King for use on the premises of K-Mart, Inc., 3700 North Independence Boulevard;
- (g) Issuance of permit to Robert Clifford Lawing for use on the premises of Charlotte Park & Recreation Commission;
- (h) Renewal of permit to Sammie Lee McCorkle for use on the premises of Johnson C. Smith University;
- (i) Issuance of permit to Gil McElravy for use on the premises to Charlotte Park & Recreation Commission property;
- (j) Issuance of permit to James William Miller for use on the premises of Charlotte Park & Recreation Commission property;
- (k) Issuance of permit to Leon Freeman Mitchell for use on the premises of Johnson C. Smith University.
- (l) Renewal of permit to Aubrey Rucker for use on the premises of 1 Jefferson First Union Plaza and 308 South Tryon Street.

ORD.NO.306-X TRANSFERRING FUNDS WITHIN CAPITAL IMPROVEMENT PROJECT TO PROVIDE SUFFICIENT FUNDS TO AWARD THE CONSTRUCTION CONTRACT FOR THE OAKLAWN AVENUE PROJEC

Upon motion of Councilman Alexander, seconded by Councilman Whittington, and unanimously carried, the subject ordinance was adopted transferring \$245,000 within the Capital Improvement Project to provide sufficient funds to award the construction contract for the Oaklawn Avenue Project.

The ordinance is recorded in full in Ordinance Book 21, at Page 185.

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CONTRACT AWARDED LANDSCAPE CONSULTANTS, INC. FOR THE PLANTING OF TREES, SHRUBS, BORDER PLANS, BANK COVER PERENNIALS AND BULBS.

Councilman Short moved award of contract to the low bidder, Landscape Consultants Inc., in the amount of \$15,795.00, for the planting of trees, shrubs, border plants, bank cover perennials and bulbs for the Brooklyn Urban Renewal Area, Project No. N. C. R-43. The motion was seconded by Councilman Williams, and carried unanimously.

The following bids were received:

Landscape Consultants, Inc.	\$15,795.00
Crowder Construction Co.	22,800.00
Ray Bracken Nursery	23,893.50

CONTRACT AWARDED CROWDER CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF OAKLAWN AVENUE WIDENING.

Motion was made by Councilman Short, seconded by Councilman Whittington, and unanimously carried, awarding subject contract to the low bidder, Crowder Construction Company, in the amount of \$852,944.50, on a unit price basis, for the construction of Oaklawn Avenue Widening.

The following bids were received:

Crowder Construction Company	852,944.50
Blythe Brothers Company	984,263.00
Rea Construction Company	1,095,741.25

CONTRACT AWARDED BECKMAN INSTRUMENTS, INC. FOR ONE SPECTROPHOTOMETER, ULTRAVIOLET SCANNING SYSTEM.

Upon motion of Councilman Alexander, seconded by Councilman Whittington, and unanimously carried, contract was awarded to the only bidder, Beckman Instruments, Inc., in the amount of \$5,941.75, for one (1) spectrophotometer, ultraviolet scanning system which will be used in the Crime Laboratory for analysis of materials involved in crimes.

CONTRACT AWARDED BADGER METERS, INC. FOR 5/8" WATER METERS.

Councilman Harris moved award of contract to the low bidder, Badger Meter, Inc., in the amount of \$30,120.00, on a unit price basis, for 1,000 5/8" water meters. The motion was seconded by Councilman Short, and unanimously carried.

The following bids were received:

Badger Meter, Inc.	30,120.00
Rockwell International	30,280.00
Hersey Products, Inc.	35,210.00
Neptune Water Meter Co.	35,900.00

CONTRACT AWARDED ROCKWELL INTERNATIONAL FOR 1" COLD WATER METERS.

Motion was made by Councilman Harris, seconded by Councilman Short, and carried unanimously, awarding subject contract to the low bidder, Rockwell International, in the amount of \$4,905.00, on a unit price basis, for seventy-five (75) 1" cold water meters.

The following bids were received:

Rockwell International	4,905.00
Hersey Products, Inc.	5,129.25
Badger Meters, Inc.	5,573.25
Neptune Water Meter Co.	5,925.00

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CONTRACT AWARDED HERSEY PRODUCTS, INC. FOR 1-1/2" WATER METERS.

Upon motion of Councilman Short, seconded by Councilman Alexander, and unanimously carried, contract was awarded to the low bidder, Hersey Products, Inc., in the amount of \$4,260.90, on a unit price basis, for thirty (30) 1-1/2" cold water meters.

The following bids were received:

Hersey Products, Inc.	4,260.90
Rockwell International	4,590.00
Badger Meter, Inc.	4,698.00
Neptune Water Meter Co.	4,859.70

CONTRACT AWARDED HERSEY PRODUCTS, INC. FOR 2" COLD WATER METERS.

Councilman Withrow moved award of contract to the low bidder, Hersey Products, Inc., in the amount of \$9,350.00, on a unit price basis, for fifty (50) 2" cold water meters. The motion was seconded by Councilman Short, and carried unanimously.

The following bids were received:

Hersey Products, Inc.	9,350.00
Rockwell International	10,885.00
Neptune Water Meter Co.	11,179.00
Badger Meter, Inc.	11,210.00

CONTRACT AWARDED HERSEY PRODUCTS, INC. FOR 3" COLD WATER METERS.

Motion was made by Councilman Alexander, seconded by Councilman Whittington, and carried unanimously, awarding subject contract to the low bidder, Hersey Products, Inc., in the amount of \$15,750.80, on a unit price basis, for twenty-five (25) 3" cold water meters.

The following bids were received:

Hersey Products, Inc.	15,750.80
Rockwell International	16,700.00
Badger Meter, Inc.	17,481.25
Neptune Water Meter Co.	22,999.50

CONTRACT AWARDED HERSEY PRODUCTS, INC. FOR 4" COLD WATER METERS.

Upon motion of Councilman Whittington, seconded by Councilman Short, and unanimously carried, contract was awarded to the low bidder, Hersey Products, Inc., in the amount of \$8,055.76, on a unit price basis, for eight (8) 4" cold water meters.

The following bids were received:

Hersey Products, Inc.	8,055.76
Rockwell International	8,336.00
Badger Meter, Inc.	8,970.40
Neptune Water Meter Company	9,930.56

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CONTRACT AWARDED HERSEY PRODUCTS, INC. FOR 6" COLD WATER METERS.

Councilman Whittington moved award of contract to the only bidder, Hersey Products, Inc., in the amount of \$55,660.80, on a unit price basis, for twenty-four (24) 6" cold water meters. The motion was seconded by Councilman Short, and unanimously carried.

CONTRACT AWARDED HERSEY PRODUCTS, INC. FOR THREE (3) 8" COLD WATER METERS.

Motion was made by Councilman Alexander, seconded by Councilman Whittington, and unanimously carried, awarding subject contract to the only bidder, Hersey Products, Inc., in the amount of \$10,127.52, on a unit price basis, for three (3) 8" cold water meters.

ALL BIDS REJECTED FOR THE PURCHASE OF TWO SEWER RODDING MACHINES.

Upon motion of Councilman Short, seconded by Councilman Whittington, and unanimously carried, all bids received on two (2) sewer rodding machines, were rejected.

NOMINATION TO HISTORIC PROPERTIES COMMISSION.

Councilman Alexander placed in nomination the name of Mr. Ernest Hunter for the unexpired term of Thomas Storrs on the Charlotte-Mecklenburg Historic Properties Commission, which term will expire July 16, 1975.

DISCUSSION OF DILLARD DRIVE TO BE PLACED ON THE NEXT AGENDA.

Councilman Short stated he has some material, dated July 10th, from Mr. Hopson, Public Works Director and Mr. Burkhalter, City Manager, about Dillard Drive. He requested that the discussion of Dillard Drive be placed on the next agenda.

NOMINATION TO URBAN REDEVELOPMENT ADVISORY COMMISSION.

Councilman Withrow placed in nomination the name of Mr. John Thrower for a three year term on the Charlotte Advisory Commission on Urban Redevelopment.

CITY MANAGER TO REPORT BACK TO COUNCILMAN WITHROW ON REQUEST TO PERMIT PARKING ON BLYTHE BOULEVARD ON SUNDAYS.

Councilman Withrow stated on Sundays there are a great number of people going to Memorial Hospital, and it is impossible to find a place to park. He asked that parking on Blythe Boulevard be allowed on Sundays. Mayor Belk requested the City Manager to check on this and report back to Mr. Withrow.

FRED BRYANT TO BE REQUESTED TO COME TO NEXT COUNCIL MEETING AND DISCUSS TABLE OF PERMITTED USES FOR SINGLE FAMILY RESIDENTIAL AREAS.

Councilman Williams stated with respect to the permitted uses in single family residential areas, he is a little concerned about it. That if Council makes a change in the text of the zoning ordinance, it would require a public hearing. That he thinks Council needs some input from the Planning Commission.

Mr. Burkhalter, City Manager, stated he will request Mr. Bryant, Assistant Planning Director, to come to Council at the next meeting to discuss this with Council.

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Councilman Alexander stated he is going to have reservations about making some of these changes. As you begin to move into the Black communities, and change some of these regulations, it will make it impossible for them to find sites. He stated he is suggesting that Council move with caution when it begins to talk about wholesale changes.

CITY MANAGER REQUESTED TO PLACE FOR SALE SIGN ON CITY PROPERTY ON TYVOLA ROAD AND NOTIFY PLANNING COMMISSION OF PLANNED USE OF PROPERTY.

Councilman Harris asked that Council request the City Manager to post a for sale sign on the Tyvola Road property for further advertisement at a later date, and notify the Planning Commission as to the planned disposition of the property. The City Manager stated with the approval of Council it will not be necessary to bring this to Council at its next meeting for formal action.

POLICE DEPARTMENT COMMENDED FOR EFFORTS ON PUBLIC RELATIONS IN FIVE POINTS AREA IN THE PAST WEEK.

Councilman Harris stated the Police have been very thorough in the past week in the Five Points area of the City. They have contacted at least a dozen of the property owners. They have been in the buildings; they have talked with employees on how they can participate with the Police. He stated he has received a lot of favorable comments from the people in the area. That he thinks this is good and commends the Police Department for this type of service.

APPOINTMENT OF CHARLES R. JONAS, SR. AS SPECIAL LIASION FOR LEGISLATION ON INTERGOVERNMENTAL PROGRAMS TO BE PLACED ON AGENDA FOR NEXT MEETING.

Councilman Harris moved that Council ask the City Manager to work out the appointment of Charles R. Jonas, Sr. as special liasion for legislation for the intergovernmental programs. He asked that the motion be placed on the agenda for the next Council Meeting.

RESTORATION AND PLACEMENT OF DOUGHBOY STATUE TO BE PLACED ON NEXT AGENDA FOR COUNCIL'S CONSIDERATION.

Councilman Whittington requested that the City Manager bring to Council at its next meeting, the restoration of the Doughboy Statue, giving the cost, and his recommendations on where it should be placed.

RE-CONSIDERATION OF RESOLUTION OF CONDEMNATION OF PROPERTY OF R. J. MCRAE AND OTHERS TO BE PLACED ON AGENDA FOR NEXT MEETING.

Councilman Whittington stated two weeks ago, Council, by resolution recorded in Resolutions Book 10, at Page 51, authorized condemnation of property of R. J. McRae and wife and daughter at Louise Avenue and the railroad. He moved that this be placed on the agenda for the next meeting for reconsideration by Council. The motion was seconded by Councilman Short.

REDUCING OF SPEED AND REMOVAL OF TRUCK TRAFFIC ON WOODLAWN ROAD, FROM PARK ROAD TO SOUTH TRYON STREET REQUESTED PLACED ON COUNCIL AGENDA FOR DISCUSSION.

Councilman Alexander requested that the next agenda include a discussion of the reducing of the speed limit on Woodlawn Road, from Park Road to South Tryon Street, and the removal of truck traffic on Woodlawn Road, from Park Road to South Tryon Street.

ADJOURNMENT.

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

Ruth Armstrong
Ruth Armstrong, City Clerk