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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Monday, October 20, 1969, at 2:00 o'clock p.m., with Mayor John M. Belk presiding, and Councilmen Fred D. Alexander, Sandy R. Jordan, Milton Short, John Thrower, Jerry Tuttle, James B. Whittington and Joe D. Withrow present.

ABSENT: None.

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

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INVOCATION.

The invocation was given by Reverend James B. Wertz, Pastor of St. Paul's Baptist Church.

MINUTES APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Tuttle, and unanimously carried, the minutes of the last regular Council Meeting, on Monday, October 13 and of the Adjourned Meeting, on Tuesday, October 14, 1969, were approved as submitted.

FRIDAY, OCTOBER 24, 1969 PROCLAIMED AS UNITED NATIONS DAY AND JAMES W. DELLINGER APPOINTED AS CHAIRMAN OF UNITED NATIONS DAY.

Mayor Belk advised that Mr. James Dellinger has accepted the Chairmanship for United Nations Day, and he presented the following proclamation:

WHEREAS, on October twenty-fourth, 1945, twenty-four years ago, the United Nations Charter became effective, and

WHEREAS, the United Nations General Assembly in 1947 proclaimed October twenty-fourth as United Nations Day, to be observed annually by all Member Nations through making known to the people of all countries the aims and achievements of the United Nations; and

WHEREAS, the President of the United States, Richard M. Nixon, has declared October twenty-fourth, 1969, to be United Nations Day in the United States and has further emphasized the importance of this day by appointing a National Chairman for United Nations Day, charging him with the responsibility of fostering increased national awareness and understanding of the vital purposes and work of this world organization; and

WHEREAS, the citizens of this community acknowledge that our national survival requires worldwide cooperation and communication; and that this country's highest ideals and aspirations are closely allied with the hopes and aims of peoples everywhere;

NOW, THEREFORE, I, John Belk, Mayor of Charlotte, do hereby proclaim Friday, the twenty-fourth of October, 1969, as United Nations Day, and urge all citizens of Charlotte to honor that day by means of community programs which will serve to stimulate a realistic

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understanding of the purposes, achievements and limitations of the United Nations and its family of agencies. I ask all citizens to reaffirm on UN Day, not only for the people of the United States but for the people of the world, our dedication to the human values which we in this country hold to be self-evident, as guaranteed for us in the Constitution and the Bill of Rights^{and} set forth as goals for all nations in the United Nations Charter and Universal Declaration of Human Rights.

Mayor Belk thanked Mr. Dellinger for accepting the chairmanship for this day, and stated he will be backed up in everyway by the Mayor and Council.

COUNCIL ADVISED POSTPONEMENT OF HEARING ON PETITION NO. 69-91 IS AT DISCRETION OF COUNCIL AS PETITIONER FILED THE REQUEST FOR POSTPONEMENT PRIOR TO THE DAY OF HEARING.

Mayor Belk asked the City Attorney to rule on the request of Mr. Joe Griffin, Attorney for Ed Griffin Development Corporation, to postpone hearing on Petition No. 69-91 for zoning change scheduled to be heard at this time.

Mr. Underhill, City Attorney, advised the matter of postponement is entirely at the discretion of City Council. If Council desires to postpone the matter it must be re-advertised again and set a date certain for another public hearing.

Councilman Jordan asked the next hearing date? Mr. Veeder, City Manager, replied Item 17 is incorrect in listing the hearing date as Monday, November 17, as on that date the majority of Council will be out of the city. That it is appropriate to consider an alternate date for the November zoning hearings - this may be, at Council's discretion, a week early which will be November 10 or a week later November 24. He stated he has discussed this with Mr. McIntyre and Mr. Bryant of the Planning Office and they did not express a preference for either date. The option is with Council.

RESOLUTION PROVIDING FOR PUBLIC HEARINGS ON MONDAY, NOVEMBER 10 ON PETITIONS NO. 69-98 THROUGH 69-108 FOR ZONING CHANGES.

Councilman Tuttle moved the adoption of the subject resolution providing for public hearings on Monday, November 10. The motion was seconded by Councilman Jordan.

Mr. Fred Hobson, 1201 Burtonwood Circle, stated he lives immediately east of East Mecklenburg High School; that those who oppose the zoning change under Petition 69-91 are ready to be heard today and a representative portion are here today and an additional 400 have already indicated their opposition by a written petition. He stated their opposition has been endorsed by the Board of Education. That regardless of the preparation they have made if Council feels it should be postponed, they will adhere to Council's wishes. Mr. Hobson stated they respectively ask Council's endorsement of their request.

The vote was taken on the motion and carried unanimously.

HEARING ON PETITION NO. 69-91 BY ED GRIFFIN DEVELOPMENT CORPORATION FOR A CHANGE IN ZONING OF A TRACT OF LAND FRONTING ON THE SOUTHWEST SIDE OF MONROE ROAD BEGINNING AT EAST MECKLENBURG HIGH SCHOOL PROPERTY AND EXTENDING TOWARD VISTA DRIVE, POSTPONED UNTIL NOVEMBER 10, 1969.

Councilman Tuttle stated with all due respect to those present today in opposition to the subject petition, postponing a hearing where someone has sufficient reason, or when Council believes they have sufficient reason to

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prolong it is something that Council has done many times; it is a courtesy and Council would do the same for those in opposition if they asked for the postponement.

Councilman Tuttle moved that hearing on Petition No. 69-91 be postponed until the next hearing date - November 10. The motion was seconded by Councilman Whittington, and carried unanimously.

HEARING ON PETITION NO. 69-92 BY PORTER B. BYRUM FOR A CHANGE IN ZONING FROM R-9 TO R-9MF OF A PARCEL OF LAND 340' x 150' ON THE NORTHWEST SIDE OF ALBEMARLE ROAD OPPOSITE STARKWOOD DRIVE - (INCLUDED FOR CONSIDERATION BY THE PLANNING COMMISSION IS AN ADJACENT TRACT OF LAND OWNED BY GOOD SHEPHARD LUTHERAN CHURCH.)

The public hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, stated this petition consists of several lots that at present constitute an island of single family residential zoning; this has been brought about by changes on adjoining properties. The property is located on the north side of Albemarle Road. The property requested by the petitioner consisted originally of four lots with a frontage of 340 feet on the north side of Albemarle Road; the Planning Commission has included an adjoining tract of land owned and utilized by Good Shephard Lutheran Church in order to be able to consider the entire amount of property that is zoned for single family; that it would not be logical to leave five lots zoned for single family with everything else zoned in some other category.

He stated the property is vacant with the exception of the Church property which is occupied for church purposes; there is another church across on the south side of Albemarle Road with a scattering of single family development in a subdivision on the south side of Albemarle Road. With that exception the remaining portions of the property immediately around the subject tract is vacant. The intersection of Sharon Amity and Albemarle contains several service stations, and there is a dentist office on Albemarle Road.

Mr. Bryant stated the subject property is zoned R-9; there is multi-family zoning on the north, east and across the street on the south side; the west side is zoned B-1. In effect this is an island of single family zoning that exists in an area of multi-family and/or business zoning.

Mr. Porter Byrum, the petitioner, stated it is obvious the surrounding property on three sides is multi-family; the adjoining 28 acres was recently changed from R-9 to R-9MF. He stated they feel multi-family is the only logical use at present.

Councilman Short asked if the Planning Commission is one of the petitioners? Mr. Bryant replied to the extent that it felt it made a more logical pattern to be able to consider the church property in addition to the property requested changed. Councilman Short asked if the church knows about the petition? Mr. Bryant replied they do know and they have no objections; they did not chose to file the application but they have no objections.

Mrs. Joan Christmas, a parishioner of the American Luthern Church of Minneapolis, Minnesota, stated that Mr. Bryant said Good Shephard Lutheran Church was notified of this petition. She stated they had to ask why the signs were posted; they were not notified. She stated they are not in opposition to the petition, but they would like the record to show they were not officially notified.

Mr. Bryant replied a telephone call was held with the Minister of the Church about six weeks ago.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until its next meeting.

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HEARING ON PETITION NO. 69-93 BY FAYE M. SHAHEEN, ET AL, FOR A CHANGE IN ZONING FROM R-6MF TO B-1 OF A TRACT OF LAND FRONTING 139.2 FEET ON THE SOUTHERLY SIDE OF CENTRAL AVENUE, BEGINNING 344 FEET EAST OF CAROLYN DRIVE.

The public hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, stated this tract of land is located on the south side of Central Avenue; it has frontage on Central Avenue and is a rather long piece of property extending down parallel to the existing business zoning back away from Central Avenue. The property is vacant as is the property immediately on both sides to the east and to the west. There are two houses fronting on Central Avenue and there are a number of houses fronting on Carolyn Drive.

He stated there is multi-family zoning along both sides of Central Avenue leading up to and including the subject property; on the south side of Central adjacent to the subject property it is zoned business from that point out to Eastway Drive and along on the west side of Eastway Drive; on the north side of Central Avenue there is O-6 zoning for a block and again the business zoning around the intersection of Eastway Drive and Central Avenue.

Mr. Henry Harkey, Attorney for the petitioners, stated at the time this Council was sworn in there was some consideration of another petition in this area; that this is an entirely different petition; the former petition was defeated by the vote of several new Councilmen who did not have the opportunity before the vote was taken to see the property. That petition included the entire business block down to Carolyn Drive which included not only the property of the petitioner but the property of other parties; the other properties objected and the ones on Carolyn objected. Mr. Harkey stated the subject petition does not go down to Carolyn Drive; it misses Carolyn 433 feet, and it is only for Mrs. Shaheen and her sisters and brothers who own the property; it does not include all their property. It is an extension of the B-1 zoning they already have; they are landlocked by their own property which is zoned R-6MF.

He stated the former petition requested that the subject property be changed from R-6MF to B-2 and also that the adjacent neighbor's property be changed from R-6MF to O-6. This is not that petition; there is no O-6 and there is no B-2 today. The former petition included the Carolyn Drive corner and it was said it could create a traffic hazard to get in and out of Carolyn Drive; that will not exist on the subject petition as they are some 433 feet from Carolyn Drive.

He passed around photographs of the property which he explained.

Councilman Short asked if Mrs. Mincey knows about this petition? Mr. Harkey replied he does not know; it was posted and they requested that the dividing line be 101 feet from Mrs. Mincey and they own the house in between. He stated they are leaving a house plus 50 feet.

Mr. Harkey stated the subject property is vacant, and it does not bring in any tax revenue; the lot is now too small. They are merely asking that the "L" shaped piece of property be changed to B-1 so their lot can be expanded to where they can feasibly use it. He stated the rear portion of the lot now zoned R-6MF is the trash area or backup area of the shopping center; they would like to use it for the backyard of their business lot.

Mr. Harkey stated there is no opposition on the western side, southern side and none on the eastern side as it is B-2. The only other side is the north side across the street at Central Avenue and it is 100 feet wide. He stated he has gone to the property owners on the north side and he has four letters, one from each of the four owners on the north side, saying they have no objections to the zoning, and in fact, would join in with them. They are Mrs. McGraw, Mrs. Stewart, Mr. and Mrs. Purser, and Mrs. Charles Boyer.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until the next Council Meeting.

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HEARING ON PETITION NO. 69-94 BY DALIA H. ROCK AND CHARLES H. HENDLEY FOR A CHANGE IN ZONING FROM R-6MF TO O-6 OF TWO LOTS AT 620 AND 624 LAMAR AVENUE.

The public hearing was held on the subject petition.

The Assistant Planning Director advised the request consists of two lots located on the east side of Lamar Avenue and each is occupied by a single family residential structure; there is predominately single family development in the vicinity of the subject property with the exception of an office existing on the west side of Lamar opposite one of the two lots; there is multi-family usage near the intersection of Bay Street and Lamar Avenue. That along Independence Boulevard are a number of business uses including the wholesale florist at the corner of Lamar and Independence.

Mr. Bryant stated there is business zoning along both sides of Independence Boulevard, and this comes down Lamar Avenue adjacent to the subject property; the two lots in question are zoned multi-family; one lot across the street is zoned for office, and the other lot across from the subject property is zoned business. The south side of the property along Lamar is zoned multi-family.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until the next Council Meeting.

HEARING ON PETITION NO. 69-95 BY REDEVELOPMENT COMMISSION OF THE CITY OF CHARLOTTE FOR A CHANGE IN ZONING FROM I-1 AND O-6 TO R-6MF, O-6 AND B-1 OF PROPERTY WITHIN THE DILWORTH URBAN RENEWAL AREA BOUNDED GENERALLY BY SOUTH BOULEVARD, TEMPLETON AVENUE, A LINE BETWEEN EUCLID AVENUE AND CLEVELAND AVENUE AND A LINE BETWEEN RENASSELEAR AVENUE AND BLAND STREET.

The public hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, stated for some time the Redevelopment Commission has been involved in planning for the re-use of the Dilworth Urban Renewal Area. That it is now necessary to consider changing the zoning in the area to bring it into conformance with the proposed redevelopment plan for the area.

He stated the area involved in the Dilworth Renewal Project lies basically between Euclid Avenue, South Boulevard, Templeton Avenue, Bland Street and Renesselear Avenue. That most of the area is already vacant and cleared with a few scattered structures remaining. That it is a clean pattern of usage with the exception of the Pritchard Memorial Baptist Church property, and on the opposite side of South Boulevard are a number of scattered industrial and business use types. The fire station is on South Boulevard and is within the boundaries of the project.

Mr. Bryant stated the proposed plan for the re-use of the property will involve changing all the property within the boundaries of the project area from a combination of multi-family and office and industrial property to a residential classification with the exception that a portion of property (between Arlington Street and Bland Street) be changed to an O-6 classification in order to provide a site for the offices of the Public Housing Authority; then there will be a small portion at the corner of the project for B-1 to provide a site for a small commercial area to serve the needs of the renewal area.

Mr. Bryant stated there is industrial zoning along South Boulevard, with I-2 on the west side and I-1 on the east side, with office zoning adjacent and multi-family zoning along Euclid Avenue with some single family zoning on the east side of Euclid.

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Mr. Vernon Sawyer, Executive Director of the Redevelopment Commission, pointed out South Boulevard, Templeton Avenue and the other boundaries behind Euclid Avenue and Renasselear Avenue property. He stated the section which is less than an acre located on South Boulevard and the southernmost project boundary is the area where they will establish a small commercial section just for the convenience good shopping of the 398 residents who will live in the low income public housing project. He stated the section next to Arlington Avenue is the location for office use and the Housing Authority will build a separate office building as its administration headquarters. The property located by Arlington and South Boulevard - half of it is where the present fire station is located and the other half is a vacant lot that will be acquired by the city to enlarge the station and to create a small park. The remainder of the project will be sold to the Housing Authority for the Strawn Apartments and their administrative offices.

Councilman Whittington asked who will negotiate or handle the sale and promotion of the shopping center in the area? Mr. Sawyer replied it will be done by the Redevelopment Commission; they own the property now and have already put up a sign offering it for sell.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until the next meeting.

HEARING ON PETITION NO. 69-86 BY CHARLOTTE-MECKLENBURG PLANNING COMMISSION FOR A CHANGE IN ZONING FROM R-6MF AND B-2 TO I-2 OF THE AREA BOUNDED BY INTERSTATE HIGHWAY 77, SOUTH TRYON STREET, SOUTHERN RAILWAY, AND THE EXISTING I-2 BOUNDARY LINE ALONG FRANCES STREET.

The public hearing was held on the subject petition.

The Assistant Planning Director stated this petition is the result of a separate petition filed by property owners in the area a few months ago which asked for consideration of a change from residential to industrial for two tracts of land located on Pressley Road. The Commission in discussing this petition felt that if any changes were to be made they should be on a more comprehensive basis than a piece-meal expansion. Mr. Bryant stated the Commission instructed the staff to contact the property owners within the area bounded by the industrial zoning on one side, the railroad and the I-77 Expressway to get their reaction to the possibility of changing a larger area than the original petition. As a result they sent out letters to all the property owners within the area and got almost 100% response from them stating they were in agreement with having the whole area considered for a change to industrial zoning.

Mr. Bryant stated they received no response from people who owned one lot on the south side of Pressley Road and from the people who owned the large lot which is already zoned for business purposes. He stated there were also some scattered parcels along the railroad on which they could not determine the correct ownerships and could not send notices to them.

Mr. Bryant stated the uses in the large area is predominately one of vacant property, although there are a number of single family residences along Pressley Road and a scattering of houses; with that exception the area is predominately vacant. With I-77 being constructed it creates quite a barrier between the area.

He stated industrial zoning adjoins on the north side of the property with I-77 and multi-family zoning the predominate zoning within the area. There is some business zoning and a small area of B-2 zoning.

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Councilman Thrower asked why it is considered for I-2 zoning rather than I-1 zoning? Mr. Bryant replied because the adjoining property is zoned I-2 and there is a railroad on one side and the interstate expressway on the other side and they felt there was nothing in the immediate area to protect.

Councilman Tuttle stated Mr. Bryant mentioned that the majority of the property owners looked at this favorably; he asked if there is any direct opposition? Mr. Bryant replied there is not; that they heard from all but about two of the owners who were in favor of it, and the other two were not heard from.

Councilman Short asked who the property owners in the area are? Mr. Bryant replied a few of the owners are present today. That the owners as they secured them from the tax records are: Bertha Edwards, Cecil Christenbury, A. Jackson Bost, F. G. Richardson, John W. Morrow, Realty Syndicate Inc., American Legion Post 68, Patrick B. Turner, Sr., William J. Griesman, John D. Little, Sr., S. E. McGraw, Fred D. Saunders, and H. D. Albright.

Councilman Short asked if he knows the owners motives in agreeing with this? Mr. Bryant replied no; that one or two of the letters sent came back with some comments to the extent that they would like to have the option to sell their property for something other than single family and residential uses.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until the next Council Meeting.

HEARING ON PETITION NO. 69-97 BY THE ERVIN COMPANY FOR A CHANGE IN ZONING FROM I-2 TO R-9MF OF A 14.124 ACRE TRACT OF LAND LOCATED WEST OF MONTCLAIR SOUTH SUBDIVISION AND EAST OF INTERSTATE HIGHWAY 77.

The public hearing was held on the subject petition.

The Assistant Planning Director stated this is an unusual shaped tract of land and is located on the east side of I-77. He pointed out the Montclair South Subdivision and stated it is nearing completion as a subdivision. The subject property is vacant and it is adjoined on all sides by property that is vacant; it does tie in with Archdale Drive which will be developed as part of the Montclair South Subdivision. He stated the subdivision is developed for single family residences and there are scattered single family usage along the oldest street laid out from Griffith Road and Kinley Lane.

Mr. Bryant stated there is industrial zoning in the northeast quadrant along Griffith Street down to the boundaries of the Montclair South Subdivision area; the subject property is zoned industrial; there is single family residential zoning to include the subdivided area and O-15 zoning both south and west of the subdivided area. It is a pattern of industrial zoning to the north, single family zoning in the middle and office zoning to the south.

Mr. Ben Horack, Attorney for the petitioner, stated Ervin bought this piece of property some couple of years ago; that apartments can be built on O-15 but not in I-2. That about a month ago Ervin had the plans set to start on the first phase of their proposed apartment usage of the subject property including the triangle in conjunction with the major portion of the O-15 when they realized that a part of the property was zoned I-2. They had to stop work on the plans and apply for the rezoning of this triangle from I-2 to R-9MF in order to proceed with the proposed apartment development.

Mr. Horack stated the triangle is Phase I of three phases in the development of the entire apartment project; Phase I is to be all north of Archdale Drive. The ground is rough; Kings Creek Branch goes along the property and as a result there is some low land that will be utilized for the recreational areas.

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He stated the development will include a swimming pool, recreation building, laundry room with a meeting room and fireplace and kitchen. Phase I is estimated to be about 160 units, and will commence as soon as the zoning request is granted; Phase 2 will be in a month or two and Phase 3 will be sometime next summer.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until the next meeting.

MEETING RECESSED AND RECONVENED.

Mayor Belk called a ten minutes recess at 3:00 o'clock p.m., and reconvened the meeting at 3:10 o'clock p.m.

PROPERTY TRANSACTIONS AUTHORIZED.

Motion was made by Councilman Tuttle, seconded by Councilman Thrower, and unanimously carried, authorizing the following property transactions:

- (a) Acquisition of 25' x 59.19' of easement at 3038 Hillard Drive, from Gilbert S. Shaw and wife, Helen T., at \$112.00, for the Upper Briar Creek Outfall.
- (b) Acquisition of 15' x 122.24' of easement 255 feet north of Plaza Road at Covecreek Drive, from James C. Evans and wife, Alice B. Evans, at \$122.24, for sanitary sewer to serve Bridlewood.
- (c) Acquisition of 10' x 16' of easement at 530 Beatties Ford Road, from May H. Payne McDaniel, at \$1.00, for drainage easement for City Water Department.
- (d) Acquisition of 10' x 250.04' of easement at 4440 North Graham Street, from Humble Oil and Refining Company, a Delaware Corporation, at \$251.00, for a six-inch water main to serve Buccaneer Motel.

CONSTRUCTION OF SANITARY SEWER MAINS.

Upon motion of Councilman Whittington, seconded by Councilman Short, and unanimously carried, the following requests for sanitary sewer main construction were approved:

- (a) Request of Ed Griffin Development Company for the construction of 650 feet of 8-inch main to serve Hope Valley Apartments, inside the city, at an estimated cost of \$3,080.00, with all cost of construction to be borne by the applicant whose deposit in the full amount has been received and will be refunded as per terms of the agreement.
- (b) Request of Gallagher, Incorporated, for the construction of 160 feet of 8-inch main to serve 5321 Greenbrook Drive, inside the city, at an estimated cost of \$1,650.00, with all cost of construction to be borne by the applicant whose deposit in the full amount has been received and will be refunded as per terms of the agreement.

APPROVAL OF UTILITY RELOCATION AGREEMENT BETWEEN THE CITY AND THE STATE HIGHWAY COMMISSION RELATED TO THE NORTHWEST EXPRESSWAY.

Councilman Alexander moved approval of a utility relocation agreement between the City and the State Highway Commission related to the Northwest Expressway with the total estimated cost of the project \$105,795.00, to be shared by the State and the City on 56%-44% basis, with the State's share to be \$59,245.20 and the City's share \$46,549.80. The motion was seconded by Councilman Whittington and carried unanimously.

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ORDINANCE NO. 417-X ORDERING THE REMOVAL OF AN ABANDONED MOTOR VEHICLE AT 2919 REID AVENUE PURSUANT TO ARTICLE 13-1.2 OF THE CITY CODE AND CHAPTER 160-200(43) OF THE GENERAL STATUTES OF NORTH CAROLINA.

Motion was made by Councilman Jordan, seconded by Councilman Tuttle, and unanimously carried, adopting subject ordinance ordering the removal of an abandoned motor vehicle at 2919 Reid Avenue pursuant to Article 13-1.2 of the City Code and Chapter 160-200(43) of the General Statutes of North Carolina.

The ordinances are recorded in full in Ordinance Book 16, at Page 396.

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

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

- (a) Ordinance No. 418-X ordering the removal of weeds and grass adjacent to 423 Manning Drive.
- (b) Ordinance No. 419-X ordering the removal of weeds and grass adjacent to 4201 Randolph Road.
- (c) Ordinance No. 420-X ordering the removal of weeds and grass at 3604 Marvin Road.
- (d) Ordinance No. 421-X ordering the removal of weeds and grass adjacent to 1400 East Independence Boulevard.
- (e) Ordinance No. 422-X ordering the removal of weeds and grass at 2919 Reid Avenue.

The ordinances are recorded in full in Ordinance Book 16, beginning at Page 397.

APPROVAL OF CHANGE ORDER NO. 2 IN CONTRACT FOR EAST THIRTIETH STREET EXTENSION WITH JAMES T. TRIPLETT, INC. AND A. E. ANDERSON, INC.

Upon motion of Councilman Jordan, seconded by Councilman Thrower and unanimously carried, Change Order No. 2, in the amount of \$2,850.00, in contract for East Thirtieth Street Extension with James T. Triplett, Inc. and A. E. Anderson, Inc., (a joint venture) to construct a concrete sidewalk and retaining wall previously omitted due to a pending right of way agreement was approved.

ORDINANCE NO. 423 AMENDING CHAPTER 17, ARTICLE III, SECTION 52 OF THE CITY CODE INCREASING THE RATE FOR CONSTRUCTION OF SEWER LATERALS ON PAVED STREETS.

Councilman Whittington moved approval of subject ordinance increasing the rate for construction of sewer laterals on paved streets from \$150.00 to \$185.00. The motion was seconded by Councilman Short, and carried unanimously. The ordinance is recorded in full in Ordinance Book 16, at page 402.

TRANSFER OF CEMETERY LOT.

Councilman Short moved that the Mayor and City Clerk be authorized to execute a deed for the transfer of a cemetery deed with C. G. Armstrong and wife, Jane L. Armstrong, for Lot No. 323, Section 2, Evergreen Cemetery, at \$640.00. The motion was seconded by Councilman Whittington, and carried unanimously.

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CONTRACT AWARDED ALMOND GRADING COMPANY FOR REMOVAL OF SOUTH DAVIDSON STREET, BETWEEN EAST SECOND STREET AND INDEPENDENCE BOULEVARD.

Motion was made by Councilman Jordan awarding contract to the low bidder, Almond Grading Company, in the amount of \$6,526.00, on a unit price basis, for the removal of South Davidson Street, between East Second Street and Independence Boulevard. The motion was seconded by Councilman Whittington.

Councilman Short asked if this street is within the banks behind Hutton Scott Company? Mr. Veeder, City Manager, replied this street was built as a part of the detour for the McDowell Street construction. That First Baptist Church is the owner of both sides of the property, and this is a part of the agreement with the church, that the road would only be used for the period of time required for the detour and would then be closed.

The vote was taken on the motion and carried unanimously.

The following bids were received:

Almond Grading Company	\$ 6,526.00
The Amity Corp.	9,622.00
T. A. Sherrill Const. Co.	9,748.00
Blythe Borthers Co.	9,821.00
Crowder Construction Co.	10,568.00
Rea Construction Co.	14,400.50

RESOLUTION PLEDGING COOPERATION OF THE CITY OF CHARLOTTE WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN CONNECTION WITH PROTOTYPE HOUSING IN "OPERATION BREAKTHROUGH".

Upon motion of Councilman Thrower, seconded by Councilman Whittington, and unanimously carried, the subject resolution was approved pledging cooperation of the City of Charlotte with the Department of Housing and Urban Development in connection with prototype housing in "Operation Breakthrough".

The resolution is recorded in full in Resolutions Book 6, at Page 443.

APPROVAL OF AN AGREEMENT WITH MECKLENBURG COUNTY EXTENDING THE JURISDICTION OF THE CRIME LABORATORY, YOUTH BUREAU AND INTELLIGENCE SECTION OF THE CHARLOTTE POLICE DEPARTMENT THROUGHOUT MECKLENBURG COUNTY.

Motion was made by Councilman Whittington, seconded by Councilman Thrower, and unanimously carried, approving an agreement with Mecklenburg County extending the jurisdiction of the Crime Laboratory Youth Bureau and Intelligence Section of the Charlotte Police Department throughout Mecklenburg County.

CITY MANAGER REQUESTED TO HAVE STUDY MADE OF TAX RATES, USING CHARLOTTE'S RATE FOR SERVICES RENDERED AS COMPARED WITH OTHER CITIES WITH THEIR ADDONS.

Councilman Tuttle stated everyone is talking about high taxes; that some of it is due to the fact that beginning at the federal level taxes are high; the fact is emphasized by the high cost of living; but that our taxes on the local level are really high and if they are, just how high are they? Councilman Tuttle stated he is referring to the property tax. That people often say to him they have just moved here and their total county tax was only \$2.27 and here it is \$3.35. If you question them, generally they will admit they did pay some kind of special school tax or there was a monthly charge for garbage pick-up, or there was a water tax or something in the total rate, not evidence by their ad valorem rate.

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Councilman Tuttle stated he believes it is time that we found out just what our tax rate is in relation to other cities on the basis of comparing apples with apples; that he believes this Council would be interested in someone on the City Manager's staff making a real study, and quickly, in face of the issue before us, of the rates of around 15 other cities by using our rate for services rendered as compared with their rate with all the add-ons.

Councilman Tuttle requested that the following cities be considered for the comparison - Atlanta, Macon, Memphis, Nashville, Greensboro, Winston-Salem, Jacksonville, Tampa, Louisville, Kentucky, Birmingham, Alabama, Columbus, Ohio and Richmond and Norfolk, Virginia.

He stated with the upcoming bond election he believes Council should be in a position to relate our tax rate to other cities. That without objections from Council, he would ask Mr. Veeder to put someone on his staff on this as early as possible.

COPY OF REPLY TO ATTORNEYS CONCERNING OVERTIME PAY OR COMPENSATORY TIME FOR FIREFIGHTERS REQUESTED SENT TO COUNCIL.

Councilman Tuttle stated on October 2 Council received a letter from Chambers, Stein and Ferguson; that he asked about it last week and he has heard nothing on it; it was about the accusation of the firefighters having been promised by Council and systematically denied overtime pay or compensatory time off.

Mr. Veeder replied the letter has been replied to and there is no knowledge of any instance of this happening; that he will see that Council receives a copy of the reply to the attorneys.

CITY ATTORNEY REQUESTED TO ADVISE COUNCIL ON SEVERAL MATTERS WHICH HAVE BEEN BROUGHT UP PREVIOUSLY.

Councilman Short stated in previous requests made by Council, one related to a sewer tax. He asked if this matter was ever resolved? Mr. Underhill, City Attorney, replied he gave Councilman Smith a memo on it back in the spring. Councilman Short requested that a copy of this be given to Council and included in the next agenda. Mr. Veeder, City Manager, stated the basic conclusion was that it could not be done in this form.

Councilman Short stated he is serious about his suggestion that the City consider the purchase of a helicopter, and he hopes the City Attorney will advise Council on this soon.

Councilman Short stated he would also like to have a recommendation on his suggestion of requiring a vote at two successive meetings for outside requests for money.

RESOLUTION AUTHORIZING SUBMISSION OF A PROPOSAL FOR THE DEVELOPMENT, OPERATION AND MAINTENANCE OF AN INTEGRATED MUNICIPAL INFORMATION SYSTEM.

Mr. Veeder, City Manager, advised for about the last year the staff has been keeping track of a developing federal opportunity that is now at the point for Council to consider approving or making a pitch for it. He stated this is a federal opportunity involving a municipal information system. This is on a competition basis among cities in our population.

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group; the competition being to select no more than five cities to develop a real information system involving the latest use of hardware and soft ware. Mr. Veeder stated we have been working on this over the last several years with Council's approval using such organizations as System Development Corporation, a spin off with Rand Corporation. Based on what is known about other cities, it is doubtful if any other city in the country is doing more in this area than Charlotte.

Mr. Veeder stated part of the competition involved a University and we have developed a working relationship on this project with the University of North Carolina at Chapel Hill - more specifically the School of Cities Regional Planning, as well as the Institute of Government. He stated he thinks we have a chance of succeeding in this competition and if we do, there is no question of matching money involved. It will be funded without matching funds on the city's part over a period of about three years. He stated the county has been working with the city in developing this proposal and the County endorsed this in meeting this morning.

Councilman Jordan moved the adoption of a resolution authorizing the submission of a proposal for the development, operation and maintenance of an integrated municipal information system. The motion was seconded by Councilman Alexander, and carried unanimously.

The resolution is recorded in full in Resolutions Book 6, at Page 446.

HOUSING AUTHORITY AND PLANNING COMMISSION REQUESTED TO MEET WITH COUNCIL ON THE USE OF TRAILERS AND MOBILE HOMES INSIDE THE CITY LIMITS.

Councilman Whittington asked that Council have the Housing Authority and Planning Commission to meet with Council as quickly as possible on their ideas, thoughts and conceptions of going to trailers and mobile homes in the problem of housing. If Council can get some of the facts and the problems that relate to zoning it would give a better picture from which to consider the problem.

COUNCIL ADVISED COMMITTEE ON BLUE HEAVEN WILL MEET TUESDAY, OCTOBER 21 AT CITY HALL.

Mayor Belk advised the Committee on Blue Heaven will meet tomorrow, October 21, at 4:00 o'clock p.m., and in his absence Mayor pro tem Whittington will preside.

COUNCIL ADVISED THAT GOVERNOR AND STATE HIGHWAY PLAN TO SET UP SAFETY COMMITTEE RELATING TO DRINKING DRIVERS.

Mayor Belk stated Governor Scott and the State Highway is requesting that a Safety Committee be set up. That he and Mr. Lowe, Chairman of the County Board, attended a meeting that went over the program; that it works with the Institute of Government. He stated the program will not cost the city anything; but it will work in conjunction with the city and county; that Charlotte is the only city larger enough to have enough agencies to become involved in this program. That the program relates to drinking drivers and the rehabilitation of these drivers.

Mayor Belk stated this Committee will be formed out of Raleigh and they are only asking that the city approve of it.

Councilman Short stated he has talked with Dennis Whitaker of the Safety Association and one way they propose to cut down on drinking drivers is

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to publize the results that occur from this. He stated that would cut it down if anything would.

Mr. Veeder, City Manager, stated he has talked with Floyd Bass, Head of the Citizens Safety Association, and arranged for him to come before Council within the next two or three weeks, and at that time he will enlarge on this proposal.

WEDNESDAY, OCTOBER 22, 1969 PROCLAIMED AS CAROLINA COUGAR DAY.

Mayor Belk presented the following proclamation designating Wednesday, October 22, 1969 as CAROLINA COUGAR DAY:

WHEREAS, The Carolina Cougars have brought major league professional basketball to Charlotte; and

WHEREAS, this team will be an outstanding asset to Charlotte, bringing us professional sport and entertainment; and

WHEREAS, we wish to commend this occasion for the observance of all Charlotteans;

NOW, THEREFORE, I, John M. Belk, Mayor of the City of Charlotte, North Carolina, do hereby proclaim Wednesday, October 22, 1969, as

CAROLINA COUGAR DAY

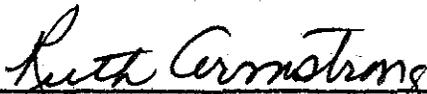
in the City of Charlotte, and do hereby urge all our citizens to honor and observe Carolina Cougar Day in our community, and we hereby express our appreciation for the Carolina Cougars.

NEXT COUNCIL MEETING TO BE HELD ON MONDAY, NOVEMBER 3, 1969.

Council was advised the next Council Meeting is scheduled for Monday, November 3, 1969, at 7:30 o'clock p.m., in the Council Chamber, as the majority of Council members will be out of the city next week attending the North Carolina League of Municipalities meeting in Asheville.

ADJOURNMENT.

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


Ruth Armstrong, City Clerk