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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held on Monday, October 29, 1973, at 3:00 o'clock p.m., in the Council Chamber, City Hall, with Mayor John M. Belk presiding, and Councilmembers Fred D. Alexander, Ruth M. Easterling, Sandy R. Jordan, Milton Short and Joe D. Withrow present.

ABSENT: None.

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#### INVOCATION.

The invocation was given by Councilwoman Ruth Easterling.

#### MINUTES APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, the minutes were approved for the meeting on October 15, 1973.

#### CERTIFICATE OF APPRECIATION PRESENTED TO CHANNING BROWN.

Mayor Belk recognized Mr. Channing Brown and presented him with a Certificate of Appreciation for outstanding contributions to the community. He stated Council would like to thank Mr. Brown because they heard a lot of arguments between the City and County on water and sewer until Mr. Brown became Chairman of the Community Facilities Committee when all of this ceased.

#### CITY OF CHARLOTTE EMPLOYEE PLAQUES PRESENTED.

Mayor Belk recognized Mr. P. H. Aderholt, Community Relations Officer with Police, LEAA and Model Cities and presented him with the City of Charlotte Employee Plaque for services to the City from April 1, 1953 until his retirement November 3, 1973.

Mayor Belk recognized Mr. William I. Green, Accounting Clerk with the Motor Transport Division of the Public Works Department, and presented him with the City of Charlotte Employee Plaque for his services to the City from October 22, 1926 until his retirement October 22, 1973.

#### INTRODUCTION OF CITY OF CHARLOTTE EXPLORER POST MEMBERS.

Mr. Gordon Poole of the Engineering Division of Public Works stated an Explorer's Post is being sponsored by City Hall under the guidance and supervision of the City Manager's Office. This Post is made up of students that have indicated an interest in community government. They hope the new updated approach to Exploring will assist these young people to find a role in society and the business world.

Mr. Poole stated a planned program of action related to government, social services and personal fitness is the main purpose of this Explorers Post. Officers have been elected, but they are not normal type of positions such as President, Vice President and Secretary. They decided, in conjunction with the students themselves, to elect a Mayor and City Council, and they in turn have appointed a City Manager, City Attorney and City Clerk who will function as the officers of this Post. He stated they plan to appoint other members to the Post as department heads so they can function equally with their counterparts.

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Mr. Poole then introduced the following officers:

Mayor - John Yates, a 17-year old Senior at South Mecklenburg High School.  
Councilwoman and Mayor pro tem - Mary Diamonduras, a 16-year old Junior at Harding High School.  
Councilman - Ted Fortner, a 17-year old Senior at North Mecklenburg High School.  
Councilwoman - Jennifer McLendon, a 16-year old Junior at Myers Park High School.  
Councilwoman - Beverly Mitchell, a 17-year old Senior at South Mecklenburg High.  
Councilwoman - Rene Patterson, a 17-year old Senior at West Mecklenburg High.  
City Manager - Roger Glenn, a 17-year old Senior at Myers Park High School.  
City Attorney - Jennie Weebler, a 17-year old Senior at South Mecklenburg High.  
City Clerk - Jill Auville, a 17-year old Senior at South Mecklenburg High School.

Mr. Poole stated they are in the process of trying to put together their constitution, and the Post members told him last week they want copies of the City Charter and someone from the City Attorney's Office to appear and start breaking the Charter down for them.

Mr. Burkhalter, City Manager, stated city employees who are in administrative positions and taking their time to work with these young people, are Wiley Williams, David Travland, Charles Cross, Bill Guerrant, Boyd Cauble, Johnnie Wallace, Gordon Poole, Uly Ford, Doris Cauble, Henry Fox and Deloris Richards.

Mayor Belk thanked all of the leaders who helped put this group together, and stated this will help them to learn more about local government.

**APPRECIATION OF QUEEN CITY HAWKS, WHEELCHAIR BASKETBALL TEAM, EXPRESSED TO COUNCIL FOR BUDGET SUPPORT.**

Mr. Bill Thomasson of the Queen City Hawks, Wheelchair Basketball Team, stated he would like to thank Council for its support through the Park and Recreation Commission in supporting this Team this year. With Council's support they have been able to purchase equipment to build athletic wheelchairs and it has been arranged so they can use Park Center on November 10th to play their first league game this year. He stated since creating the Charlotte team there has been such great interest over the Carolinas, that teams have been organized in Raleigh, Greenville, South Carolina, High Point, Asheville and Columbia. Mr. Thomasson stated with the help of the Park and Recreation Commission, they have built chairs to play in, and they do not have to use their personal chairs and they do hold up fine.

Mayor Belk thanked Mr. Thomasson and asked Councilman Whittington, Chairman of the Mayor's Committee for Employment of the Handicap, if he would comment.

Councilman Whittington stated what contribution he has made as Chairman has been things like this program to give an opportunity to participate with professional Wheelchair Basketball Teams across the country. This group has put us on the map and Council is grateful for what they are doing. He stated he would like to recognize Russ Gray who acts as Chairman for these people; that he is sure this Team will always be grateful to Mr. Gray and to the Mayor and to the people who helped make this program possible.

**CHAIRMAN OF THE CHARLOTTE-MECKLENBURG PLANNING COMMISSION EXTENDS INVITATION TO MAYOR AND COUNCIL TO JOIN THE COMMISSION IN TOUR OF THE ELIZABETH AREA.**

Mr. Allen Tate, Chairman of the Charlotte-Mecklenburg Planning Commission, extended an invitation to the Mayor and City Council to join with the Planning Commission and its staff for a tour of the Elizabeth area which is being considered under Petition No. 73-37. He stated this is a large case, massive in size, and it is important to our community, and under these conditions, they thought Council would like to have the benefit of the statistics that have been gathered and a personal on-site tour to see what the recommendations consist of and how it might be helpful.

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Mr. Tate stated the time, place and date can be arranged by the City Manager and his staff.

Mayor Belk requested the City Manager to arrange the tour with Mr. McIntyre, Planning Director, so that Mr. Tate can set up the tour.

RESOLUTION CLOSING A PORTION OF LOCKWOOD AVENUE, IN THE CITY OF CHARLOTTE, NORTH CAROLINA.

The public hearing was held on petition of Guilford B. Martin and wife, Johnnie E. Martin, Margaret H. Mullis, James R. Hagler and wife, Della T. Hagler, and Charnoca Corporation to close a portion of Lockwood Avenue, between Holt Street and Clemson Avenue.

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

No one spoke for or against the petition.

Upon motion of Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, a resolution was adopted closing a portion of Lockwood Avenue, between Holt Street and Clemson Avenue, in the City of Charlotte, North Carolina.

The resolution is recorded in full in Resolutions Book 9, beginning on Page 328.

ORDINANCE NO. 984 AMENDING CHAPTER 3A OF THE CODE OF THE CITY OF CHARLOTTE BY INCREASING THE NUMBER OF MEMBERS OF THE CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE FROM 36 TO 60.

Dr. Warner Hall, Chairman of the Community Relations Committee, stated they are grateful for the interest, concern and support of the work this Committee has sought to do under Council's direction, and at the Mayor's appointment. They have always felt Council's concern was back of them and they have their support for which they are most grateful. He stated they have been singularly fortunate in the Staff they have and three of them are present.

Dr. Hall stated they were appointed sometime ago to have a concern for those area of our life which might be embracive and ecumenical to domestic tranquility; to be aware of what was difficult and what created impossible situations and to attempt to do something about them before they got out of hand. This was their understanding of their responsibilities. He stated they feel there have been significant changes in the city's picture; the issues are broader than before. In order for the Committee to work more effectively, they have come to the conclusion they should be enlarged and should subdivide themselves into certain areas of concern where the Committee Members might be increasingly aware of what is going on in the city, conscious of areas where tensions might be created and difficulties might arise and be helpful for those in authority trying to work out solutions to these problems. They see a continuation and enlargement of the responsibilities originally delegated to the Committee. The 60-member group will provide a wider basis of representation on the Committee than is presently possible. They are grateful for those who have served effectively, but they feel there are some areas in the city's life that are not adequately represented as some others, and perhaps if they are to serve best they can be helped by having a broad spectrum of the city's population on the Committee. For this reason they are asking for the increase in membership and for the enactment of this ordinance which was prepared by the City Attorney, and has been approved by the Committee.

Councilman Whittington moved adoption of the ordinance as recommended. The motion was seconded by Councilman Withrow, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 19, at Page 322.

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PETITION NO. 73-41 BY EDWARD SMITH FOR A CHANGE IN ZONING FROM R-6MF TO I-1 OF SIX ACRES OF LAND LOCATED AT THE NORTH END OF HOLABIRD LANE AT THE SOUTHERN RAILROAD NORTH OF WEST BOULEVARD, DEFERRED.

Councilman Withrow stated all the property in this area is zoned R-6MF and most of the people on the west side have been interested in changing some property from high density to low density. He moved that Council defer decision on the subject petition and visit this property when they make the tour of the Elizabeth Community. The motion was seconded by Councilman Whittington, and carried unanimously.

PETITION NO. 73-42 BY BLANCHE A. SHERRILL AND E. PRESTON ANDREWS FOR A CHANGE IN ZONING FROM O-6 TO B-1 OF A LOT AT 1065 EAST MOREHEAD, DENIED.

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

Later in the meeting, Councilman Alexander stated this zoning was requested in order to convert the old house into a restaurant, and he is wondering if there is any type of special zoning change or category Council can establish to make such places possible. That he has noticed across the country and outside this country, they resort to the use of old homes such as this for the establishment of first class restaurants; and where they have been established they seem to fit in. That he has seen some beautiful places that have been established in old homes like this one, and he wonders if Council cannot make it possible for this to take place in our community. It looks like this is a good example of what he is speaking about.

Councilman McDuffie stated the objections of the neighborhoods in the Dilworth Community was if it is changed to B-1, you can build a steak house. That what Mr. Alexander says is a recurring problem; that our zoning regulations do not take care of an unusual situation. That it would be desirable to allow them to have a restaurant in the converted house and some of the Dilworth people would not object if they could be sure that is how it would be used. Somehow we need state regulations to allow what the City Attorney calls "conditional zoning". Councilman Jordan stated it should be pinned down in case they do not use it for what they state.

Councilman Alexander stated this is the reason he raised the question, and he requested the City Attorney to look into this and give Council an answer.

GRANT WHITNEY APPOINTED CHAIRMAN OF THE BICENTENNIAL COMMITTEE OF CHARLOTTE-MECKLENBURG TO HANDLE THE MECKLENBURG BICENTENNIAL IN 1975 AND ALSO THE NATIONAL BICENTENNIAL IN 1976.

Motion was made by Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, appointing Mr. Grant Whitney as Chairman of the Bicentennial Committee of Charlotte-Mecklenburg to handle the Mecklenburg Bicentennial in 1975 and also the National Bicentennial in 1976.

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MAYOR AUTHORIZED TO ENTER INTO CONTRACT WITH DEPARTMENT OF LABOR AS SPONSOR FOR THE NEIGHBORHOOD YOUTH CORPS "OUT OF SCHOOL PROGRAM"; AND ORDINANCE AMENDING THE 1973-74 BUDGET ORDINANCE TRANSFERRING FUNDS FROM THE CONTINGENCY ACCOUNT OF THE GENERAL FUND TO PAY FOR THE OPERATION OF THE OIC-CHARLOTTE BUREAU.

Councilman Whittington stated this has been a good program, and has shown good results. He moved that the Mayor be authorized to enter into a contract with the Department of Labor as sponsor for the Neighborhood Youth Corps "Out of School Program", in the amount of \$257,230, covering the period from October 29, 1973 to July 14, 1974, and the adoption of Ordinance No. 985-X amending Ordinance No. 828-X, the 1972-73 Budget Ordinance, transferring \$15,880 from the Contingency Account of the General Fund to pay for the operation of the OIC-Charlotte Bureau from October 16, 1973 through December 31, 1973, and establishing revenue and expenditure accounts to cover the Department of Labor Contract for the Neighborhood Youth Corps "Out of School Program". The motion was seconded by Councilman Short.

Councilman Short stated the explanatory material does not appear to him to make it plain that the Department of Labor has concurred in this, and he asked if that is a certainty? Mr. Burkhalter, City Manager, replied no, and we do not know we are even going to get this grant. Councilman Short asked if the idea of securing help from the Department of Labor is just a thought? Mr. Burkhalter replied there is no question about our getting it if they appropriate it, and we hope they will. We have the NYC.

Councilman Short stated then Council is basically voting to provide this \$15,000 and may or may not be in a position to recover it. Mr. Burkhalter replied that is right.

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

The ordinance is recorded in full in Ordinance Book 19, at Page 323.

Mr. Burkhalter stated this is not firm yet. Council has to take this action in order to negotiate and we hope this is how it is going to come out. That we are trying to extend this program as long as possible.

ORDINANCE NO. 986-X APPROPRIATING PROCEEDS FROM THE AUGUST 1973 BOND SALE FOR VARIOUS CAPITAL IMPROVEMENT PROJECT ACCOUNTS FOR THE DEVELOPMENT OF NEW PARKS.

Motion was made by Councilman Whittington, seconded by Councilman Short, and unanimously carried, adopting the subject ordinance, appropriating \$800,000 for various Capital Improvement Project Accounts for the development of three new parks - Hidden Valley, Tuckaseegee Road and Hornet's Nest Park.

The ordinance is recorded in full in Ordinance Book 19, at Page 325.

AGREEMENT WITH SOUTHERN RAILROAD COVERING THE PROPOSED GRADE SEPARATION AT THE SOUTHERN CROSSLINE RAILROAD AND TYVOLA ROAD EXTENSION.

Councilman was advised the subject agreement covers the proposed grade separation at the Southern Crossline Railroad and Tyvola Road Extension which permits the City to cross under the railroad according to the approved plans, and obligates the City to pay all costs involved, with the railroad to maintain the bridge after it is constructed.

Councilman Short stated he thought the one who went above is the one who pays under the new law. Mr. Watts, Deputy City Attorney, replied he understands this is going to be a bridge and the City is requiring it to be put in and it is going to be a new structure and under the law this means the City will have to pay it all, and Southern Railroad will maintain it from now on.

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Councilman McDuffie stated the City pays both ways because if we build over the railroad, we pay, and if we build under, we pay. Councilman Short stated he thinks this should be explained; and he asked if we are not appropriating money that is contrary to the state law? Mayor Belk replied no. That the law will have to be changed; that he brought this up at the Caldwell Street bridge dedication.

Mr. Bobo, Assistant City Manager, stated he believes Council has reference to existing bridges where they have to be replaced. If the bridge goes over the railroad, then the City has to bear the majority of the cost, and if the railroad goes over the existing road, then the railroad bears the majority of the cost. In places where there are no streets and no roads and you want to build a road across, that is a different situation. In that situation, you negotiate.

Councilman Whittington moved approval of the agreement, which motion was seconded by Councilman Jordan, and carried unanimously.

**CONTRACT WITH WILBUR SMITH AND ASSOCIATES FOR ENGINEERING SERVICES FOR THE FIRST WARD URBAN RENEWAL AREA, AUTHORIZED.**

Councilman Whittington asked if there is not some explanation about what progress is being made now, or what steps are being taken in the First Ward since this is the first time anything has appeared on the agenda in a good while? Mr. Sawyer, Director of the Urban Redevelopment Department, replied the project was approved this fiscal year beginning in July, and they immediately started preparations to get the appraisal work done which is the first step to take to acquire land. Appraisals are underway, and appraisers are working in the area now. Title work is planned and preliminary work is underway there. The Relocation Division has made an updated survey to determine the current need of the residents of the area who will have to be relocated; that has all been tabulated, and they are prepared with that information to begin the relocation operation at the proper time. He stated the next logical step is to start engineering services which means the survey work necessary, the design of the new streets and other engineering needs.

Mr Sawyer stated roughly the western boundary of the project is now Caldwell Street; the northern boundary is Seaboard Railway; the eastern boundary is Sugar Creek, generally coming down separating the project from Piedmont Courts and Central Piedmont Community College; the southern boundary is roughly Fifth Street, but it does project across Fifth Street in a couple of spots to pick up a few dilapidated buildings.

Mr. Sawyer stated 300 plus units will be demolished and some of these are multiple units and the plans call for about the same number of units to be constructed back into the area as would be demolished. It will be close to a one-for-one replacement. He stated they are going to stage this project, and they hope it will be in a better fashion than they were able to do in Greenville. In Greenville they had the problem of creating a whole new community, a new street system and abandoning just about everything there. In First Ward, since the street system is fixed, and they are unable to change that except in some minor respects, they will not have the same problems of closing streets and installing new utilities. The plans are to clear small areas, put that land on the market to have housing come along at the same time they are carrying on the land acquisition and relocation program. He stated they are under the Margaret Green-Harris McKnight compromise and that limits us in the relocation operation especially to a certain number per year.

Councilman Alexander asked about the relocation; what proposals they have that makes one feel there will be available places within the range of the relocatees' ability to pay when they are relocated? Mr. Sawyer replied they have certain public housing units they expect to become available and this is in the normal turn over and they have some priority.

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Councilman Alexander stated if we do not have it now, how do we anticipate taking care of the increased housing problems we have which is not going to get any lesser, but it is going to tighten up more and more. If we are going into relocation, the biggest thing that disturbs him is that in previous relocations, we began relocating and demolishing before there were adequate resources to relocate the people, and that is why he is raising the question early before brick one is torn down. Mr. Sawyer replied certain public housing units will become available over the period of time they will be conducting the relocation operation. Also, they have very liberal relocation benefits that are payable to each family for tenants up to \$4,000 that can be spread over a four year period to supplement the rent.

Mr. Sawyer stated they have surveyed the entire city and they know the units for sale and for rent that are available; they know the sizes and the rental range and the sale price. He stated relocation is the key to their whole schedule, and if they cannot find a place for a family that is suitable, they will not do any relocating; they will not evict people because they have no place to go.

Councilman Alexander stated he is equally disturbed about the situation in Third Ward. That it is up in the Church Street area. There is no project there, and he is wondering how soon it can get on the drawing board. Before Council starts anything else, something needs to be looked into about this situation; it is a disgrace to Charlotte and the situation does not seem to improve and grows worse from day to day. That he calls this to Mr. Sawyer's attention so that whatever can be done to initiate some beginnings there and some concern about the area, and propose what it would take to get it on board.

Councilman Withrow stated he knows Wilbur Smith is good; but are there no capabilities here in Charlotte for this type of work? Mr. Sawyer replied this firm has indepth capability; the ability not only to do the regular survey work but also the design work, and that is where the expertise is required; and they excel in that. That he does not say we do not have the capabilities here. But this recommendation is made jointly with the Public Works Department. This firm has been the city's engineers in some of the Brooklyn Projects and the Greenville Projects; they have a wealth of information already on hand in their computers as a result of being the location engineers and design engineers for the expressway system that goes through there, and this can be a headstart in terms of time. This will be done on a reimbursable or cost plus basis.

Councilman Short stated it has been pointed out that the rules require relocation before you can do anything in First Ward. He asked are they in fact relocating people? Mr. Sawyer replied they do not expect to have the first relocation until after the first of the year. Late in November or early December, they expect to reach the point where they will be able to negotiate the purchase of property. After they buy the first property, the federal law gives the occupant three months of occupancy before they are relocated. When the first property is bought in November, they are approaching March before they can relocate. Councilman Short asked if he sees prospects of being able to substantially relocate people, and Mr. Sawyer replied yes, based on the current information which was recently updated. He stated the relocation plans call for relocating about 70 a year and this small number is generally tied to the requirements of the McKnight compromise.

Councilman Whittington moved approval of the contract with Wilbur Smith and Associates to perform engineering services for the First Ward Urban Renewal Area. The motion was seconded by Councilman Short, and after further discussion, carried unanimously.

MAYOR BELK LEAVES CHAIR AND MAYOR PRO TEM ALEXANDER PRESIDES.

Mayor Belk left the Chair at this time and Mayor pro tem Alexander presided until his return as noted in the Minutes.

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CHANGE ORDER NO. 9 IN CONTRACT WITH CROWDER CONSTRUCTION COMPANY FOR INSTALLATION OF AN EXTENSION OF SANITARY SEWERS, STORM DRAINAGE AND APPURTENANCES TO CONNECT SEWERAGE AND DRAINS TO SERVICE LINES BEING BROUGHT OUT TO WEST TRADE STREET FROM THE NEW NCNB TOWER.

Councilman Short asked if these connections are being done under normal sewer extension policies? Mr. Sawyer, Director of Urban Redevelopment, replied he is not sure what the policies are; they had a contract with Crowder Construction Company for a lot of street work and sanitary sewer work; these lines were extended up Trade Street to a point just opposite where the NCNB Building needed to extend their lines to connect to them to service this building. Their line of right of way originally extended through the heart of the People's Furniture Store building and the alley. When we could not deliver the land, it reached the point in time where they have to have these utilities to serve this building and they agreed to move at considerable expense to the project, and in turn we agreed to extend the lines to do our part to meet them half way for what they are doing because of our default under contract.

Mr. Sawyer stated they moved their utility right of way over on the original plan; they had to go back to the drawing board with considerable time and trouble and expense to make this change. Now, we are proposing to extend these lines to accommodate their change. He stated we cannot deliver the land to them as yet, so they had to move their right of way from one point to this present point in order to place their utilities.

Councilman Short asked if they were originally to pay for this, but now we are paying? Mr. Sawyer replied no; originally we paid for moving and installing new storm sewers and sanitary sewers in Trade Street up to that point, and that was the first of the year. That time has passed and they were unable to connect where they were; when they agreed to move, then they brought this change order to Council and recommended approval of it to accommodate this change. He stated it is a very fair proposition.

Councilman Short stated in effect we are extending facilities in the street to accommodate a new point of junction. Mr. Sawyer replied that is right.

Motion was made by Councilman Withrow, seconded by Councilman Whittington, and unanimously carried, approving the change order as recommended.

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

Council was advised the property owners had indicated they would not contest any of the subject orders.

Councilman Whittington moved adoption of the following ordinances affecting housing declared "unfit" for human habitation under the provisions of the City's Housing Code, which motion was seconded by Councilman Jordan, and carried unanimously:

- (a) Ordinance No. 987-X ordering dwelling at 328 Honeywood Avenue to be vacated and closed.
- (b) Ordinance No. 988-X ordering dwelling at 2738 North Graham Street to be vacated and closed.
- (c) Ordinance No. 989-X ordering dwelling at 521 Nelson Avenue to be vacated and closed.
- (d) Ordinance No. 990-X ordering dwelling at 3422 Kentucky Avenue to be vacated and closed.
- (e) Ordinance No. 991-X ordering dwelling at 2214 Carmine Street to be demolished and removed.
- (f) Ordinance No. 992-X ordering dwelling at 2425 Dundeen Street to be demolished and removed.

The ordinances are recorded in full in Ordinance Book 20, beginning on Page 326.

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ORDINANCES ORDERING THE REMOVAL OF WEEDS AND GRASS PURSUANT TO SECTION 6.103 AND 6.104 OF THE CITY CHARTER, CHAPTER 10, ARTICLE I, SECTION 10-9 OF THE CITY CODE AND CHAPTER 160A-193 OF THE GENERAL STATUTES OF NORTH CAROLINA.

Upon motion of Councilman Withrow, seconded by Councilman Whittington, and unanimously carried, the following ordinances were adopted ordering the removal of weeds and grass:

- (a) Ordinance No. 993-X ordering the removal of weeds and grass at 423 East Fifth Street.
- (b) Ordinance No. 994-X ordering the removal of weeds and grass adjacent to 247 West Park Avenue.
- (c) Ordinance No. 995-X ordering the removal of weeds and grass adjacent to 3117 Ross Avenue.

The ordinances are recorded in full in Ordinance Book 20, beginning on Page 332.

CONTRACTS FOR WATER MAINS AND SANITARY SEWER CONSTRUCTION, APPROVED.

Motion was made by Councilman Withrow, seconded by Councilman Short, and unanimously carried, approving the following contracts for water mains and sanitary sewer construction:

- (a) Contract with Dr. Robert L. Ward for construction of approximately 210 feet of 6" C. I. water main to serve property abutting on Crisman Street, inside the City, at an estimated cost of \$1,000.00. Funds will be advanced by the applicant under the terms of existing City policies as related to such water main construction.
- (b) Contract with The Ervin Company for construction of approximately 2,210 feet of 6" and 2" water main and three (3) fire hydrants to serve Innisfree Subdivision, outside the city, at an estimated cost of \$10,100.00. Funds will be advanced by applicant under the terms of existing city policies as related to such water main construction.
- (c) Contract with Coble Dairy Products, Inc. for the construction of approximately 380 linear feet of 8-inch sewer main in University Commercial Place, outside the city, at an estimated cost of \$6,750.00. The applicant has deposited 100% of the estimated cost and the city is to construct the mains with refund as per agreement.
- (d) Contract with Neal G. Helms for the construction of approximately 1,050 linear feet of 8-inch sewer line extension to serve 1909 Milton Road, inside the city, at an estimated cost of \$9,300.00. The applicant has deposited 100% of the estimated cost and refund is as per agreement.
- (e) Contract with Foxcroft Estates for construction of approximately 5,690 linear feet of 8-inch trunks and mains to serve Foxcroft Hills #7, outside the city, at an estimated cost of \$54,000.00. The applicant is to construct at his own cost and give to the City and the City will own, maintain and receive all revenue.
- (f) Contract with Weiner King Corporation for construction of approximately 150 linear feet of 8-inch sewer extension in Monroe Road to serve 5431 Monroe Road, inside the city, at an estimated cost of \$1,705.00. The applicant has deposited 100% of the estimated cost and is non-refundable. The City is to collect and retain all revenue.
- (g) Contract with Charlotte Elks Lodge #392 for construction of approximately 670 linear feet of 8-inch main extension in Arrowood Road to serve the new Elks Club, outside the City, at an estimated cost of \$8,000.00. The applicant has deposited 100% of the estimated cost and refund is as per agreement.

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

Councilman Short moved that the following streets be taken over for continuous maintenance by the City, which motion was seconded by Councilman Jordan, and carried unanimously:

- (a) Belshire Lane, from Belshire Lane to the end of the cul-de-sac.
- (b) Tamerlane, from Tamerlane to end of cul-de-sac.
- (c) Woodward Avenue, from Statesville Avenue to school.
- (d) Meadowcliff Drive, 175' south of Stepping Stone Drive to 480' NW of Merry Creek Road.
- (e) Clover Hill Lane, Meadowcliff Drive to 420' west.
- (f) Merry Creek Road, Meadowcliff Drive to 150' southwest.

**ENCROACHMENT AGREEMENTS WITH THE NORTH CAROLINA BOARD OF TRANSPORTATION, APPROVED.**

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, the following Encroachment Agreements were approved with the North Carolina Board of Transportation:

- (a) Encroachment Agreement permitting the City to construct an 8-inch C. I. water main in I-85 North Service Road, beginning at a point west of SR 1662 and running southwesterly to an existing 16-inch water main in Mulberry Church Road, SR 1658.
- (b) Encroachment Agreement permitting the City to construct an 8-inch C. I. water main in SR 2848, Orr Road, for a total distance of 550 feet and in a southerly direction in SR 3045, University Commercial Place, for a distance of 450 feet.
- (c) Encroachment Agreement permitting the City to construct various sizes of water and sanitary sewer lines within the rights of way of Independence Express, Elizabeth Avenue, East 4th Street, East Third Street, Independence Boulevard and Kenilworth Avenue.
- (d) Encroachment Agreement permitting the City to construct an 8-inch C. I. water main along the northern right of way line of I-85 Service Road.
- (e) Encroachment Agreement permitting the City to construct an 8-inch VCP sanitary sewer line south of SR 3332, Swaine Drive, at the intersection of SR 3334, Burtonwood Circle, and running south along the eastern side of SR 1009, Monroe Road, to serve Section IV of Parkview East.

**PROPERTY TRANSACTIONS AUTHORIZED.**

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

- (a) Acquisition of 9.45' x 160.07' x 5.46' x 160' of easement at 6608 Rosecran Drive, from Donna Thompson Burr (divorced), at \$220.00, for the Hickory Grove Area Trunks Sanitary Sewer Construction Project.
- (b) Acquisition of 15' x 70.7' of easement at 6420 Karenstone Drive, from Doris Colleen Morrow and husband, Fred Morrow, Jr., at \$70.00, for the Hickory Grove Area Sanitary Sewer Trunks Project.
- (c) Acquisition of 15' x 363.07' of easement at 6730 Lakeside Drive, from Jeffrey F. Meyer and wife, Lauree H., at \$775.00, for the Hickory Grove Area Sanitary Sewer Trunks Project.
- (d) Acquisition of 15' x 177.60' of easement at 6724 Lakeside Drive, from Mildred G. McCuller and husband, Cecil L. McCuller, at \$180.00, for the Hickory Grove Area Sanitary Sewer Trunks Project.

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- (e) Acquisition of 15' x 123.80' of easement at 7529 Linda Lake Drive, from James D. Farrell and wife, Ethel M., at \$200.00, for the Hickory Grove Area Sanitary Sewer Trunks Project.
- (f) Acquisition of 10' x 101.17' x 10' x 183.08' of easement at 8201 Albemarle Road, from S.B.S. Builders, Inc., at \$1.00, for Sanitary Sewer to serve Birnam Woods VI Project.
- (g) Acquisition of 142.40' x 15' of easement at 7215 Lakeside Drive, from Katherine B. Green, at \$450.00, for the Hickory Grove Area Sanitary Sewer Trunks Project.
- (h) Acquisition of 15' x 1,706.03' and 25' x 456.63' of easement east of Linda Lake Drive, from Beulah N. Herron (widow) Life Estate, Fred J. Herron and wife, Frances Irene, at \$2,200.00, for the Hickory Grove Area Sanitary Sewer Trunks Project.
- (i) Acquisition of 10' x 167.68' of easement at 143 Renwick Road (off Sardis Road), from Sam G. Miller and wife, Elizabeth S. Miller, at \$220.00, for sanitary sewer to Renwick Road Project.
- (j) Acquisition of 15' x 758.98' of easement at 6332 Grove Park Boulevard, from John A. McAlexander and wife, Glenda K., at \$1,000.00, for the Hickory Grove Area Sanitary Sewer Trunks Project.
- (k) Acquisition of 30' x 739.82' of easement at 10331 Nations Ford Road, from Blythe Brothers, Inc., at \$1.00, for Kings Branch Outfall Sanitary Sewer Construction Project.
- (l) Acquisition of 10' x 372.22' of easement at 412 Livingston Drive (off Sardis Road), from J. William Magnon and wife, Marianne C., at \$750.00, for Sanitary Sewer to serve Renwick Road Project.
- (m) Acquisition of 15' x 109.88' and 20' x 137.89' of easement at 6803 Pencade Lane (off Plott Road), from John J. Ellsworth, Jr., and wife, Alice P., at \$250.00, for the Hickory Grove Area Sanitary Sewer Trunk Lines Project.
- (n) Acquisition of 15' x 129' of easement at 8930 Monroe Road, from Mecklenburg County, at \$1.00, for Sanitary Sewer to serve 8800 Monroe Road Project.
- (o) Acquisition of 15' x 33' x 4.45' x 200' of easement at 6709 Terry Lane (Hickory Grove Area off Williams Road), from Charles A. Holub and wife, Corraine G., at \$265.00, for the Hickory Grove Area Sanitary Sewer Trunk Lines Project.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO ROBERT HENRY SMATHERS AND WIFE, MARGARET BROWN SMATHERS, AND KATHLEEN LEWIS BUNDY, LOCATED IN STONEHAVEN DEVELOPMENT BETWEEN LIDO AVENUE AND SARDIS ROAD, IN MECKLENBURG COUNTY, IN CONNECTION WITH THE STONEHAVEN LIFT STATIONS.

Councilman Short stated he has a question which relates to the position of this outfall. These peoples' point is that the City is condemning their land and putting a series of manholes all the way across their property, and taking a fifteen foot right-of-way on property they intended to develop when there is governmental right-of-way nearby in the form of a street. Their basic question is why are we condemning their land and paying money to run this right-of-way across their land when we have property that is just parallel to it. Mr. Dukes, Assistant Director of Utilities, replied this property is located in the area developed by John Crosland. In developing the property, they had a sewage lift station into the street, and another lift station lifting it into another area, and into the McAlpine Outfall. Mr. Dukes stated the City is now developing

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the area, and since sewage will not run uphill, they proposed to put the sewers down the creek; there is no right of way at present as the sewage has been listed; they are attempting to eliminate the lift stations so the property can be served sewage by gravity flow and to prevent it from running over. Councilman Short stated this is going to be a rather price for this property. He asked if the elimination of the lift stations is worth this? Mr. Dukes replied the lift stations are continuing to cost us to maintain and pay the electrical bill. This will help in the development of the whole area. He stated they depend on sewage running down hill, and they put it in the lowest point so that as the property develops, they channel trunks to it; at present they have to lift it uphill.

Councilman Short moved adoption of the subject resolution authorizing condemnation proceedings for the acquisition of property belonging to Robert Henry Smathers and wife, Margaret Brown Smathers, and Kathleen Bundy, located in Stonehaven Development between Lido Avenue and Sardis Road, in Mecklenburg County, in connection with the Stonehaven Lift Stations, which motion was seconded by Councilman Withrow, and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Page 330.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO KATHERINE LEWIS BUNDY AND HUSBAND, CHARLES W. BUNDY, LOCATED IN STONEHAVEN DEVELOPMENT, NORTHEAST OF SARDIS ROAD, IN MECKLENBURG COUNTY, IN CONNECTION WITH THE STONEHAVEN LIFT STATION.

Upon motion of Councilman Short, seconded by Councilman Withrow, and unanimously carried, the subject resolution was adopted authorizing condemnation proceedings for the acquisition of property belonging to Katherine Lewis Bundy and husband, Charles W. Bundy, located in Stonehaven Development, northeast of Sardis Road, in Mecklenburg County, in connection with the Stonehaven Lift Stations.

The resolution is recorded in full in Resolutions Book 9, at Page 331.

MAYOR BELK RETURNS AND PRESIDES FOR THE REMAINDER OF THE SESSION.

Mayor Belk returned to the Chair at this time and presided for the remainder of the session.

SPECIAL OFFICER PERMITS AUTHORIZED.

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

- (a) Renewal of permit to James Leslie Bell for use on the premises of Charlotte Park & Recreation Commission.
- (b) Renewal of permit to John Martin Tully for use on the premises of Charlotte Park & Recreation Commission.
- (c) Renewal of permit to Barry Wayne Worley for use on the premises of Charlotte Park and Recreation Commission.
- (d) Renewal of permit to Lester Phifer for use on the premises of King's Business College, 322 Lamar Avenue.
- (e) Renewal of permit to Raymond Gheen for use on the premises of K-Mart, 2701 Freedom Drive.
- (f) Issuance of permit to William Leroy Elliott for use on the premises of K-Mart, 6025 South Boulevard.

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RESOLUTION AUTHORIZING SUBMISSION OF LEAA APPLICATION BY THE CHARLOTTE POLICE DEPARTMENT TO THE NORTH CAROLINA DEPARTMENT OF NATURAL AND ECONOMIC RESOURCES, DIVISION OF LAW AND ORDER.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, the subject resolution authorizing an LEAA Application was approved for submission by the Charlotte Police Department to the North Carolina Department of Natural and Economic Resources, Division of Law and Order, in the amount of \$6,425.00. Of this total amount, \$241.00 represents the City's cash match contribution.

The resolution is recorded in full in Resolutions Book 9, on Page 332.

CONTRACT AWARDED MILLER'S OFFICE EQUIPMENT COMPANY FOR OFFICE FURNITURE.

Motion was made by Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, awarding contract to the low bidder, Miller's Office Equipment Company, in the amount of \$20,564.93, on a unit price basis, for office furniture for various departments within the City.

The following bids were received:

Miller's Office Equipment Co.	\$20,564.93
O. G. Penegar Company	20,786.00
Clyde Rudd & Associates	22,394.56
White Business Machines	24,162.19

CONTRACT AWARDED AIR MASTERS, INC. FOR INSTALLATION OF AIR CONDITIONING FOR THE POLICE DATA PROCESSING SECTION.

Councilman Alexander moved award of contract to the low bidder, Air-Masters, Inc., in the amount of \$11,377.00, for installation of air conditioning for the Police Data Processing Section, which motion was seconded by Councilman Jordan, and carried unanimously.

The following bids were received:

Air-Masters, Inc.	\$11,377.00
Mechanical Services Corp.	12,650.00
Mecon, Inc.	13,847.00

CONTRACT AWARDED PIEDMONT GRADING COMPANY FOR SOIL EROSION CONTROL AND WATER POLLUTION CONTROL, BROOKLYN URBAN RENEWAL AREA, N. C. R-43.

Upon motion of Councilman Withrow, seconded by Councilman Jordan, and unanimously carried, the subject contract was awarded the low bidder, Piedmont Grading Company, in the amount of \$9,515.00, for Soil Erosion Control and Water Pollution Control, Brooklyn Urban Renewal Area, N. C. R-43.

The following bids were received:

Piedmont Grading Company	\$ 9,515.00
O. L. Parker & Son Grading Company	10,450.00
S & W Grading Contractors	13,200.00

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CONTRACT AWARDED SANDERS BROTHERS, INC. FOR CONSTRUCTION OF CONCRETE BOX CULVERT UNDER NEW POLK STREET IN THE GREENVILLE URBAN RENEWAL AREA, PROJECT NO. N. C. R-78.

Motion was made by Councilman Short, seconded by Councilman Alexander, and unanimously carried, awarding contract to the low bidder, Sanders Brothers, Inc., in the amount of \$22,372.20, for construction of concrete box culvert under New Polk Street, in the Greenville Urban Renewal Area, Project No. N. C. R-78.

The following bids were received:

Sanders Brothers, Inc.	\$22,372.00
Crowder Construction Company	24,366.00

CONTRACT AWARDED MOTOROLA C & E, INC. FOR FURNISHING A SATELLITE RECEIVER SITE AND ANTENNA SYSTEM FOR INSTALLATION NEAR THE AIRPORT IN THE BOULEVARD HOMES AREA.

Councilman Whittington moved award of contract to the only bidder, Motorola C & E, Inc., in the amount of \$8,350.00, on a unit price basis, for furnishing a Satellite Receiver Site and Antenna System for installation near the Airport in the Boulevard Homes Area. The motion was seconded by Councilman Jordan, and carried unanimously.

CONTRACT AWARDED GARDNER & BENOIT, INC. FOR LITTER RECEPTACLES.

Upon motion of Councilman Jordan, seconded by Councilman Alexander, and unanimously carried, contract was awarded the low bidder, Gardner & Benoit, Inc., in the amount of \$4,274.20, on a unit price basis, for litter receptacles which will be used in the North Charlotte area, the Central Avenue, Plaza Area, and to extend the current Central Business District service.

The following bids were received:

Gardner & Benoit, Inc.	\$ 4,274.20
Fadels, Inc.	4,446.00
Hood Hotel Supply Corp.	4,487.04
Maintenance Supply Co., Inc.	6,176.16

CONTRACT AWARDED FRANK H. CONNER COMPANY FOR FURNISHING ALL LABOR, MATERIALS AND EQUIPMENT FOR SITE PREPARATION AND CONSTRUCTION OF ONE HYDROGEN PEROXIDE FEED AND MONITORING BUILDING ON SHARON ROAD AT BRIAR CREEK.

Motion was made by Councilman Alexander, seconded by Councilman Withrow, and unanimously carried, awarding contract to the only bidder, Frank H. Conner Company, in the amount of \$18,571.00, for furnishing all labor, materials and equipment for site preparation and construction of one hydrogen peroxide feed and monitoring building on Sharon Road at Briar Creek.

CITY MANAGER REQUESTED TO HAVE SOMEONE INVESTIGATE PETITION OF RESIDENTS OF 3900 BLOCK OF GLENVILLE AVENUE TO ALLOW PARKING ON ONE SIDE OF THE STREET.

Mr. Edward O. Brumfield, Jr., 3926 Glenville Avenue, stated he submitted a petition to the City on behalf of the residents of the 3900 block of Glenville Avenue to have "no parking" signs removed from one side of the street. That parking was not permitted on one side of the street, and on September 26 signs were erected prohibiting parking on the other side; now parking is not allowed on either side. Out of thirteen households in this block, eleven are in favor of removing the signs. They feel it is unjust, and it is forcing them to convert their front yards into driveways. There is no place for visitors to park at all.

Mayor Belk requested the City Manager to have someone investigate this and report back to Council.

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COUNCILMEMBERS TO MAKE TOUR OF ASHLEY ROAD RELOCATION AS REQUESTED BY BUSINESSES IN THE AREA.

Mr. Tony Sipe, 4619 Westridge Drive and partner of Peddler's Pantry, stated on October 15, he appeared before Council bearing a petition signed by representatives of businesses affected by the Ashley Road relocation protesting the relocation on the grounds that it creates confusion and an inconvenience to the general public. They also contend that the present traffic flow serves no useful purpose other than to shift the congestion from the I-85 exit ramps to Freedom Drive, and to get traffic by the new Richway Shopping Center.

He stated he has with him today petitions signed by residents in the affected area and motorists who must travel that area which states they protest the closing of Ashley Road to two-way traffic, and requests that the street be re-opened to two-way traffic. He stated it is signed by 1,030 people. Mr. Sipe said with these petitions they represent the businesses, the motorists and the residents of area who must live with the situation. The present flow of traffic created by the Ashley Road relocation is confusing, congestive and totally illogical. By closing the old portion of Ashley Road to two way traffic, the engineering department has completely eliminated a major alternate route available to relieve congestion on Freedom Drive. All traffic on Tuckaseegee Road, and they estimated 99% of the I-85 exit traffic, and all the traffic on Ashley Road desiring access to the interstate, Tuckaseegee Road, or Highway 27 West must now pass through the intersection of Tuckaseegee Road and Freedom Drive. All of this in addition to that traffic already on Freedom Drive, and the opening of Richway Shopping Center has created a substantial drawing card for traffic in that area. He stated there is too much traffic in that area to pass through one intersection. It would be very pleasant for all concerned if the arguments of the engineering department were logical; however, that traffic will never adjust to that situation. The final completion of the intersection of new Ashley Road and Freedom Drive will do little else than eliminate some of the danger that now exists there. The addition of a turn signal would eliminate danger. The additional time involved will contribute to the backup of traffic on Freedom Drive. That backup is the basis of their argument. That area desperately needs an alternate route, and that route is most easily accomplished by reopening Ashley Road to two-way traffic.

Mr. Sipe stated this road change has all but put them out of business. They ask that a decision to reopen Ashley Road to two-way traffic be made today.

Councilman Withrow stated these people are in a hardship. It look to him as though some sort of stoplight could be erected to direct traffic. Also, people coming off I-85 have to go all the way around their elbow to get back to the new road. That he thinks this proposal should be considered and we do all in our power to help these people.

Councilman McDuffie asked that Mr. Deaton, of the Traffic Engineering Department, explain what has taken place, and what the alternatives are.

Councilman Whittington stated he does not know what the solution is to this intersection; but Mr. Tate has made a proposal to go out and see the Elizabeth area that is petitioned for rezoning, and someone else has asked that the tour include the area for rezoning on Holabird Lane as requested by Mr. Smith. That he thinks at the same time, Council should be carried on a tour of this area with Mr. Hoose and his staff, and anyone else the City Manager would suggest, so that Council can see this first hand at peak hours, and then Council can make some determination if we can do anything to help these people; if we cannot then we should tell them. Council needs to go out and see it as he has seen it. That he is not an engineer, but these people have problems, and Council needs to see what the problem is.

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Councilman Short asked if the change made this past week is not of any benefit at all, and Mr. Sipe replied that is right. That he understands it was to enable the large trucks at Southern 500 to maneuver better. Councilman Short stated his intent was to enable traffic heading north along Ashley Road to continue. Mr. Sipe replied the traffic coming off the service road can turn right on Ashley.

Councilman Alexander stated the more suitable way to resolve this is to make this tour and see the situation.

Councilman Whittington moved that Council go out and look at this area as soon as possible. The motion was seconded by Councilman Jordan, and carried unanimously.

Mr. Deaton stated as far back as February, 1970, the Traffic Engineering Department worked with the State Highway Department based upon a conversation that was had evidently in Raleigh, and they asked for a volume information on the interchange on I-85. He stated they sent them information in February, 1970 requesting them to give consideration to making changes on various interchanges on I-85. One of them was the Freedom Drive, Tuckaseegee Road, Ashley Road interchange complex. Mr. Deaton stated this volume information in 1970 showed there was almost 12,000 vehicles on this part of Tuckaseegee - that is the section that took the traffic from both Tuckaseegee and Ashley Road and the ramp, coming together at this intersection. On another part of Tuckaseegee Road, it was about 7,600. After 1970, at the request of the State Highway Commission, through the local commissioner, they also looked at the possibility of what could be done with Ashley Road to relieve a congestion problem that involved the ramp at I-85.

He stated they knew it was possible that an industrial subdivision was going into the area on the Old Cannon Airport property, with the idea they could possibly get a facility through that subdivision, at no cost to the city. The Highway Commission gave them that to work on. Then they asked what they would like to see at that location. Traffic Engineering came up with several alternates. One was that a ramp would have about a 500-foot radius with controlled access all the way to Tuckaseegee Road. That they could not live with. The other was a four way intersection with the ramp coming straight across. That created a signalized intersection location, with a possibility of traffic coming into the intersection and going in the wrong direction on the ramp down onto I-85. They felt they could not live with that alternative.

Mr. Deaton stated they came up with two other alternative. One was to take the ramp off onto Ashley Road with access to the abutting property, continuing the ramp one-way all the way to Freedom Drive. In essence, this would be a ramp that would go from I-85 all the way to Freedom Drive; this would give storage for a number of years, and would help relieve an interchange from having a problem at this location. Then they looked at the other alternative of not having any access to this point. They were looking at possible problem areas. With this being the drive entrance to Southern 500, they felt that might be a problem with someone trying to come out and go down the wrong ramp. These alternatives were turned over to the state, and after discussing it with them, they more or less came to an agreement with two possibilities. One was to do something with the ramp from I-85 to Ashley Road, creating a free flowing movement with roughly a 500-foot radius, and having the ramp controlled access all the way to this point which would involve right of way purchases. That was one alternative that was considered a good solution and an engineering best, but they would have to go back to the federal government. The other alternate was to have the ramp come in and stop at Old Ashley Road with the portion of Ashley Road between the ramp and service road to be removed and in essence creating no movement from ramp to the service road. That was the second best alternative. But it was separating interchange traffic off I-85 from the service street of Ashley Road. That was the two alternatives they left in March of 1971. For the next fifteen months, the whole thing lay dormant with no contact except a few telephone calls. In July of 1973 they

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they had a call from a Mr. Hunter who said he was representing the owner, and said it was possibly going to be a shopping center, and he wanted to know their thoughts as far as traffic on this section of Ashley Road, and whether they had any desire in having Ashley Road go into Freedom Drive. Apparently Mr. Hunter had had some conversation with someone and had seen the concept the city and state had more or less agreed on. This concept was discussed with Mr. Hunter and he went away, and left them with the understanding he apparently was more or less feeling us out and they did not hear from him any more. In August of 1972, the Ervin Company contacted them and they were earnest; the shopping center was a reality. Immediately Traffic Engineering scheduled a meeting with the State Highway Staff in October and discussed the shopping center and Ashley Road. It was determined that they should alter the alternate with two concepts and it would not change the ramp configuration of Old Ashley Road and permit right turn traffic to come up the ramp, turn right on Old Ashley Road and turn into the service road and travel the service road. They were not taking any of the I-85 traffic away from any of these properties. He stated they then approached the three companies that owned the properties; they did not attempt to talk to the people who had the businesses because at the time Sun Oil was not operating.

Mr. Deaton stated in essence they provided traffic that was north bound on I-85 and wanted to go to Tuckaseegee Road, or Freedom Drive to come up the ramp un-impeded other than a yield sign, to turn left and go to Tuckaseegee Road where there was a traffic signal or turn right and come to the service exit. Signs were located opposite the ramp telling traffic that Ashley Road was in that direction. They had to make some channelization changes at Tuckaseegee Road and Old Ashley Road which created a free flowing movement for traffic to come from the ramp to turn right on Tuckaseegee Road. This ramp was free flowing all the way to Freedom Drive. Topics Program had reconstructed this intersection and also widened some of Tuckaseegee Road to take care of the traffic which gave a continuous right turn movement. The signals have not been changed at this time; it will be changed as soon as the necessary equipment comes in to take care of it. That will then give a free flowing movement from I-85 to a point for anyone who wants to go to Ashley Road or into town.

He stated they made traffic counts last week and found that on Tuckaseegee Road, there are 9,600 on the section of Tuckaseegee northwest of Ashley Road. On Ashley Road south of the ramp there was approximately the same number. If you add the two together you have almost 20,000 on Tuckaseegee Road between Ashley Road and Freedom Drive. The State Highway volume map in 1971 indicated 15,000 was using that section. A count was made on the ramp and they found 2,900 coming off I-85 at that point. Add that to almost 20,000 on Ashley Road and Tuckaseegee Road and you get over 20,000 as potential users of this section. It is only three lanes wide; it also provides for traffic coming off Freedom Drive either from in or out of town to make a left turn.

Councilman Short asked if the change made out there last Wednesday was of any help at all? Mr. Ray Burris replied it definitely was of some help. However, the people do not know that it is for that purpose.

Following was a discussion with the locations pointed out on the map.

Mr. Sipe stated their business has been located there a year on November 21. The thing that disturbs them is they tried, and they had no reason not to believe the engineering department, when they contacted them before they went in there with their business and they were promised no changes would be made other than to widen Ashley and Tuckaseegee Roads.

Councilman Short asked Mr. Sipe to point out on the map exactly what it is they would like to see done. Mr. Sipe replied they would like to see the intersection changed so that people coming down old Ashley Road may do so or make it two-way traffic. The people living in Westchester wanting to go to Wilkerson Boulevard or the Airport area without going down the interstate must pass through this intersection on Freedom Drive; if this was opened, they could come by old Ashley Road just like they once did.

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Mr. Burris stated he cannot see what would be so difficult in opening this road and splitting the flow of traffic; the engineering department says this would create a bad intersection, which you call a "Y" intersection. That a "Y" intersection is already there with people being able to turn left and go down the service road. He stated on Friday, October 26, they contacted Mr. Woodruff, District Manager for the State Highway Commission in this area, and asked him specifically any part the State played in the Ashley Road relocation. That Mr. Woodruff responded the State gave no advice, suggestion, or had any part in the planning or design of the project. That Mr. Don Overman, Assistant Chief Engineer for the State of North Carolina, was contacted at his office in Raleigh; he was asked the same question as was asked Mr. Woodruff and he responded in the same way. He also volunteered the information that the Ashley Road relocation was merely one of the number of projects submitted by the city under the Topics Program and the only hand the State played in those projects was merely to okay the projects to be funded with federal money. The use of the federal money was to be left entirely to the discretion of the city engineers. The State in no way suggested, advised, or designed any of those projects. That Mr. Overman also gave them his telephone number in Raleigh to be used by anyone desiring to check the facts as have been stated here. The number is Area Code 919-829-7621.

Mr. Sipe stated at the time the deal was being worked out with the Richway Shopping Center, he was in close contact with a person who was working to consummate the deal, and this person will testify that the only way they could get Richway to locate here was to have another major highway as its access. He stated this makes him a little leary as they tried so desperately to contact the engineering department before they opened their business, and even when the construction started, they called again and received basically the same response.

Mr. Sipe stated they are not here to put anyone down, but they are asking for help.

Councilman Whittington requested the City Manager to plan the tour of the area right away.

**RESIDENTS OF TRYON HILLS COMMUNITY ORGANIZATION REQUEST SIDEWALKS, ORDINANCE PROHIBITING TRUCKS, AND BETTER POLICE PATROLS OF NEIGHBORHOOD.**

Mr. Willie F. Lewis, 418 Norris Avenue, and Chairman of the Tryon Hills Community Organization, stated he is appearing at the request of the members of the Tryon Hills Community Organization to ask Council to take action on some matters that greatly concern the residents of Tryon Hills-Graham Heights neighborhood. He stated they have a quiet, pleasant community which is integrated without problems between the black and white residents, and which includes both single family homes and apartments.

He stated the City seems to ignore them in many ways. For example, the people say they have never seen street sweepers or washers on their streets. Even though a large number of their children walk to Tryon Hills School on Grimes Street, there are no sidewalks near the school. Since 30th Street was opened through the Tryon Terrace Townhouse Apartments, there is more traffic on Norris Avenue, and many cars speed on this street. This makes it very unsafe for all of them, and especially for their children.

Mr. Lewis stated they are asking City Council to take action on three things:

1. Construction of sidewalks on Norris Avenue, from Graham Street to the Tryon Terrace Townhouses; and on Grimes Street, from Concordia Street past Tryon Hills School to Dogwood Avenue; and on 28th Street, from Tryon Street to Graham Street as many of their children must walk along these streets to school.

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He stated they know the city is planning to build sidewalks along Norris Avenue, from Druid Hills School to Statesville Avenue, and they agree this is needed. They have been told by the Engineering Department that a list of streets where sidewalks will be built with the \$500,000 bond money is being developed.

2. Adoption of an ordinance prohibiting trucks from Norris Avenue, between Tryon Street and Graham Street; on all of Grimes Street; and on 28th Street, from Tryon Street to Graham Street. All three streets go through their residential area.

He stated this can be done according to City Code, Chapter 20, Article I, Section 20-28. They want these three residential streets added to the list of streets on Schedule VI, Chapter 20, Article I, Section 20-28, which lists streets where trucks are prohibited. He stated they are concerned because of increasing truck traffic in the neighborhood. Mr. Lewis stated there are two alternate streets nearby which are designated as Truck Routes - they are Atando Avenue and 24th Street.

3. Better police patrol in the neighborhood to control speeding cars on the streets in their neighborhood.

Mr. Lewis stated they are concerned about their neighborhood and they ask Council's help in protecting the neighborhood from the dangers of traffic and in protecting their children.

Mayor Belk requested the City Manager to look into this request and to give Council a report.

Councilman Withrow asked if the bond money on sidewalks is just for the streets around the school? Mr. Burkhalter, City Manager, replied it is for the ones selected by Council; they must approve all of them. That Council has approved the first part; this was for sidewalks on the arterial streets leading to the schools.

Councilman Jordan stated it would be good if the City Manager would check into this and bring it back to Council at its next meeting. Councilman McDuffie asked that he also compile a list and let Council know how much more is needed to do the sidewalks many of the Neighborhood groups are requesting.

Councilman Alexander stated Mr. Lewis has asked for three considerations, and he suggests that the Manager's report include all three points.

**COMMENTS BY CHAIRMAN OF THE ELIZABETH COMMUNITY ASSOCIATION AND CHAIRMAN OF THE CHARLOTTE NEIGHBORHOOD COUNCIL ON THE REZONING PETITION FOR THE ELIZABETH AREA.**

Mr. Ed Shaffner, 1925 East 8th Street, Chairman of the Elizabeth Community Organization, stated on October 15, Council stated that more time was needed to consider the Elizabeth rezoning petition. That their Steering Committee does not accept the statement that more time and contacts are needed; they question the delay, especially following the most extensive research effort, and opinion polling ever conducted by the Planning Commission on rezoning requests, and the Commission's recommendation for approval. He stated each councilmember received their letter dated October 19, stating their reaction, and also asked that the rezoning request be placed on the agenda for action. To date no one has responded to the letter. Mr. Shaffner stated they feel the wishes of the majority should take priority over the small minority. Any further delay must be considered a political move to delay voting until after the election. He stated they formally request Council, as their elected representatives, to schedule the Elizabeth rezoning request for the November 5 meeting, and vote on this issue.

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Mr. Shaffner stated if this is taken as pressure for a decision, then their opposition's objections should be taken in the same way. He stated their purpose in appearing today as a group is to ask the question - "Will you schedule and vote on this issue on November 5?" Councilman McDuffie replied it is his understanding that Council will not meet on November 5, the day before the election. Mr. Shaffner stated this puts them in a rather awkward position, since they will not be able to vote for the councilmen in the upcoming election.

Mrs. R. W. Burns, 2334 Belfast Drive, stated the Elizabeth Community Association is a member of a multi-community group whose ultimate goal is to preserve neighborhoods. The member groups of the Charlotte Neighborhood Council are informed as to what Elizabeth is doing, and will watch Council's actions very carefully.

She stated on October 18, most of the other groups of the Charlotte Neighborhood Council meet with a similar situation. The preservation of many communities not only lie with the Council's rezoning, but by road building plans. Rather than speaking out clearly on the rezoning and the road plans, Council has ordered a study to be made. This study was to have been completed several months ago. On October 18, member groups of the Charlotte Neighborhood Council met with the Planning Commission to find out the progress of the study and the facts for the basis of the study. She stated they were told by the Staff that the public could not get any facts on the study until it was released after the election. The facts indicate now these studies are not producing facts that are used. Instead they are being used to delay and prevent prompt and needed action. The Elizabeth Community Association has been told that Council wants to tour the area before making a decision on the rezoning. She stated they must presume this also was another political maneuver to put off until after the election to make the public aware of the unconcern for citizens. Therefore, the Charlotte Neighborhood Council must inform its member groups of Council's action here today. These actions really prevent the public from knowing where Council stands as it must study and tour for so long that no actions can be taken on policies that affect all citizens.

The citizens of Charlotte want a Council with a fortitude to act on pertinent issues rather than a touring and re-studying council. She stated she is present to communicate to Council the full support of the Charlotte Neighborhood Council to the Elizabeth Community Association.

#### APPOINTMENT OF MRS. LINDA ASHENDORF TO THE CHARLOTTE ADVISORY COMMISSION ON URBAN REDEVELOPMENT.

With the consent of Council, Councilman Whittington moved the appointment of Mrs. Linda Ashendorf, 6040 Jester Lane, to the Charlotte Advisory Commission on Urban Redevelopment for a term to expire August 13, 1974. The motion was seconded by Councilwoman Easterling.

Councilman Short stated Mrs. Ashendorf is particularly well qualified for this appointment by ability and an understanding of the community, and a good person.

The vote was taken on the motion and carried unanimously.

#### CITIZEN SUGGESTS THAT CITY AND COUNTY HAVE AERIAL PHOTOGRAPHS MADE OF AREAS BEING CONSIDERED FOR REZONING AND FOR ROAD PROJECTS.

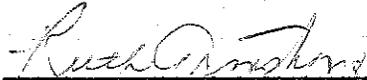
By unanimous consent of Council, Mr. Phillip Garrick was allowed to make the following suggestion.

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He stated that he has noticed the problem of the highway problems. That he would like to suggest that the County and City together, when there are zoning matters, and problems of that sort, then they should have a picture made from the air of the area. It would save a lot of trouble in the discussions and in trying to get the questions answered. A picture from the air would give a very fast answer to the problems of zoning, parking and so forth.

ADJOURNMENT.

Upon motion of Councilman Jordan, seconded by Councilman Alexander, and unanimously carried, the meeting was adjourned until the next regularly scheduled meeting on Monday, November 19, 1973.



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Ruth Armstrong, City Clerk