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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held on Monday, September 24, 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, James D. McDuffie, Milton Short, James B. Whittington and Joe D. Withrow present.

ABSENT: None.

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INVOCATION.

The invocation was given by Councilman Fred D. Alexander.

MINUTES APPROVED.

Upon motion of Councilman Short, seconded by Councilman Whittington, and unanimously carried, the minutes of the last meeting, on September 17, 1973, were approved as submitted.

PETITION NO. 73-39 BY MARY S. AND SARA LEE CURRIE AND ED GRIFFIN DEVELOPMENT COMPANY FOR A CHANGE IN ZONING OF PROPERTY ON THE WEST SIDE OF MILTON ROAD, SOUTH OF JOYCE DRIVE, IN THE AREA OPPOSITE PERTH COURT, POSTPONED.

Councilman Jordan moved that the subject petition for a change in zoning from R-9 to B-1, on which a protest petition has been filed sufficient to invoke the 3/4 Rule, be postponed until he has an opportunity to look at the property. The motion was seconded by Councilman Short, and carried unanimously.

PETITION NO. 73-38 BY FARINGTON PROPERTIES TO CONSIDER A CHANGE IN THE TEXT OF THE ZONING ORDINANCE WHICH WOULD ALLOW INCIDENTAL RETAIL SALES OF FOOD AND BEVERAGES IN A RECREATIONAL OR SOCIAL FACILITY IN A RESIDENTIAL GROUP OR APARTMENT PROJECT CONTAINING AT LEAST 50 DWELLING UNITS, TABLED.

Councilman Jordan moved that the subject petition for a change in the text of the zoning ordinance be tabled. The motion was seconded by Councilman Short.

Councilman McDuffie asked the legality of withdrawing the petition? Mr. Underhill, City Attorney, replied the zoning ordinance prohibits the withdrawal of a petition after the public hearing has been held.

Councilman Whittington stated he received a call from the attorney for the petitioner who stated he was sending Council a letter on his thoughts in this matter, and that he had discussed it with Mr. Underhill. He asked if Council denied this today, then these people could go to a club situation, and it would then be out of the realm of the responsibility of Council? Mr. Underhill replied he has talked to Mr. Wood, and he asked if the present language of retail sales would apply to some sort of assessment procedure where an establishment would not sell an item but would make an item available to the apartment dweller by some type of assessment. Mr. Underhill stated in his opinion this type of assessment would not violate the text of the present zoning ordinance; that it would be legally permissible under our present ordinance.

Councilman Short stated he thinks the arrangement of some sort of canteen or dispensary for small sundries or beverages in a large apartment unit has proved to be successful in a number of cities; in addition to the socializing, it keeps a lot of cars off the road that would be making a trip to the Handy-Pantry. He stated the present proposal, which Council is evidently going to table, is just a bit broad. It would seem that these proposals would allow a full scale restaurant or almost a full scale handy pantry, convenience store or grocery store in any sizable apartment unit. The safeguards in this proposed amendment are just not sufficient.

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Councilman McDuffie stated the apartments he has visited seem to have young teenagers using the recreation rooms, and this would have to be looked into also; that it would be detrimental to do away with the family use and turn them into alcoholic socializing clubs.

Councilman Alexander asked if the tabling of this item will give the City Attorney an opportunity to give Council all the alternatives that are available, and some basic facts to help Council make a final decision? Councilman Jordan stated the reason he made the motion to table was to get all this information that Council does not now have.

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

ORDINANCE NO. 952-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE OF THE CITY OF CHARLOTTE BY CHANGING THE ZONING MAP TO CHANGE THE ZONING FROM R-9 TO R-12MF OF PROPERTY AT THE END OF OLINDA STREET, SOUTH OF KILDARE DRIVE, ON PETITION OF ROBERT G. POWELL, JR.

Motion was made by Councilman Short to adopt the subject ordinance changing the zoning from R-9 to R-12MF as recommended by the Planning Commission. The motion was seconded by Councilman Alexander.

Councilman Short stated this petitioner has made a real good and reasonable petition; he is making a good use of this land, one that will make a good neighborhood rather than an effort to get as many families as he possibly could.

The vote was taken on the motion and carried unanimously.

The ordinance is recorded in full in Ordinance Book 20, at Page 283.

PETITION NO. 73-32 BY HENRY E. DAVIS FOR CHANGE IN ZONING OF A PARCEL OF LAND AT THE NORTHWEST CORNER OF LAKEWOOD AVENUE AND KALYNNE STREET, DENIED.

Councilman Whittington moved that the petition for a change in zoning from R-6 to O-6 be approved.

He stated he appreciates what the Planning Commission has said, that many people in the past have asked that beauty shops be allowed in the homes, and change the residential street or neighborhood from residential to O-6. He stated he does not believe that Council has done this before; but he does not believe Council has had a case where there is such a hardship involved as in this case. He stated he went out there yesterday and spent about an hour and listed all the buildings on Lakewood, Jones Street and Kalynne and the other streets involved. That he does not see that this change would have any detrimental effect on the street or the home. But at the same time it would be helping this family.

The motion did not receive a second.

Councilman Short stated he has been out there and he can agree on a heart basis; but this is deep in the middle of a residential area, and if Council does this it will make his conscience wonder how Council has turned down all those many ladies who wanted to do this sort of thing in their homes.

Councilman Short moved that the petition be denied. The motion was seconded by Councilman McDuffie.

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

YEAS: Councilmembers Short, McDuffie, Alexander, Easterling, Jordan, and Withrow.

NAYS: Councilman Whittington.

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Mr. Underhill stated there is a provision in the zoning ordinance which permits customary home occupations in residential areas. That the Zoning Board of Adjustment has wrestled with this question on several occasions, and has ruled in the past that it is not a customary home occupation. This petitioner could appeal to the Zoning Board of Adjustment to reconsider their ruling of the past, and permit this as a customary home occupation.

RESOLUTION PROVIDING FOR A PUBLIC HEARING TO CONSIDER CHANGES IN THE SUBDIVISION ORDINANCE.

Councilman Jordan moved adoption of the subject resolution providing for a public hearing on Monday, October 15, 1973, at 2:00 o'clock p.m., to consider changes in the Subdivision Ordinance, which motion was seconded by Councilman Alexander, and unanimously carried.

The resolution is recorded in full in Resolutions Book 9, at Page 313.

RESOLUTION FIXING DATE OF PUBLIC HEARING ON PETITION OF GUILFORD B. MARTIN AND WIFE, MARGARET H. MULLIS, JAMES R. HAGLER AND WIFE, AND CHARNOCA CORPORATION TO CLOSE A PORTION OF LOCKWOOD AVENUE.

Upon motion of Councilman Withrow, seconded by Councilman Whittington, and unanimously carried, the subject resolution was adopted fixing date of public hearing on Monday, October 29, 1973, at 3:00 o'clock p.m. on petition of Guilford B. Martin and wife, Margaret H. Mullis, James R. Hagler and wife, and Charnoca Corporation to close a portion of Lockwood Avenue.

The resolution is recorded in full in Resolutions Book 9, at Page 314.

ORDINANCE NO. 953-X AMENDING ORDINANCE NO. 828-X, THE 1973-74 BUDGET ORDINANCE AMENDING THE TABLE OF ORGANIZATION FOR THE CHARLOTTE POLICE DEPARTMENT TO ADD ONE CRIMINALIST I.

Motion was made by Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, adopting the subject ordinance amending the Table of Organization for the Charlotte Police Department to add one Criminalist I position.

The ordinance is recorded in full in Ordinance Book 20, at Page 284.

ORDINANCE NO. 954-X APPROPRIATING PROCEEDS FROM THE SEPTEMBER 2, 1972 BOND REFERENDUM TO VARIOUS SANITARY SEWER AND WATER PROJECTS.

Councilman Whittington moved adoption of the subject ordinance appropriating proceeds from the September 2, 1972 Bond Referendum to various sanitary sewer and water projects, in the amount of \$9,335,000, which motion was seconded by Councilman Short.

Councilman Whittington stated he has talked about these areas inside the last city limits extension and some that may go back to the 40's that have been left out of sewer projects. He asked if we are going to take care of some of these places such as Browns Avenue, Freedom Drive and Sharon Amity Road out of this money so that these people will know when they are going to have sewer along their streets? Mr. Bobo, Assistant City Manager, replied Staff has been evaluating these areas, and some \$20,000 was appropriated in this year's budget to take care of some of them. It will take care of some of them, but not all. It is a start. This should be ready for Council's consideration shortly.

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

The ordinance is recorded in full in Ordinance Book 20, at Page 285.

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ORDINANCE NO. 955-X TRANSFERRING FUNDS WITHIN THE UTILITIES FUND CAPITAL IMPROVEMENT PROGRAM TO COMPLETE THE CRAIGHEAD-STARITA ROAD WATER MAIN EXTENSION.

Upon motion of Councilman Alexander, seconded by Councilman Whittington, and unanimously carried, the subject ordinance was adopted transferring funds within the Utilities Fund Capital Improvement Program to complete the Craighead-Starita Road Water Main Extension, in the amount of \$500.00.

The ordinance is recorded in full in Ordinance Book 20, at Page 287.

PROPERTY TRANSACTIONS AUTHORIZED.

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

- (a) Acquisition of 1.41' x 4.96' x 5.37' of right of way at 531-533 Bradford Drive, from Southern Bell Telephone and Telegraph Company, at \$1.00, for Lynn Street at Bradford Drive Project.
- (b) Acquisition of 15' x 670.22' of easement at 9001 Park Road from Hunter Ridge I Properties, A Limited Partnership, at \$1.00, for sanitary sewer to serve Hunter Ridge Apartments.
- (c) Acquisition of 25' x 582.75' of easement at 8000 Johnette Drive, near Albemarle Road, from George H. Martin and wife, Dorothy and Billie H. Martin and wife, Patricia, at \$1,000.00, for McAlpine Creek Outfall Extension Project.
- (d) Acquisition of 15' x 155' of easement at 8400-8410 Tuckaseegee Road, from Angel Realty, Inc., Ralph Herbert Suttle, Sr., President, at \$280.00, for water main to serve S.R. 1662 and U.S. 74 Project.
- (e) Acquisition of 15' x 20' of easement at 3215 Shamrock Drive, from Shamrock Lakes Partnership, at \$1.00, for entrance to the Thames Apartments Project.
- (f) Acquisition of 60' x 626.68' of easement at North Polk Street, Highway 21, Pineville, North Carolina, from Floyd I. Harper, Jr., and wife, Helen W., and W. B. Willard and wife, Coma C., at \$7,250.00, for Irwin Creek Crossover Sanitary Sewer Project.
- (g) Acquisition of 60' x 230.71' of easement at 7441, off York Road, from First Union National Bank of N. C., Attorney in fact for Mrs. Jessie Robertson Watt, at \$300.00, for Irwin Creek Outfall Project.
- (h) Acquisition of 15' x 939.22' x 60' x 2,109.72' of easement at 6821 York Road, from John McDowell and wife, Betty S., at \$3,050.00, for Irwin Creek Outfall - Annexation Area Project.
- (i) Acquisition of 25' x 570.84' of easement at 7901 Off Plott Road, from Fred J. Herron and wife, Frances Irene, at \$670.00, for Hickory Grove Area Sanitary Sewer Trunk Lines Project.
- (j) Acquisition of 15' x 27.39' of easement at 3214 James Road, from Mrs. M. L. Reynolds (widow), at \$155.00, for Hickory Grove Area Sanitary Sewer Trunk Line Project.
- (k) Acquisition of 15' x 166.20' of easement at 7327 Linda Lake Drive, from Eula Maie Sykes and Cora Lee Sykes, at \$220.00, for Hickory Grove Area Sanitary Sewer Trunk Lines Project.
- (l) Acquisition of 15' x 106.78' of easement at 7405 Linda Lake Drive, from R. E. Long and wife, Barbara H., at \$110.00, for Hickory Grove Area Sanitary Sewer Trunk Lines Project.

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- (m) Acquisition of 15' x 258.23' of easement at 7411 Linda Lake Drive, from Calvin C. De Cray and wife, Patricia M., at \$310.00, for Hickory Grove Area Sanitary Sewer Trunk Line Project.
- (n) Acquisition of 15' x 123.38' of easement at 7525 Linda Lake Drive, from William J. Lowder and wife, Sarah P., at \$175.00, for Hickory Grove Area Sanitary Sewer Trunk Lines Project.
- (o) Acquisition of 15' x 136.42' of easement at 7531 Linda Lake Drive, from Archie B. McCall and wife, Barbara S., at \$220.00, for Hickory Grove Area Sanitary Sewer Trunk Lines Project.
- (p) Acquisition of 20' x 39.78' of easement at 6914 Linda Lake Drive, from William W. Smith and wife, Mary B., at \$190.00, for Hickory Grove Area Sanitary Sewer Trunk Lines Project.
- (q) Acquisition of 15' x 11.21' of easement at 6400-6402 Grove Park Boulevard, from Mrs. Frances B. Brooks (widow), at \$265.00, for Hickory Grove Area Sanitary Sewer Trunk Line Project.
- (r) Acquisition of 15' x 107.92' of easement at 6406-6408 Grove Park Boulevard, from Mrs. Frances B. Brooks (widow), at \$210.00, for Hickory Grove Area Sanitary Sewer Trunk Line Project.
- (s) Acquisition of 15' x 199.84' of easement at 7116 Lakeside Drive, from L. G. Walter and wife, Frances D., at \$200.00, for Hickory Grove Area Sanitary Sewer Construction Trunk Line Project.
- (t) Acquisition of 15' x 359.08' of easement at 6329 Robinson Church Road, from H.C.A., Inc., at \$459.08, for Hickory Grove Area Sanitary Sewer Trunk Line Project.
- (u) Acquisition of 15' x 38.19' of easement at 6500 Holston Court, from Lester B. Austin and wife, Vicki L., at \$140.00, for Hickory Grove Area Sanitary Sewer Trunk Line Project.
- (v) Acquisition of 15' x 115.72' of easement at 6815 Water Mill Court, from James V. Lamb, Jr. and wife, Ronnelda W., at \$200.00, for Hickory Grove Area Sanitary Sewer Trunk Line Project.
- (w) Acquisition of 15' x 117.32' and 7.5' x 172.69' of easements at 6505 Lake Drive, from Harry Theodore Williams and wife, Margaret O., at \$300.00, for Hickory Grove Area Sanitary Sewer Trunk Line Project.
- (x) Acquisition of 15' x 209.78' of easement at 6401 Karenstone Drive, from Iola Elizabeth Campbell Buchanan and husband, James D., at \$300.00, for Hickory Grove Area Sanitary Sewer Trunk Lines Project.
- (y) Acquisition of 15' x 613.74' of easement at 6910 Plaza Road Extension, from Zeb C. Strawn and wife, Eva McD., at \$815.00, for Hickory Grove Area Sanitary Sewer Trunk Lines Project.

RESOLUTIONS AUTHORIZING THE CITY MANAGER TO FILE APPLICATIONS FOR STATE GRANT ASSISTANCE FOR WATER WORKS IMPROVEMENTS UNDER THE NORTH CAROLINA CLEAN WATER BOND ACT OF 1971, TO SERVE THE ANNEXATION AREAS.

Councilman Short moved adoption of the following three (3) resolutions, which motion was seconded by Councilman Whittington, and unanimously carried:

- (a) Resolution authorizing the City Manager to file application for State Grant Assistance for water works improvements under the North Carolina Clean Water Bond Act of 1971 to serve the Newell-Hickory Grove Road, Annexation Area, NCSBH #9029.

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- (b) Resolution authorizing the City Manager to file application for State Grant Assistance for Water Works Improvements under the North Carolina Clean Water Bond Act of 1971, to serve the Pineville Road-York Road Annexation Area, NCSBH #9086.
- (c) Resolution authorizing the City Manager to file application for State Grant Assistance for Water Works Improvements under the North Carolina Clean Water Bond Act of 1971, to serve the Carmel Road-Pineville Road Annexation Area, NCSBH #8939.

These resolutions are recorded in full in Resolutions Book 9, beginning on Page 316.

CONTRACT WITH THE ERVIN COMPANY FOR CONSTRUCTION OF WATER MAINS AND FIRE HYDRANTS TO SERVE MEADOWBROOK SUBDIVISION, APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Alexander, and unanimously carried, the subject contract was approved for the construction of approximately 2,770 feet of 6", 2" and 1½" water mains and three (3) fire hydrants, to serve the Meadowbrook Subdivision, outside the city, at an estimated cost of \$12,000.00 with funds to be advanced by the applicant under the terms of existing city policies as related to such water main construction.

SANITARY SEWER CONTRACT WITH PHILLIPS DEVELOPMENT CORPORATION, AUTHORIZED RESCINDED.

Councilman Short moved that a sanitary sewer contract, approved by Council on June 4, 1973, with Phillips Development Corporation for construction of sanitary sewer trunks and mains to serve the Shadowlake Subdivision, Phase I, be rescinded as requested by the developer. The motion was seconded by Councilman Whittington, and carried unanimously.

RESOLUTION AUTHORIZING THE REFUND OF CERTAIN TAXES LEVIED AND COLLECTED THROUGH ILLEGAL LEVY AGAINST ONE TAX ACCOUNT.

Councilman Withrow moved adoption of the subject resolution authorizing the refund of certain taxes, in the total amount of \$37.50, which were levied and collected through illegal levy against one (1) tax account, which motion was seconded by Councilman Whittington, and carried unanimously.

The resolution is recorded in full in Resolutions Book 9, at Page 319.

CONTRACT AWARDED CAROLINA TIME EQUIPMENT COMPANY, INC. FOR CONSTRUCTION OF TWO PARKING CONTROL SYSTEMS FOR UPPER AND LOWER PARKING LEVELS AT THE CIVIC CENTER.

Motion was made by Councilman Jordan, seconded by Councilman Alexander, and unanimously carried, awarding subject contract to the low bidder, Carolina Time Equipment Company, Inc., in the amount of \$10,786.38, for the construction of two parking control systems for upper and lower parking levels at the Civic Center.

The following bids were received:

Carolina Time Equipment Company, Inc.	\$10,786.38
Rosenblatt & Associates, Inc.	18,911.16

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CONTRACT AWARDED THOMAS STRUCTURE COMPANY FOR SANITARY SEWER CONSTRUCTION - TRUNK TO SERVE SHARON SOUTH.

Councilman Whittington moved award of contract to the low bidder, Thomas Structure Company, in the amount of \$59,609.50, on a unit price basis, for sanitary sewer construction - trunk to serve Sharon South, which motion was seconded by Councilman Short, and carried unanimously.

The following bids were received:

Thomas Structure Company	\$59,609.50
Sanders Brothers, Inc.	\$60,655.40
Ben B. Propst, Inc.	\$71,518.50
Dellinger, Inc.	\$71,404.75
Crowder Construction Co.	\$82,799.50

CONTRACT AWARDED B & H CAROLINAS FOR PIPE FITTINGS, BELL & SPIGOT.

Upon motion of Councilman Withrow, seconded by Councilman Short, and unanimously carried, the subject contract was awarded the only bidder meeting specifications, B & H Carolinas, in the amount of \$6,539.41, on a unit price basis, for pipe fittings, bell and spigot.

Bids received not meeting specifications:

American C. I. Pipe Company	\$5,225.90
Lynchburg Foundry Company	\$8,722.85

CONTRACT AWARDED B & H CAROLINAS FOR PIPE FITTINGS, FLANGE TYPE.

Motion was made by Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, awarding contract to the low bidder, B & H Carolinas, in the amount of \$5,470.95, on a unit price basis, for pipe fittings, flange type.

The following bids were received:

B & H Carolinas	\$5,470.95
ITT Grinnell Corporation	\$5,780.60
Flange Pipe Company	\$5,835.02
American C. I. Pipe Company	\$7,118.10
Lynchburg Foundry Company	\$7,431.90
U.S. Pipe & Foundry Company	\$9,722.55

PETITION FILED BY GRIER HEIGHTS COALITION REQUESTING IMPROVEMENTS IN TRAFFIC CONDITIONS IN THE AREA.

Reverend Preston Pendergrass, representing the Grier Heights Coalition, stated his group has a petition which contains over 200 names, and before the meeting is over they expect to file an additional petition which will have over 400 names, and reads as follows:

"We the undersigned, in the interest of traffic safety and convenience for the citizens of the Grier Heights Community respectfully petition our City Government, the City Traffic Engineer, and others concerned for the following relief:

1. The opening of Dunn Avenue, where it intersects with Monroe Road for 2-way traffic with appropriate stop and go traffic signals installed.

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(Reverend Pendergrass stated traffic going west on Dunn Avenue must detour when it gets to Gene Avenue, goes for a short distance in a thickly populated residential area, then curves down to Montrose Street, and comes out to Monroe Road. They feel this is detrimental to their children because there are two or more warehouses in this area. They are hauling lumber and other equipment in and out and it is just a traffic menace and they would like to get some traffic signals erected on both sides of the railroad overpass and get Dunn Avenue reopened. With Dunn Avenue opened, trucks and other traffic will not have to detour through the residential area.)

2. The installation of stop and go traffic signals at the intersection of Orange Street and Randolph Road. (Reverend Pendergrass stated there are over 400 pupils enrolled at Billingsley Elementary School. These are young children and the majority of them are transported by bus or brought in by parents and they must find their way in and out of the Grier Heights Community at the owners expense and tremendous danger and no traffic lights have been installed.)

3. The extension of Skyland Avenue to intersect with Randolph Road."

Mayor Belk requested Mr. Bobo, Assistant City Manager, to look into this request and to get an answer for Reverend Pendergrass.

Councilman Whittington requested Mr. Bobo to see if there is enough right of way along Dunn Avenue to put in sidewalks. That he noticed this morning at 11:00 o'clock trucks are going into Dunn Avenue on Monroe Road, both ways; that they go up to the school where all these truck terminals are located and there is no way for those children to walk except along the railroad track or in the street. All of the cars and trucks that come down Dunn Avenue toward Monroe Road, turn left on Gene, which is a residential street, and turn right on Montrose to get into Monroe Road. It is a very dangerous situation. Cars on Monroe Road use Fannie Circle and Orange Street to get to Randolph or vice versa in the morning and in the afternoon. The situation is different today than it was last week, and it will continue to worsen until something is done about it. Mr. Bobo stated that while it may make it easier to get out with a traffic signal, it is going to make it easier for other traffic to get into the neighborhood. Councilman Alexander stated that is why he thinks Council needs a study now in light of what is happening because there is a definite increase in traffic in a small community that was not set up to have that kind of traffic.

Councilman Short stated at the underpass on Monroe Road where you turn into Dunn Avenue, there is no left turn slot for traffic headed west on Seventh Street; this is just under the pilasters of the bridge, around a curve a little bit difficult to see, and over a hill; this seems one of the most pertinent things that Reverend Pendergrass is bringing up.

Councilman Whittington stated this is a neighborhood separated by the creek, railroad, by Randolph and Monroe Road with two streets to get in and out and all the traffic running up and down both streets; and all the children going to the Elementary School, either have to cross the railroad track or go down Dunn and cross Seventh Street, and then the buses coming into the school from Randolph Road.

Councilman Alexander stated the only way into the area is by the street off the railroad by Seventh Street. That this is the only way the trucks have of getting back into Monroe Road. Mr. Bobo stated if Dunn Avenue is opened it would give them another outlet to get in.

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Councilman Short stated for years he has been concerned about the fact that you cannot get from, basically the Myers Park-Eastover area, over to the Coliseum very well. You have to wonder around Laurel Avenue, and he has been trying to interest folks in widening that; on one occasion he mentioned cutting through Dotger Avenue into Bascom Street, which would be about another block that would have to have a street built. He stated in the interest of both the needs of Grier Heights, as well as in the interest of the other needs he has talked about, and in serving the Coliseum itself, would it not be good to arrange some sort of underpass, or at least examine into the cost of one. The railroad track is just a barrier there for anyone east of there attempting to get over to the coliseum. That he does not know where this would be, and it might cost a million dollars, but at Weddington Avenue or somewhere in that area, if there was some way to get through and get over into the coliseum might ease everyone's problems.

Mayor Belk thanked Reverend Pendergrass for his comments and stated Council will get a report back to him.

PROPOSALS BY DRY WALL CONTRACTORS THAT LICENSE FEE BE INCREASED AND REVENUES BE USED TO EMPLOY ADDITIONAL PERSONNEL IN APPROPRIATE DEPARTMENT TO POLICE LICENSING OF CONTRACTORS.

Mr. Robert Hord, Jr., Attorney representing the Dry Wall Contractors Association of Mecklenburg County, stated the problem they want to bring before Council is one involving privilege license tax. This is a problem in the industry of dry wall contracting and in other areas of subcontracting. If the privilege license tax is not enforced, there is discrimination as to some contractors and subcontractors that in effect is going to favor others. Also there is a tremendous loss of revenues if this is not being enforced.

Mr. Hord stated he, along with members of the Contractor's Association have discussed this with the tax authority. They were warmly received and understood the problem mainly is one of manpower. They do not have the physical bodies within the license issuing department to cover the front on the construction areas and see that subcontractors of all sizes, shapes and forms are licensed to work in the City of Charlotte. They also pointed out the problem might be more likely handled in the Building Inspection Department. He stated they talked with the Building Inspection Department personnel, and they were received with the thought being they have enough to do in inspecting the buildings and seeing that the code is taken care of and all areas they are primarily interested in are complied with.

He stated we are losing a lot of revenue. They have several examples which are not in Charlotte, but in South Carolina, which have to do with privilege license tax. One license was issued by the City of Myrtle Beach where a fee of \$203 was paid by a Dry Wall Subcontractor who went into Myrtle Beach. They had to purchase the license first; they had city building inspection people and tax authority people on the job and collected \$203. Another is in Greenville, South Carolina and it was about \$135. He stated in Charlotte the license charge is somewhere in the area of \$30 to \$40. Mr. Hord stated the people in the Contractor's Association have no objection to paying a larger amount in the way of annual revenue tax. What they do want is a uniform enforcement and they want to be sure that the revenue they might pay would go for enforcing the ordinance. He stated they realize that manpower is a problem. If they paid a larger amount in privilege license tax, they could put a staff of two or three men in the revenue department or in the Inspection Department to police this and find out who is licensed and who is not, and take it from there. This would be a help to the industry, dry wall and other subcontracting industries. He stated people come in from South Carolina and from all over North Carolina into Charlotte and they subcontract work all over the town. They might do it for two or three days or maybe two weeks and some of them overnight and they are gone. License taxes are not collected from them unless it is brought specifically to the tax office's attention.

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Councilman Short asked how he proposes the policing to be done, and Mr. Hord replied it could be done by adding a man or two in the privilege license tax section. They talked to Mr. Fred Griffith in the Tax Office and he said they did not have a full time man on privilege licensing until five years ago, and they took in about \$120,000 additional revenue the first year, which more than five or six times paid the man's salary. Mr. Hord stated the subcontractors could feed in information to the licensing authority; this could also be done by the painting, tile and other subcontractors.

Councilman Alexander asked if he is telling Council that Dry Wall Contractors have no objections to the license fee being raised to a reasonable figure? Mr. Hord replied yes, that is what they tell him; that they have no objections at all.

Councilman Withrow stated he thinks this Association has a just cause; not only this, but other contractors, carpet layers, painting contractors and all of these have said the same thing they are saying. If Council went into licenses and raised it and asked these other people if they object to the raising of their fees, we could afford to hire a man to do this. He stated there are other groups that are of the same opinion as this group, and he does not believe they have contacted each other, but he thinks this is the feeling of all these contractors.

Councilman Jordan asked if these people just come from out of town and out of state and just work without paying any license fee at all? Mr. Hord replied they realize there is an enforcement problem there but he thinks they have enough spies in the industry to be able to inform the appropriate authority; they do not think they can stop it completely, but it can be checked and it will bring about a tremendous source of revenue.

Councilman Alexander moved that Council take this proposal under advisement, and ask the administrative staff to come back with some recommendations. The motion was seconded by Councilman Short, and carried unanimously.

TRAFFIC ENGINEER REQUESTED TO INVESTIGATE TIMING OF TRAFFIC SIGNALS AT FOURTH AND POPLAR AND FOURTH AND MINT STREET.

Councilman Jordan requested that the Traffic Engineer investigate the traffic signals at Fourth Street and Poplar and Fourth Street and Mint Street. About two weeks ago something was changed and the traffic backs up from Poplar up to Church all the way to Tryon Street. The timing is all wrong and there is a terrible traffic jam between Fourth and Mint Street.

BUILDING INSPECTION DEPARTMENT REQUESTED TO SEND COPY OF APPLICATIONS FOR BUILDING PERMITS FOR PROPERTY AT END OF OLINDA STREET, SOUTH OF KILDARE DRIVE, WHICH WAS REZONED TO R-12MF FOR CONSTRUCTION OF DUPLEXES.

Councilman Short stated Council will recall that some comments were made at a previous meeting about the petition of Mr. Robert Powell, (Petition No. 73-30), whose petition was granted today. That Mr. Powell stated he is going to build duplexes on the R-12MF property and it will accommodate eight families, although the size of the land is such that it will allow him to build more families in this area. He stated now this has been approved he is going to ask the City Manager to make some arrangements with Mr. Bill Jamison, Superintendent of Building Inspection, to send him a copy of any application for a building permit that is applied for on this particular property. He stated he does not mean to single out Mr. Powell as he expects to ask for this every time we have such a situation as this, and someone makes various promises about what he is going to do, although under the nature of the law and the zoning law we are required to give him a zoning that allows a wide variety of uses. He stated if what is applied for varies from what has been discussed at the time of the hearing, there is nothing Council can legally do about it, and we do not want to engage in contract zoning.

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Councilman Short stated he is asking for this information, after this zoning has already been arranged so there is no possibility of any contract type zoning. That he would like to get this building permit, and this kind of arrangement made. While he is not spotlighting Mr. Powell, if he comes across one where this sort of procedure is used to build something else other than was promised, there just might be a little publicity about it.

Councilman Withrow stated when he first came on Council there were two instances of people bringing before Council beautiful high rise buildings. They did not plan to build the building when it was shown to Council, but it was landscaped and a beautiful structure. It ended up being a three story building and spread all over the property. He stated he talked to Mr. Harris, Chairman of the County Commissioners, about this problem, and he said it is time for Council and the Commissioners to get together and say that people who bring these beautiful pictures, and do not build them, then they should not bring them at all. It is foolish for a man to come before Council and show a beautiful structure and not plan to build what he shows. He stated he thinks it should be stopped, and a man should build what he shows to Council.

Councilman Short stated he does not question Mr. Powell's motives at all, but the answer to this sort of thing in general, not in Mr. Powell's case, is not to try to contract or deal with these people as the law prohibits that. The answer is the force of public opinion that results from exposure. If Council can get these applications for building permits immediately, he believes it would control the problem without any legal type means, but just through public opinion.

RESOLUTION URGING TWO UNITED STATES SENATORS AND CONGRESSMAN TO INCLUDE NORTH CAROLINA WILDERNESS AREAS IN S-316 ENTITLED THE OMNIBUS EASTERN WILDERNESS BILL.

Councilman Jordan stated Council has received a communication from Mr. A. G. Odell of the Advisory Environmental Quality Council of Charlotte-Mecklenburg enclosing the following resolution which he requested Council to consider:

WHEREAS, the Advisory Environmental Quality Council of Charlotte-Mecklenburg notes the discussion regarding proposed wilderness areas in North Carolina which took place recently with the City Council, and

WHEREAS, recent regional studies confirm a serious lack of officially designated wilderness land in our State, and

WHEREAS, Wilderness recreation is desirable for citizens of Charlotte and Mecklenburg County, it is therefore

RESOLVED that the governing bodies of the City of Charlotte and Mecklenburg County through resolution urge our two United States Senators and our Congressman to include North Carolina wilderness areas in S-316 entitled the Omnibus Eastern Wilderness Bill.

With unanimous consent of Council to consider a non-agenda item, Councilman Jordan moved the adoption of the resolution, which motion was seconded by Councilman Alexander, and carried unanimously.

CITY MANAGER REQUESTED TO CONTACT POLICE CHIEF AND CHAIRMAN OF HOUSING AUTHORITY TO SEE WHAT CAN BE DONE FOR THE SAFETY OF THE TENANTS WHO LIVE IN PUBLIC HOUSING PROJECTS.

Councilman Whittington called attention to the three articles in the Charlotte News last week on white poverty. That it deals with Belvedere Homes, Piedmont Courts and the elderly people living in public housing. It mentioned an incident where a 72 year old woman was raped and robbed.

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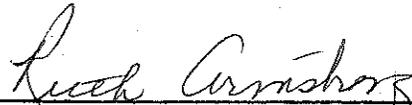
He requested Mr. Bobo, Assistant City Manager, to take these articles and have a conference with Police Chief Goodman, and a conference with Mr. Pat Hall, Chairman of the Housing Authority, to see if anything can be done for the safety of these tenants who live there, both black and white.

He stated the article points out that the doors in Belevedere Homes are glass, and people break the glass and open the door and come in. That he does not think these articles can be overlooked.

He asked for a report from Mr. Bobo, and from Mr. Hall on what can be done to upgrade these apartments to prevent more break ins.

ADJOURNMENT.

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



Ruth Armstrong, City Clerk