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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held on Monday, September 25, 1972, at 3:00 o'clock p.m. in the Council Chamber, City Hall, with Mayor pro tem Fred D. Alexander presiding, and Councilmembers Ruth M. Easterling, Sandy R. Jordan, James D. McDuffie, Milton Short, James B. Whittington and Joe D. Withrow present.

ABSENT: Mayor John M. Belk.

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INVOCATION.

The invocation was given by Councilman James D. McDuffie.

MINUTES APPROVED.

Motion was made by Councilman Short, seconded by Councilman Jordan, and unanimously carried, approving the minutes of the meeting on Monday, September 11, 1972 as submitted.

CITY OF CHARLOTTE EMPLOYEE PLAQUE PRESENTED TO RAY WEBB ON RETIREMENT.

Mayor pro tem Alexander recognized Mr. Ray Webb, Equipment Operator I, Sanitation Division of Public Works Department, and presented him with the City of Charlotte Employee Plaque for his services to the City from May 30, 1950 until his retirement September 14, 1972.

RESOLUTION DECLARING THAT PUBLIC CONVENIENCE AND NECESSITY REQUIRE THE TAXICAB SERVICE PROPOSED BY THE APPLICATION OF GERTIE PRESSLEY CRUMP FOR THE ISSUANCE OF TWO (2) CERTIFICATES FORMERLY HELD BY LEONARD CRUMP, NOW DECEASED.

The public hearing was held on petition of Gertie Pressley Crump for two certificates of public convenience and necessity to operate taxicabs in the City of Charlotte.

Council was advised the petition had been investigated by the Taxicab Inspector and he recommended the petition be approved.

No one spoke for or against the petition.

Councilman Jordan moved adoption of the resolution declaring that public convenience and necessity require the taxicab service proposed by the application of Gertie Pressley Crump for the issuance of two (2) certificates formerly held by Leonard Crump, now deceased. The motion was seconded by Councilman Whittington, and carried unanimously.

The resolution is recorded in full in Resolution Book 8, at Page 400.

COUNCILMAN WITHROW LEAVES MEETING.

Councilman Withrow left the meeting at this time and was absent until his return as noted in the minutes.

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PETITION NO. 72-27 BY WILFORD M. SMITH FOR A CHANGE IN ZONING FROM R-9 TO R-9MF OF A LOT AT 700 WOODLAWN ROAD, DENIED.

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

PETITION NO. 72-28 BY GEORGE S. GOODYEAR FOR A CHANGE IN ZONING FROM R-9 TO R-9MF OF LAND ON THE SOUTH SIDE OF WOODLAWN ROAD, BETWEEN FAIRBLUFF AND MURRAYHILL ROAD, DENIED.

Councilman Whittington moved to deny the subject petition as recommended by the Planning Commission. The motion was seconded by Councilman Jordan.

Councilman Short stated he had suggested that this be considered for R-15MF or R-20MF, and R-20MF requires that a plan be submitted, but the petitioner did not make any effort to submit the plan, so the Planning Commission did not and could not consider the R-20MF.

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

PETITION NO. 72-29 BY JOE D. WITHROW FOR A CHANGE IN ZONING FROM R-9 TO R-9MF OF LAND ON THE SOUTH SIDE OF WOODLAWN ROAD, BETWEEN FAIRBLUFF PLACE AND MURRAYHILL ROAD, DENIED.

Motion was made by Councilman Jordan, seconded by Councilman McDuffie, and unanimously carried, to deny subject petition as recommended by the Planning Commission.

PETITION NO. 72-16 BY DAVID KINNEY, ET AL, FOR A CHANGE IN ZONING FROM R-6MF TO B-1 OF PROPERTY ON BOTH SIDES OF HAWTHORNE LANE, FROM NEAR CENTRAL AVENUE TO NEAR INDEPENDENCE BOULEVARD, DENIED.

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

COUNCILMAN WITHROW RETURNS TO MEETING.

Councilman Withrow returned to the meeting at this time, and was present for the remainder of the Session.

PETITIONS NO. 72-45 AND 72-44 BY ASHLEY PARK, WESTERLY HILLS IMPROVEMENT COMMITTEE FOR CHANGES IN ZONING OF PROPERTY ON THE EAST AND WEST SIDE OF ASHLEY ROAD, DEFERRED UNTIL MINUTES OF HEARING ARE COMPLETED.

Councilman Short stated Petitions No. 72-45 and 72-44 refer to the commendable efforts of the Improvement Committee in the Westerly Hills and Ashley Park area to do some planning in their neighborhood. Council has not received the transcript of the hearing. That he would like very much to have this. That this is a situation where the citizens are asking one thing, and the Planning Commission and others are going in some other direction.

Councilman Short moved that Petitions No. 72-45 and 72-44 be deferred until the next meeting. The motion was seconded by Councilwoman Easterling.

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Councilman Whittington asked if building permits can be delayed on this property until a decision is made on the two petitions? Mr. Underhill, City Attorney, replied if a request for a building permit is filed, assuming the request for the building permit meets all the building codes, housing code and the other various technical code provisions, and it meets the zoning that is in effect at the time the permit is applied for, then the building inspector has no alternative but to issue the permit. The filing of a petition to rezone property is subject to the discretion of the city council; it may or may not be granted; and before the property is actually rezoned anyone with a sufficient plan to meet the permit requirements is entitled to a building permit.

Councilman Withrow stated unless the issuance of a building permit can be held up, he will make another motion on this. That he understands because of the petition, there has been some information that they might ask for a permit. That he would like to have the assurance from the Attorney for the opposition that he would not apply for a permit.

Mr. Fred Bryant, Assistant Planning Director, stated if any permit was being sought, it would be for an apartment project, and an apartment project is now subject to the site plan review process and approval under those regulations. There would be a time lag of some consideration between the time they could begin to think about preparing a plan and get plans prepared and submit them for approval, and let them proceed through the various departments involved. They cannot get a permit until they get a plan approved. A plan has to be submitted and approved before permits can be issued. He stated he would assume if any permits were sought it would be for an apartment development.

Councilman Withrow stated there has been some talk about the Housing Authority looking for a site for another high rise building. He asked if it would be possible to present this project to the Housing Authority for a high rise like Strawn Apartments? Mr. Bryant replied he assumes it could be considered. If you are talking about just one building - the high rise itself - it would not be subject to the procedure he talked about a moment ago. That it was his understanding their thought was to build something similar to Strawn which would involve more than the one building, and that would require site plan approval.

Councilman Withrow stated before a permit can be issued they have to have plans before the Planning Commission, and no plans have been presented.

Mr. John Black, resident of the area, stated this land is zoned for multi-family only; that he understands in 1968 Council may have promised there would not be any more of this type R-9MF homes on the west side. The Westerly Hills-Ashley Park Improvement Committee feels they have a suitable site not only for the one building that has been mentioned, but for one similar to Strawn Apartments, due to the access of doctors, churches, shopping centers, or bus lines to town, and also homeowners in that neighborhood are willing to help any of these type older people. They would just like to prevent any more R-9MF or R-6MF in the Westerly Hill-Ashley Park area. He stated he thinks there is somehow the governing body can delay this until a study can be made as they are willing to accept the home for the elderly people.

Councilman Withrow stated this brings up the fact that the west side of Charlotte needs to be looked at again. Practically everything on the west side is R-6MF; this shows we need to take another look at this.

The vote was taken on the motion and carried unanimously.

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Mayor pro tem Alexander asked that this be set up for discussion between the Council and the Park and Recreation Commission at a conference session. This would give the Park and Recreation time to put their facts together.

Councilman Whittington stated what Mr. Withrow said has merit; but if Council has a recommendation contrary to what the Park and Recreation Commission is planning to do then we should have a meeting with them. In the last two weeks they have stated they were going ahead with the Boyce Road-Sardis Road project, and it is on the agenda today.

Mayor pro tem Alexander stated there is nothing wrong in establishing a conference session and asking the Park and Recreation Commission to come to Council with specific consideration of a small park program. This would give them time to come to Council with facts that they would not be able to present today on the small park program. They should have time to come and bring sufficient facts so we can be intelligently informed regardless of what types of decisions are made.

Councilman McDuffie stated you have the same problems when you go to small neighborhood parks as you do with a large hundred acre park. You have people objecting to one in their neighborhood no matter how big it is.

Councilman Withrow stated he did not want to discuss it today; he just brought up the fact that we need to make the study and reappraise it. Councilman Withrow stated he would like to not vote on Item No. 29 on the agenda pertaining to the parks. He stated he was in Asheville this weekend and talked to a councilman up there. Throughout the country, at one time you could go out and walk around in the park, but today you do not do this because of the crime beds. This is all over the nation. That when he was in Europe the same thing was happening. The people voted down the bond referendum just the other day stating they are not in favor of these bonds. That he merely asks that we take a reappraisal of our situation on parks. Statements were sent out in the water bills asking the people if they wanted parks. That he believes denials were received on most of them.

Mr. Walker, Chairman of the Park and Recreation Commission, stated if you go back as far as the Allen Report which was well over ten years ago, and then bring it up with the Graves Report which was about seven or eight years ago and bring that up with the Planning Commission report which was more recent about 1970, all these reports state and recommend that we need both kinds of parks. We need small neighborhood parks; we need small district parks, and we need large community parks. He stated the Commission agrees with this. That they do not think we have enough of any of them and should continually be undertaking to enlarge the park facilities in all three categories. He stated they see two ways of enlarging the facilities in the small parks in the neighborhood and in the medium size park that they are pursuing now. He stated one is to try to get property owners to lease to them, on a lease basis, small parcels of land to be improved as a neighborhood park. They are doing this. Another one, in terms of the medium size park, is to utilize to a greater extent school properties, with both the physical properties on the real estate and the real estate itself. He stated they have a meeting on October 3 with representatives of the school board to pursue that more fully. He stated there is no way to develop really large parks, community parks, except by the acquisition of land and holding it. They have considered very carefully whether there is any change in their view of those priorities or those important three elements of the parks as the result of the fact that in some of the parks there have been incidents of breaches of the peace and other things. He stated they do not think so for two reasons. One, they do not find that large a concentration of those incidents occurring in the large park. If for instance, you define Independence Park as a neighborhood park, or a small district park, there have been incidents there. There have been incidents in Freedom, and in Revolution, but they have had occurrences in smaller parks. They do not find there being any concentration in the larger parks. The second thing is that as they develop their control, it is their security forces, and their security procedures, it is easier to patrol a

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larger park than a whole series of smaller parks. The third thing is they believe they are planning for the long range future of Charlotte. They are acquiring land and setting the foundation for the development of parks in the long term which is 40-50-100 years, for a time when there will not be any land available - when what land is available will be enormously expensive, and when most of it will be improved. For that reason they feel as though they cannot discontinue the acquisition of land for large parks. They do not know what will happen in terms of any relaxation or intensification of matters of incidents in the parks. They do not find that Charlotte is unlike any other city in that respect. But it has not been their observation that those incidents occur only in the large parks.

Mr. Walker stated they do continually appraise this in the light of what is occurring in our own park system and in light of the recommendations made to them. That he cannot speak in the recent months or weeks for the Planning Commission staff, but the last time they made a formal report they did not take any position that they should discontinue or de-emphasize the development of large parks. The survey that was conducted in 1969 indicated a high level of preference for large parks, and an indication of a willingness to go quite some distance to get to a large park that has more complete facilities and more area for the family to enjoy. The southeastern section of the city did not respond in as high percentage as other sections of the city did to that questionnaire. But among those who did respond in all sections of the city, the predominate response was in favor of parks generally and large parks in particular.

Councilman Withrow stated he has no reason to say that you cannot buy property and leave it undeveloped, and hold it for a park. He is saying we should reappraise this before going into the development.

Mr. Walker stated they have now acquired one fairly large parcel of land on Beatties Ford Road which they do not have the funds to develop at this point. They are in the process of acquiring, and have the funds set aside, a fairly large parcel in the northeast in the Plaza Road Extension area, which they also will not have the funds to develop, nor the operating funds to operate. They are now in the process of looking at a parcel in the southeast of some hundred acres. At the same time they are buying land which would qualify as a district or smaller park in Tuckaseegee Road area, on Sugar Creek Road and Hidden Valley, and the one in the southeast side area in the Grier Town, Randolph Road, Cotswold area. They are balancing their acquisitions between large parks and smaller parks. They do feel they have the opportunity, working with the school board, and through obtaining land on a lease basis, to do more in the small parks without funds than they can do in the large parks in terms of land acquisition. He stated their thinking is the land will be there. It is the city's land; it belongs to the people of the city; but it is there and in what they think are favorable locations for large parks.

Mr. Walker stated they honestly believe that someday the citizens of Charlotte are going to support these parks and will speak to that effect in a bond issue that will fund that development. That except by public education and by the best job they can do they cannot control when that time will be; but they believe if there comes a time when whatever body is setting in the council seats or in the park and recreation seats decides the land should not be held any more there should be no great difficulty in obtaining the money out of it. This is the way they see the utilization of these funds at the present time.

Councilman Short stated what was rejected recently in a bond issue was not the purchase of these four sites - Randolph, Hidden Valley, Tuckaseegee Road and Beatties Ford Road - but rather money for putting the equipment and so forth in the parks. The citizens had already voted in a bond issue to purchase the four pieces of land. Mr. Walker replied yes, but not the particular parcels as they had not been selected. The Park and Recreation Commission itself went through considerable discussion and some changes of opinion in the question of where and what the priorities should be in presenting the bond issue to the public in 1969. They suggested at that time, in terms of large parks, there should be at least three. One in the northwest, which they consider

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the Beatties Ford Road site; on in the northeast, which they consider the Plaza Road site; and if the funds permitted one in the southeast. They started out with the southeast first; but changed their minds and made the southeast last. This is the reason they are now before Council, coming back to the southeast because they think the funds are there to permit it.

Councilman McDuffie asked the status of the Plaza Road? Mr. Walker replied they have selected the site of some 150 acres with the possibility of ultimately getting more if they can afford it or can get it; but they have not acquired it. They are still negotiating; it is not under option. The Plaza Road application is combined with the Hidden Valley application. Councilman McDuffie asked if the Boyce Road and Plaza Road are in the same sequence? Is the Plaza Road ahead of the Boyce Road site, behind it or beside it? Mr. Walker replied the Plaza Road, in terms of having made application is ahead of it. They have an option for Boyce Road; they do not have an option and are still negotiating for the Plaza Road site. Councilman McDuffie stated he would not want to approve a Boyce Road site and it be purchased before Plaza Road site is purchased. Mr. Walker stated they have made the application and they have no intention of not purchasing the Plaza Road site; the land is there; it is a question of whether ultimately they would have to go to condemnation to get it. If you have to go to condemnation, you have to begin before your application is approved. If you do not, then you run the risk of losing the federal funds, which they do not want to do.

Councilman Withrow stated he would still like to have a conference session. That he is not against parks; but he wants to know where to put the money to get the best use.

After further discussion, Mayor pro tem Alexander advised a conference session will be held in three weeks for further discussions between the City Council and the Park and Recreation Commission.

Councilman Withrow requested the City Manager to write some of the larger cities and get their ideas on parks. There are a number of cities and he will give him the names of the cities he would like him to contact.

CITY ATTORNEY REQUESTED TO BRING RECOMMENDATIONS TO COUNCIL ON TOPLESS TAX AS SOON AS POSSIBLE.

Councilman Whittington stated he has not had an opportunity to discuss with all the members of the City Council, this ordinance Council passed on April 23, last year, which was entitled: "Licenses" and it related to topless or nude waitresses, entertainers, dancers or employees, and topless or nude models. That he is not going to bring this subject up today for a vote, but would request that the city attorney confer with the attorneys for the people on Lanier Avenue and the Amity Garden Shopping Center and any other legal advice that would be beneficial and give Council a recommendation as to whether we can amend the ordinance which we now have and reduce it, and put it on the owner of the establishment; or whether there is another ordinance that can be drawn that can be defended.

He stated he feels very strongly that the law is an educational device as well as a law, and this is something we cannot continue to overlook. That we have enforced an ordinance and the courts say it is unconstitutional, and he feels we have done all we can do. But to ignore it he feels is wrong and he would ask the city attorney to do this and get it back to Council just as quickly as possible.

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CITY MANAGER REQUESTED TO CONFER WITH PUBLIC WORKS DIRECTOR ON USE OF DUMPSTERS AT VARIOUS LOCATIONS IN CHARLOTTE AND BRING RECOMMENDATION TO COUNCIL AT ITS NEXT MEETING.

Councilman Whittington stated down in South Carolina as you go towards York, on beyond the Catawba River, and in other places between here and Myrtle Beach, South Carolina is doing a good job with these dumpsters along the roadside and along the recreational areas. If we ride around Charlotte and look at some of the areas - and he is thinking about the gate at the golf course on Donald Ross Road at Carolina Golf Course as an example - this is an area where everybody seems to come and unload about anything they have in their car or vehicle and leave it there.

He stated the city should look at some of the areas for the places we could put these containers and hopefully people will use them rather than just the ground. Then our trucks could go there and pick these things up and bring them back and empty them. He stated perhaps the Litter Committee would be interested in that. That it seems to be doing a job in other areas, and hopefully it would here.

Councilman McDuffie stated this has been talked about before, and he would like to support this and not just talk about it. Put out five or six of them at the parks or schools or wherever. That Lincoln County and several other counties have done it. If we do it only in the city, it might invite the county residents to bring in stuff to put into the dumpsters. That we should get the County Commissioners involved because the county people do not have any garbage programs, and people who are not under contract do take their litter out on the roadside and dump it. It might encourage people on Saturday afternoon, instead of bagging up their junk and putting it at the curb, to take it to one of these places.

Councilman Whittington stated he would prefer that the City Manager confer with Mr. Hopson, Public Works Director, and bring this back to Council. That he is sure if the idea is worth anything, they will do that, and will do just what Mr. McDuffie is talking about.

Councilman McDuffie stated he supports putting out the dumpsters; that he has been here a year and he said it a year ago; that he only has a year and half to go on this term and he would like to see something done about it before he flees.

Later, Councilman Short stated four of the counties within out Region F have done this sort of thing. Some of the comments picked up at the various Centralina meetings indicate some mixed reaction. The Centralina staff is in the process of evaluating the results in these four counties now. Some say it works well, and some say these dumpsters just become a target and everything is dumped within 200 yards of it. That it sort of gets to be a red flag hanging out where you feel free to dump anything you want within 100 yards of it.

Councilman Whittington stated if you get out in Mecklenburg County and just ride you can see how many people are just going down these roads and doing this. If in the city we can get the people to put some of it in the dumpsters, it is worthwhile. He hopes staff will come back with something next week.

SUGGESTION THAT MAYOR AND COUNCIL TAKE SPECIAL INTEREST IN ITEM ON NOVEMBER 7 BALLOT RELATING TO ORDERLY GROWTH.

Councilman Whittington stated in the State Magazine, Page 4, received from the North Carolina League is an article on orderly growth about an issue that he was not aware would be on the ballot on November 7. This has to do with the incorporation of municipalities. This is something Council and the City of Charlotte should be involved in and do all it can to see that this orderly growth statute is incorporated and passed by the voters of North Carolina.

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COMMENTS ON ESTABLISHMENT OF REGIONAL POLICE ACADEMY POSSIBLY AT UNIVERSITY OF NORTH CAROLINA AT CHARLOTTE OR AT CENTRAL PIEDMONT COLLEGE.

Councilman Short stated we did not receive approval on the building of our police academy in the recent bond issue. Somewhere here in North Carolina a police academy has been built on a regional basis and the same is true at one location in Virginia.

He stated it occurs to him that the Centralina Law Enforcement Association, or Central Piedmont Criminal Justice Planning Agency, might very well consider this possibility if we could work the police academy on the basis of eight counties contributing. This might ease our difficulties that flow from the recent bond issue. That he does not see why a police academy has to be limited just to one town or one county. It would seem to him it could be on a regional basis.

Councilman Short requested that these comments from the Minutes be sent to Chief Myers in Statesville, who is Chairman of the Central Piedmont Criminal Justice Planning Agency, and also to Jake Goodman and he hopes they might consider this possibility.

Mayor pro tem Alexander asked if there has been discussion in COG about the possibilities of work done in the police academy being instituted in the University of North Carolina at Charlotte? Councilman Short replied he is not aware of it; that Mr. Alexander is a member of the Governor's Committee and perhaps he would tell Council about this. Mayor pro tem Alexander replied he does not have anything to tell other than the fact that at one time there was discussion in using the facilities of the University or Central Piedmont Community College in placing a police academy at either one of these institutions for the benefit of that type force to relieve the financial strain on a local community such as Charlotte.

Councilman Short stated he is no expert on this; but it occurs to him it is a natural. That Dean Colver wants to make this University urban-oriented. He stated he does not know how you could have it more urban-oriented than to have a police academy and a police department there that would teach this science.

Mayor pro tem Alexander stated we should give some thought to this as to whether or not this could be established at UNC-C. Councilman Short stated he hopes that Chief Myers and Chief Goodman will let Council hear from them on this suggestion.

TRAFFIC ENGINEER REQUESTED TO COMMENT ON BICYCLE LANES FOR TRANSPORTATION AND RECREATION.

Councilman Short stated it would be in good order to ask Mr. Hoose, Traffic Engineer, to come and talk to Council about the possibility of bicycle lanes being set aside on certain city streets, or any other possibility for making bicycling a means of transportation and of recreation here in Charlotte. That he would agree that it is real hard to see how this sort of thing could fit in with the very overcrowded and overworked street system we have. But the fact is this has been done in a few towns. There is a lot of interest in this; this is evident from reading the press recently, and from comments he has heard over a period of time. Some of the other cities seem to work out something with streets just as crowded as ours. That it would be interesting to know how these towns have done this. He hopes Mr. Hoose will pick this up and let Council hear from him on this subject.

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REQUEST THAT SITE DISTANCE ORDINANCE BE STUDIED AND RECOMMENDATIONS ON REVISIONS BE MADE TO CITY COUNCIL.

Councilman Short stated it seems to him that the City should reconsider the site distance ordinance which requires 35 feet of clearance back from an intersection. This ordinance must have been written a long time ago because the way cars go these days on certain streets, they cannot do anything in 35 feet - they cannot stop anyway. This 35 foot requirement is just too simple. There are some complex situations. One of them is at the corner of Greenwood Cliff and Kenilworth Avenue where the curvature of the street, and positions of the buildings is such, while it is legal, that 35 foot requirement is just too simple. What is needed is some sort of site plan review based on just this point of the intersectional clearance and the vision of drivers that would relate not to apartments only, but would relate to any structure that would be built on any city street.

He asked the City Manager to have someone look into this matter.

BREAKFAST MEETING REQUESTED BETWEEN CITY COUNCIL, COUNTY COMMISSION AND PLANNING COMMISSION FOR DISCUSSION OF REVISIONS AND ADDITIONS TO CODES.

Councilman Short stated Mr. Withrow and Mr. Peterson were designated to arrange breakfast meetings of the City Council and County Commission to discuss matters of mutual interest. That he would like to suggest that a breakfast be arranged along with the Planning Commission. At a breakfast of this sort, all parties could throw out on the table, ideas that they have about planning and zoning. That this is pertinent because there is conversation about a comprehensive rezoning for the first time in ten years, plus some basic changes in the zoning categories and text changes and so forth.

He stated there are a lot of ideas that would come out of such a meeting. The Council and the Commission should have input from the very beginning into any comprehensive re-planning. As an example, he thinks we should have a condominium zone because some person who is paying \$40-50 thousand for a condominium does not want this in the typical apartment development. That Council has mentioned the matter of eliminating R-6MF as a category. This could be discussed. That he has an idea that we should have a zone for business and office that would be exclusively for business and office and would not also allow apartments and residential uses. There is a matter also that has been discussed about requiring that public developments be submitted through the Planning Commission - the building of parks, schools and so forth. This ties in with what Councilman Withrow was mentioning. It seems it would be possible to compel the review by the Planning Commission of all public developments just as they review zoning and subdivisions and apartment developments now.

RESOLUTION EXTENDING SYMPATHY AND HONORING THE MEMORY OF LIEUTENANT JOHN R. HALL

Councilman Jordan presented the following resolution, which he read:

"WHEREAS, it is with deep regret that the City Council learned of the death of John R. Hall, Lieutenant in the Police Department, on Tuesday, September 19, 1972; and

WHEREAS, Lt. Hall joined the Police Department in 1944 and served in several divisions, attending numerous schools for additional training, was certified to teach community college courses for police recruits and helped to formulate our present training program; and

WHEREAS, he was also instrumental in establishing the Youth Bureau and was Chief of this division at the time of his death, dedicated not only to apprehending the juvenile offenders, but to finding the reason for their problems and helping them find a solution to them; and

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WHEREAS, the City of Charlotte is deeply indebted to Lt. John R. Hall for his unusual dedication as Chief of the Youth Bureau and for his work with juvenile offenders.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Charlotte, do by this resolution and public record, recognize his significant contribution to the Charlotte Police Department and to the citizens of Charlotte, and that the deepest sympathy of the Mayor, members of the City Council, and his many friends at City Hall, is hereby extended to the family of John R. Hall, and that his name be and the same is hereby memorialized and honored; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to his family, and that this resolution be spread upon the minutes of this meeting."

Motion was made by Councilman Jordan, seconded by Councilman Short, and unanimously carried, approving the resolution.

MAYOR PRO TEM COMMENTS ON PROBLEMS OF WEST SIDE OTHER THAN ZONING AND PLANNING.

Mayor pro tem Alexander stated there has been discussion about zoning on the west side again, and the need for the Planning Commission to take a new look at rezoning the entire west side area.

He stated he looks with some concern over another side of the whole problem and this is the problem of the fleeing of white citizens from the west side, as you call it; and what is now beginning to move into the southern extremity of the west side moving eastward, and also a movement from the northwest, moving eastward. That his concern is that from time to time he hears discussions of various community groups who are concerned about housing and the problems that grow from housing. Unless some of them, along with church groups, are going to be concerned with talking with residents to attempt to stop the flight, then the problem will be more than whether you are zoning R-6MF and R-9MF and whether you have a thin line of demarcation as regards west side more than any other side. When you begin to take into consideration planning from a new look, you will not have a new look. That he calls this to Council's attention so when they are thinking about zoning and planning to come up with new planning concepts that flight is one of the key problems in all of what is being talked about. Unless you begin to give that some concern in the City of Charlotte, you will have more problems than just planning and zoning.

Councilman Withrow stated he agrees with Mayor pro tem Alexander. But in the communities that have been organized, except the one in Dilworth, how do you get your ministers to go and help organize these communities? How do you get them involved? It was tried in one organization on the west side, and he agrees they should get involved. That he would like to know how to get them involved.

COMMENTS BY CITIZENS OF CHARLOTTE ON COUNCIL'S LACK OF APPROVAL OF BLACK NOMINEES TO BOARDS AND COMMISSIONS.

Mr. Ernest Davis, Chairman of the Third Ward Citizens Improvement Association, stated they who are here today come because their hearts are grieved. It seems to them that after the Death of Christ, whom most say they believe in, and right in the Constitution of these United States, whom all have sworn they believe in, that there would be more fairness. However, it still seems to be impossible for a citizen whose skin happens to be black to be treated fairly. Time and time again, nominations made^{by} Mr. Alexander have gone down the drain, because it seems that most of the other councilmen find it impossible to forget the color of a man's skin. He stated Mr. Alexander has nominated whites, like Dr. Wheeler, and was still turned down. They do not think that anyone here can ever say that the people Mr. Alexander has nominated for various positions were not qualified. They have qualifications that have never been questioned. So it seems to the black community that they were turned down only because they were nominated by the Mayor pro tem of this great city, Mr. Fred Alexander, a black man.

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Mr. Davis stated the entire black community is sick and tired of seeing a dedicated servant of our city always being turned back because of color. Mr. Alexander does not just represent blacks, he is the Mayor pro tem of this City of Charlotte, and has always worked for all the people.

He stated they are here today asking no less of Council. They hope they will realize there are blacks, white, orientals; just about all races make up this city. All of us are children of God, and all are citizens of this great country; all are citizens of this city. It took the blood, sweat and tears of us all to make this great country and city what it is today. He stated they are not coming here with their hats in their hands; they are coming as citizens who have paid the price to reason with the city fathers who represent them, to always remember when they go about the business of the city, that all of us belong here. People of color still have the right of life, liberty and the pursuit of happiness like everybody else.

Mr. Davis stated they would also like to say that they here in Charlotte thought the day had passed when they would look at the evening news and see such a spectacle as one of the city's public officials addressing black people as Negroes. He stated they protest this double insult; and their hope is that in the future, Mrs. Ruth Easterling will remember that they too are human beings and they have no intention to apologize for that fact. He stated they are black Americans and proud of it.

Ms. Eva Sprague stated she is a commissioner appointed by the Mayor from the Fourth Ward area. She stated this is very touching to her, and she is here speaking for her people. That she sits on the Board next to this one here in this Chamber and she cannot see how this could go on. She stated she is black and is proud.

Councilwoman Easterling stated since some of the remarks have been directed to her, she would like to say that never would she intentionally offend a sister or a brother because as the first speaker pointed out, we are all children of God. If any expression of hers was offensive, she apologizes because it certainly was not intentional.

Mr. Davis responded to Councilman Easterling by saying he would accept her apology. That she is a lady, and he does not want to hurt her image. That he would like for her to understand that this they do not like. That he is glad she is woman enough to apologize and he accepts the apology and hopes his people will also.

RESOLUTION AUTHORIZING SUBMISSION OF A REQUEST FOR CONTRACT REVISION OF GRANT TO ACQUIRE OPEN SPACE LAND - SITE OFF WALKER ROAD ADJACENT TO BRIDLE PATH LANE AND LINDA LANE AND SITE BETWEEN BOYCE AND SARDIS ROADS.

The subject resolution was presented for Council's consideration.

Councilman McDuffie moved that the Boyce Road site be approved and that the Bridle Path Lane and Linda Lane site be excluded. The motion was seconded by Councilman Whittington.

Councilman Jordan asked Mr. Walker, Chairman of the Park and Recreation Commission, if he is asking for approval of both sites so that he can get the money for the purchase of the land? Mr. Walker replied they are asking approval of the proposed amendment which involves the approval of the two sites. That he does not know whether the Commission would want to go forward with the Boyce Road site without knowing where it stood with respect to the other site. There is a specific amount of local money and a specific amount of federal money available in this contract in the total of some \$723,000. The reason there are funds in the contract which would enable them to acquire the Boyce Road site is because their estimated acquisition costs of the other site indicated is a certain figure. As an example, they estimate they can acquire the site off Walker Road at Bridle Path Lane at less than \$90,000 for land acquisition. By contrast the estimate they have received is more than \$225,000 to acquire, for example, the site they have examined at Beal

Note:
Spelling of
the word
Negroes to
"Nigras"
amended in
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Street. They think a comparable amount of land on the other side of Randolph Road where the Little League ball fields are would be even more. If they were in a position of acquiring land that costs them over \$225,000 for the community center and small park they have planned for this general area, then he doubts they could go through with the Boyce Road site acquisition.

Councilman Short asked if the center can be built on the land the Park Commission already has in the Grier area, up near the Billingsville School? Mr. Walker replied he does not believe it can. There is simply not enough land there. The land is some six acres total. At the last meeting of the Park and Recreation Commission, after they had met with representatives of the Grier Heights Community, and in their further discussions about this site, they decided at the meeting they have planned with representatives of the school board on October 3, to explore with them, the possibility of utilizing the little gymnasium at the school, which is now enclosed as a satellite community center. A small little center that could be used for recreational purposes, and staffed at least on a part time basis by either the director or assistant director of the larger center, and develop indoor recreational facilities at that location. But he does not believe they own enough property at that location which is 3.95 acres; the remainder is school ground.

Councilman Short stated a part of the concern among some of the councilmembers is just the fact that they had reacted favorably to the opinions of the park and recreation commission over a period of some 12 years. That Mr. Walker mentioned the 1960 plan, and then the 1965 plan by Graves and the update of this in 1970 by the Planning staff, and even on up into 1972 the majority of the Commission publicly expressed themselves in favor of a site in the Grier area. Then when HUD throws in a piece of red tape, what Council had been taught through all these plans over a period of 12 years, was set aside. Some cannot understand why through all these plans with all these experts and through Mr. McIntyre and through everybody this is approved and all of a sudden because of a piece of HUD red tape, two things happen. One, this site is no longer a good site - there are better sites. Second, this Council itself voted to rezone the intended site. Explanation is needed as to why these two things occurred after all these experts for all these years had pointed this out as the ideal site.

Mr. Walker replied when Allen or Graves develops a park study they recommend parks for sections of the city or community. When they prepare a map and put it in a particular place, that does not mean they have selected that place as "the" place. It means that is a place in the community where it might be put. The main thing that must be kept in mind is that all of the experts have known that a community center in the context we operate in Charlotte and with the limitations, must serve a considerable segment of the population. It has to serve between 15,000 and 20,000 people in order for the community center to be a feasible operation in the city. We have ten now, and the two proposed would bring it to 12. He stated in their selection of the initial Randolph Road site, this was not recommended to them by either Allen or Graves or McIntyre. All the Planning Commission staff did was to draw a round circle for a proposed community center site. That circle encompasses all the way out beyond Sharon Amity Road. Any where within that circle was the area that Mr. McIntyre and his staff felt a community center would be the optimum location in the southeast. He stated they took it always that the closer to the center of that site, the better. But there was no land right in the center of that site. First they looked at some land adjacent to Randolph Junior High School, and it was not available, and the shape of it and location of it in their judgement was not good. They then looked and found the site owned by the Scottish Rights, on Randolph Road. No expert had ever recommended that particular site to them. When they selected it in 1970, that was the first time that site had ever been mentioned. He stated in either the Allen Report or Graves Report, the symbol indicating a community center had been placed up near Billingsville School because that was property currently devoted for park purposes. What the expert, locating that symbol, did not know is that most of that property is school board property, and only about 3 1/2 acres belong to the Park and Recreation

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Commission. He stated they have had considerable discussion over the site for this area. It has been the consensus of opinion of the Park and Recreation Commission that this community center site should be neither black nor white, but a community center site for all the people in this community. He stated they feel this is building a community center for years and it should be built to serve 15,000 to 20,000 people. There are from 4,000 to 5,000 people living in Grier Town. It was their best judgement, after having heard presentation last Monday of the people from the Grier Heights Community, and reconsidered the matter on the basis of that, that the so-called Craig Avenue site, which is the site at Walker Road, was the best site. It is six to seven tenths of a mile away from the first preference of the people in the Grier Heights Community. He stated in their view to spend more than approximately \$150,000 more for land acquisition because a site is six to seven tenths of a mile closer, when we are faced with great need in the northeast, in the area of Methodist Home, in the west for community centers in the area of Hoskins, Thomasboro and closer in, and the need for community centers elsewhere in the city, to let a difference of six to seven tenths of a mile in terms of its proximity to 4,000 to 5,000 people govern a decision over against a difference in cost of \$150,000 of funds limited as they have, is not the best decision to make.

Mr. Walker stated there is open land on the other side of Randolph Road which they do not think is located nearly as favorably in terms of the total community they would like to serve as the so-called Craig Avenue site is.

Following was a discussion between Mr. Walker and Councilman McDuffie about condemnation and location of the park.

Councilman Jordan stated a conference session is scheduled on this, and all this can be discussed at that time.

Ms. Naomi Drennen, resident of Grier Heights, stated they met with the Park and Recreation Commission last week. That Mr. Walker said they did not let them have the Randolph Road property because it was too expensive and they could get more by letting the doctors' building go up on it. That they would prefer buying a cheaper place which is the Craig Avenue site. One of their pastors went over to Craig Avenue and set his mileage gauge to find out the exact mileage from that location to Grier Town; it was exactly three miles. She stated they have a little playground which Mr. Wallace donated to the city for their use. Their children go there all day long. They want a park close enough so their children can go. They were told they could take their children to the park but they do not have time as they work; they want a park they can walk to. The Craig Avenue park is not for them; the richer people over there have what they want. They do not want to go over there because they feel it will not be satisfactory. The only ones who will go will be the teenagers and will go and cause trouble, and the only way it will be settled is by carrying the black boys in. They want a park where it can cover both sides of the people, and they can all enjoy it.

Ms. Drennen stated they have been promised this park so many years; so it seems they would have already found a place rather than Craig Avenue. They have told them over and over they do not want a park over there. If that is the only place they can have it, they will just make out and do like they are doing; they do not intend to go over there.

She stated there is enough land there to build what they want. She stated they are black but they are good citizens and they are trying to help have good government; they support every bond issue that comes up. They did it because they felt they would be able to get their park. They voted for the health center over there and they have been nice and kind enough to give recreation for the children, but it is too small. She stated they are asking that they be given a park even if they have to build it where the small park is now. Fix it up, but never Craig Avenue. She stated they are entitled to a park because it was promised to them for fifteen or seventeen years.

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Councilman Whittington stated he is convinced some members of this City Council have told the people in Grier Heights that they would have a community center. That he thinks it was done in this Council Chamber. He stated he is convinced that the people out there feel this promise was made. Councilman Whittington stated as long as he believes that is fact, then he feels he is obligated to put a community center in the Grier Heights Community. He stated he appreciates the great amount of work that Mr. Walker has done, and the work all the others have done on a site; but before Council makes a final decision, is it not possible that the Park and Recreation Commission with the Charlotte-Mecklenburg Board of Education could not have a meeting and see if we cannot obtain enough of this property owned by the School Board in order to build what is being talked about. That he is concerned about this because of the Oakhurst Park also on Craig Avenue, which is about 1/2 a mile away. These people deserve, and he is sure Park and Recreation has given them all this consideration, but he wants to do what is right in his heart. That he believes Councils in the past have promised these people this. If Council votes on this today, he will have to vote against the Craig Avenue, Linda Lane, Bridle Path Lane site, and he will have to do it the next time until he knows what Park and Recreation and the School Board can do.

Councilman Jordan made a substitute motion to postpone decision on the subject resolution until the conference meeting between the City Council and the Park and Recreation Commission. The motion was seconded by Councilman Withrow.

Mr. Walker stated the acquisition of land for parks cannot be made by the Park and Recreation Commission without the Council's approval. If it is the sense of the Council not to approve the Craig Avenue site, he feels sure the Park and Recreation Commission will make every effort. They have turned down sites recommended to them by the Planning Commission and others that were further away from Grier Heights than the Craig Avenue site because they were too far away in their judgement. There are those on the Commission who would like to see it closer to Grier Heights than the Craig Avenue site. That he cannot speak for the entire Commission on that. That he would urge Council to act today, because he believes the Park and Recreation Commission has gone through considerable discussion on this; and he believes the Craig Avenue site is now the recommended site. If Council declines to approve the Craig Avenue site, he feels sure the Commission will be looking for land closer to Grier Heights than the Craig Avenue site.

Mayor pro tem Alexander stated this site located off Walker Road adjacent to Bridle Path Lane and Linda Lane is the Craig Avenue site. He asked what is the site between Boyce and Sardis Road? Mr. Walker replied that is an entirely different site. But that site is somewhat contingent on the other in that if they do need in the final analysis to spend several hundred thousand dollars to acquire the land for the community center and small park, in all likelihood they will not have the money to buy the Boyce Road park. He stated they can get the Griffith property by condemnation; they can get the Beal Street property by condemnation. But there is other land to be had. That he does not know the present status of the property that is owned by the Duke Endowment that was initially a hospital site. There may be something on that. But he does not believe it would be fruitful for their Commission to go into this again until Council has acted on the Craig Avenue site.

Councilman McDuffie asked Mr. Walker if he is aware of the resolution passed by Council on the day the zoning was changed saying the City Council goes on record approving a site in the Grier Heights area. That this was unanimously passed by Council stating they wanted the site to be in that neighborhood when they rezoned the Randolph Road site. Mr. Walker replied he remembers the resolution passed and as a result of that resolution they did look, but it was not their judgement that is where it should go.

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After further discussion, the vote was taken on the substitute motion and carried as follows:

YEAS: Councilmembers Jordan, Withrow, Easterling, Short and Whittington.
NAYS: Councilman McDuffie.

RESOLUTION PROVIDING FOR A PUBLIC HEARING ON MONDAY, OCTOBER 16, TO CONSIDER CHANGES IN THE SUBDIVISION ORDINANCE.

Motion was made by Councilman Short, seconded by Councilman Jordan, and unanimously carried, adopting the subject resolution providing for a public hearing on Monday, October 16, to consider changes in the subdivision ordinance.

The resolution is recorded in full in Resolution Book 8, at Page 401.

CONTRACT BETWEEN CITY OF CHARLOTTE AND UNCC FOR STUDENT WORK PROGRAM, APPROVED.

Councilman Jordan moved that the subject contract with UNCC for Student Work Program in the Intergovernmental Programs Office, be approved. The motion was seconded by Councilman Short, and carried unanimously with funds provided in this year's budget for this purpose and seventy-five percent of the cost to be reimbursable under a federal grant.

LEAA GRANT AWARD CONTRACTS BETWEEN THE NORTH CAROLINA DEPARTMENT OF NATURAL AND ECONOMIC RESOURCES DIVISION OF LAW AND ORDER AND THE CITY OF CHARLOTTE, APPROVED.

Following discussion, upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, the subject contracts were approved for LEAA Grant Award as follows:

- (a) Regional Crime Laboratory - \$42,142
- (b) Police Athletic League - \$30,000

CONTRACT AMENDMENT BETWEEN THE MODEL CITIES DEPARTMENT AND OPPORTUNITIES INDUSTRIALIZATION CENTER-CHARLOTTE BUREAU, APPROVED.

Motion was made by Councilman Short, seconded by Councilman Whittington, and unanimously carried, approving subject contract amendment between the Model Cities Department and Opportunities Industrialization Center-Charlotte Bureau, reducing the original price from \$174,263 to \$131,748.

ORDINANCES AFFECTING HOUSING DECLARED UNFIT FOR HUMAN HABITATION.

Councilman Short moved adoption of the following ordinances affecting housing declared unfit for human habitation. The motion was seconded by Councilman Whittington.

- (a) Ordinance No. 609-X ordering dwelling at 1501-03 Wilmore Drive demolished and removed.
- (b) Ordinance No. 610-X ordering dwelling at 1002 Charles Avenue demolished and removed.
- (c) Ordinance No. 611-X ordering dwelling at 201 McCrorey Street vacated, demolished and removed.
- (d) Ordinance No. 612-X ordering dwelling at 2028 Kennesaw Drive, vacated and closed.

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- (e) Ordinance No. 613-X ordering dwelling at 1537-39 Belvedere Avenue vacated and removed.
- (f) Ordinance No. 614-X ordering dwelling at 2005-07 Gibbs Street to be closed.
- (g) Ordinance No. 615-X ordering dwelling at 917 Calvine Street demolished and removed.
- (h) Ordinance No. 616-X ordering dwelling at 1620 South Tryon Street demolished and removed.
- (i) Ordinance No. 617-X ordering dwelling at 231 Coxe Avenue vacated and closed.

Council was advised the property owners would not contest the orders. The vote was taken on the motion, and carried unanimously.

The ordinances are recorded in full in Ordinance Book 19, beginning at Page 290.

ORDINANCES ORDERING THE REMOVAL OF WEEDS AND GRASS.

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

- (a) Ord. No. 618-X ordering the removal of weeds and grass adjacent to 301 Cemetery Street.
- (b) Ord. No. 619-X ordering the removal of weeds and grass at 305 Cemetery Street.
- (c) Ord. No. 620-X ordering the removal of weeds and grass at 1241 Pegram Street.

The ordinances are recorded in full in Ordinance Book 19, beginning at Page 299.

RESOLUTIONS AUTHORIZING CONDEMNATION RESOLUTIONS.

Motion was made by Councilman Whittington, seconded by Councilman Short, and unanimously carried, adopting a resolution authorizing condemnation proceedings for the acquisition of property belonging to T. A. Freeman, and wife, Virginia S. Freeman, and Lillian Freeman Hudson and husband, E. O. Hudson, Sr., located on Nannie Price Road in Berryhill Township in connection with the Airport Expansion Program.

The resolution is recorded in full in Resolutions Book 8, at Page 402.

Councilman Withrow moved adoption of a resolution authorizing condemnation proceedings for the acquisition of property belonging to the Heirs of W. Carey Berryhill, located on Dixie Road in Berryhill Township in connection with the Airport Expansion Program. The motion was seconded by Councilman Whittington, and carried unanimously.

The resolution is recorded in full in Resolutions Book 8, at Page 403.

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Upon motion of Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, a resolution was adopted authorizing condemnation proceedings for the acquisition of property belonging to James F. Price and wife, Marilyn Meachem Price, located on Warren Road, in Berryhill Township, in connection with the Airport Expansion Program.

The resolution is recorded in full in Resolutions Book 8, at Page 404.

PROPERTY TRANSACTIONS, AUTHORIZED.

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

- (a) Acquisition of 93' x 243' x 92' x 244' of property on Pinellas Drive, from George T. Mygatt and wife, Irene W. Mygatt, at \$3,500.00 for master plan for the Airport, Land Acquisition.
- (b) Acquisition of property at 2002 West Boulevard, from Real E. Sigouin and wife, Sara, at \$9,865.00 for Clanton Road Extension.
- (c) Acquisition of 15' x 166.93' of easement at 1111 Hawthorne Lane, from Eckerd Drugs, Inc., at \$1.00 for sanitary sewer to serve Eckerd Drugs, Inc.
- (d) Acquisition of 15' x 284.18' of easement at 6600 Block of N. C. 49 North, from Walter Kassuba Realty Corporation, at \$1.00 for sanitary sewer to serve Orchard Trace Apartments.

RIGHT OF WAY AND ENCROACHMENT AGREEMENTS, APPROVED.

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

- (a) Right of way agreement between the City and State Highway Commission for the construction of an eight inch water main in Nations Ford Road, extending immediately south of Arrowood Road.
- (b) Encroachment agreement with the Seaboard Coastline Railroad Company permitting the City to construct an 18-inch sanitary sewer line within the right of way of the Seaboard Coast Line Railway Company to serve Berryhill Road.
- (c) Encroachment agreement with the State Highway Commission permitting the City to construct an 8-inch sanitary sewer line within the right of way of Park Road to serve 5240 Park Road.

STREETS TAKEN ON FOR CONTINUOUS MAINTENANCE BY THE CITY.

Councilman Whittington moved the following streets be taken over for continuous maintenance by the City. The motion was seconded by Councilman Jordan, and carried unanimously.

- (a) Mendham Drive, from 213 feet south of Lanecrest Drive to Lanecrest Drive.
- (b) Plumstead Road, from 158 feet west of Standish Place to 270 feet east of Standish Place.
- (c) Standish Place, from Plumstead Road to Northwood Drive.
- (d) Northwood Drive, from 293 feet west of centerline of Standish Place to 233 feet east of centerline of Standish Place.
- (e) Meadowcliff Drive, from Milton Road to 533 feet south of Milton Road.
- (f) Meadowcliff Drive, from 180 feet south of Briarhill Drive to 135 feet south of centerline of Stepping Stone Drive.
- (g) Stepping Stone Drive, from Meadowcliff Drive to 1,118 feet west to intersection of Meadowcliff Drive.
- (h) Clover Hill Lane, from intersection of Stepping Stone Drive to 465 feet south of Stepping Stone Drive.

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ORDINANCE NO. 621-X AMENDING ORDINANCE NO. 520-X, THE 1972-73 BUDGET ORDINANCE TRANSFERRING FUNDS FROM THE GENERAL FUND UNAPPROPRIATED BALANCE FOR THE PURPOSE OF TOPOGRAPHIC MAPPING.

Upon motion of Councilman Short, seconded by Councilman Whittington, and unanimously carried, the subject ordinance was adopted, temporarily borrowing \$42,255 from the General Fund Unappropriated Balance for the purpose of topographic mapping.

The ordinance is recorded in full in Ordinance Book 19, at Page 302.

AGREEMENTS FOR THE ACQUISITION OF PRIVATELY OWNED SANITARY SEWER LINES LOCATED IN ANNEXATION AREA NO. 1, APPROVED AND ORDINANCE TRANSFERRING FUNDS TO PROVIDE APPROPRIATION TO PAY THE FIRST INSTALLMENT ON AGREEMENTS.

After explanation by the City Manager, Councilman Whittington moved approval of the following agreements and the ordinance authorizing the transfer of funds. The motion was seconded by Councilman McDuffie and carried unanimously.

- (1) Agreement between the City and Mecklenburg Engineers and Contractors, Inc. for the purchase of various trunks and mains for a total sum of \$67,212.30. The lines purchased in this agreement serve portions of the subdivisions of Stonehaven, Fox Run, Middleburg Woods and Queens Grant.
- (2) Agreement between the City and John Crosland Company for the purchase of various trunks and mains which serve a portion of the subdivision Stonehaven for a total sum of \$29,054.00.
- (3) Agreement between the City and McArn and Gwynn Company for the purchase of various trunks and mains which serve a portion of subdivision Stonehaven at a total sum of \$83,671.20.
- (4) Agreement between the City and Queens Grant, Inc. for the purchase of various trunks and mains which serve portions of the subdivisions of Stonehaven, Fox Run and Queens Grant, at a total sum of \$259,011.90.

Ordinance No. 622-X authorizing the transfer of \$87,790.00 from the unencumbered utilities fund balance to provide an appropriation to pay the first installation of sewer acquisition agreements is recorded in full in Ordinance Book 19, at Page 303.

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ORDINANCE NO. 623-X AUTHORIZING THE TRANSFER OF FUNDS FOR THE CONSTRUCTION OF GRAVITY FLOW SEWER LINES TO SERVE PORTIONS OF ANNEXATION AREA NO. 1.

Upon motion of Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, the subject ordinance was adopted authorizing the transfer of funds in the amount of \$115,000 from the 1969 Bonds to provide funds for the construction of gravity flow sewer lines to serve portions of Annexation Area No. 1.

The ordinance is recorded in full in Ordinance Book 19, at Page 304.

CONSTRUCTION OF SANITARY SEWER TRUNKS AND INSTALLATION OF WATER MAINS, APPROVED.

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

- (a) Contract with Kenway Corporation for the construction of 1,305 feet of 8-inch trunk sewer, on Carmel Country Club property, outside the city, at an estimated cost of \$37,100.00. The applicant has deposited \$8,210.00 which is 10% of the estimated cost plus estimated cost of right of way and will be refunded in accordance with the terms of the agreement.
- (b) Contract with John Crosland Company for the construction of 730 feet of 8-inch water main and one fire hydrant to serve the Arrowood Shopping Center on Nations Ford Road, outside the city, at an estimated cost of \$4,400.00. Funds will be advanced by the applicant and refunded all under the terms of existing city policies.
- (c) Contract with John Crosland Company for the construction of 630 feet of 6-inch water main and one fire hydrant, to serve a portion of the Hampshire Hills Shopping Center, inside the city, at an estimated cost of \$3,000.00. Funds will be advanced by the applicant and refunded all under the existing city policies.

CLAIM BY JONATHAN WALLAS ON BEHALF OF JOSEPH B. ODOM FOR PROPERTY DAMAGE, DENIED.

Councilman Short moved that claim filed by Jonathan Wallas, attorney, on behalf of Joseph B. Odom, 3544 Manchester Drive, for property damage, be denied. The motion was seconded by Councilman Whittington, and carried unanimously.

SPECIAL OFFICER PERMIT, APPROVED.

Upon motion of Councilman Withrow, seconded by Councilman Jordan, and unanimously carried, a special officer permit was approved for renewal to Thomas B. Wolfe, for use on the premises of Charlotte Park and Recreation Commission for a period of one year.

CONTRACT AWARDED BLYTHE BROTHERS COMPANY FOR FALL ASPHALT RESURFACING ON VARIOUS STREETS WITHIN THE CITY.

Councilman Jordan moved award of contract to the low bidder, Blythe Brothers Company, in the amount of \$396,124.95, on a unit price basis, for fall asphalt resurfacing on various streets within the city. The motion was seconded by Councilman Short, and carried unanimously.

The following bids were received:

Blythe Brothers Co.	\$396,124.95
Rea Construction Co.	400,073.73
Dickerson, Inc.	450,524.20

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CONTRACT FOR ARTIC OVERSHOES FOR VARIOUS DEPARTMENTS, DEFERRED.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, subject contract was deferred.

CONTRACT AWARDED ALLIED SAFETY SUPPLY COMPANY FOR RUBBER RAINSUITS FOR VARIOUS DEPARTMENTS.

Motion was made by Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, awarding subject contract to the low bidder, Allied Safety Supply Company, in the amount of \$9,580.35, on a unit price basis, for rubber rainsuits for various departments.

The following bids were received:

Allied Safety Supply Co.	\$ 9,580.35
Industrial & Textile Supply Co.	11,206.40
Tidewater Supply Company, Inc.	12,063.07
Goodall Rubber Company	12,307.90

CONTRACT AWARDED INDUSTRIAL AND TEXTILE SUPPLY COMPANY FOR RUBBER BOOTS AND RAINCOATS.

Councilman Whittington moved award of contract to the low bidder, Industrial and Textile Supply Company, in the amount of \$2,982.38, on a unit price basis, for rubber boots and raincoats. The motion was seconded by Councilman Jordan, and carried unanimously.

The following bids were received:

Industrial & Textile Supply Co.	\$ 2,982.38
Allied Safety Supply Company	2,994.63
Tidewater Supply Co., Inc.	3,042.35
Atlantic Coast Supply	3,318.18

CITY MANAGER REQUESTED TO HAVE SOMETHING DONE ABOUT THE HEATING AND AIR CONDITIONING IN COUNCIL CHAMBER.

Councilman Jordan requested the City Manager to have something done about the heating and air conditioning in the Council Chamber.

ADJOURNMENT.

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



Ruth Armstrong, City Clerk