

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber in the City Hall, on Monday, August 10, 1964, at 2 o'clock p.m., with Mayor Brookshire presiding, and Councilmen Albea, Bryant, Jordan, Thrower and Whittington present.

ABSENT: Councilmen Dellinger and Smith.

Sitting as a Joint Body with the City Council to hear Petitions for changes in zoning classifications were the following members of the Charlotte-Mecklenburg Planning Commission: Mr. Sibley, Chairman, Mr. Jones, Mr. Lakey, Mr. Olive, Mr. Stone, Mr. Suddreth and Mr. Toy.

ABSENT: Mr. Ervin, Mr. Turner and Mr. Ward.

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INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Whittington, seconded by Councilman Thrower, and un-animously carried, the Minutes of the Special Meeting on July 23rd were approved as submitted.

HEARING ON PETITION NO. 64-45 FOR CHANGE IN ZONING OF 23.6 ACRES OF PROPERTY ON THE NORTHEASTERLY SIDE OF PENCE ROAD.

The scheduled public hearing was held on Petition No. 64-45 by Dura-Wood Preservers, Inc., for change in zoning from R-15 to I-2 of approximately 23.6 acres of land on the northeasterly side of Pence Road, beginning about 1 1/2 miles east of Hickory Grove-Newell Road, and extending along Pence Road 1,034 feet.

Mr. McIntyre, Planning Director, stated the petition covers a tract of land principally used for industrial purposes, and adjoins the Seaboard Railroad on the northerly side. It is located in a rural area sparsely developed about 1 4/10 mile beyond the Hickory Grove Elementary School. The adjoining area is very sparsely developed and essentially open, rural tracts of land, with an occasional house on a large piece of property. Across Pence Road from the property there is a small cluster of houses; to the east some distance away there is a partially developed subdivision. All of the adjoining property is similarly zoned R-15.

Mr. Walt Kellam, with the Dura-Wood Preserving Company, stated they purchased the 85 acres on the Norfolk-Southern Railway on which they are located in 1955 and moved there in 1955 and 1956 from their location on Plaza Road. They felt the new location was far enough away from the City that they would have no problem as far as the suburbs coming out to them. He stated they did not know that the land had been zoned at all until they inquired about building on an addition to the Plant, and then they also found it was zoned residential, which would keep them from expanding. He stated he does not think there would be any

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objections to the rezoning by the people in the area, and in fact he wrote to the seven owners of adjoining property and asked if they had objections to the property being rezoned Industrial; that they received only two replies and both said they would have no objections, and they did not hear from the other five property owners. He stated they are requesting the rezoning of only 23.6 acres, and not the entire 85 acres; that this will leave a large wooded area at the back of the property.

No objections were expressed to the proposed change in zoning.

Councilman Bryant commented that it seems industrial sites in the area such as this are pretty hard to come by. He asked if it would not be good for the Planning Commission to study the possibility of zoning more than this into an industrial site so that we can establish one for the future?

Mayor Brookshire replied he thinks they might give it some study as long as this petition is pending before them, and bring the matter into focus.

Council decision was deferred for two weeks.

PETITION NO. 64-46 FOR CHANGE IN ZONING OF PROPERTY ON THE NORTHEAST SIDE OF FREEDOM DRIVE WITHDRAWN BY M. R. GODLEY AND J.H. L. ABERNETHY, PETITIONERS.

At the public hearing on Petition No. 64-46 for a change in zoning from R-6 to B-1 of property on the northeasterly side of Freedom Drive, letters from the Petitioners, Mr. J. H. L. Abernethy dated July 22nd, and from Mr. Charles Knox, Attorney for Mr. and Mrs. M. R. Godley dated August 7th, were presented withdrawing their petition for the change in zoning.

HEARING ON PETITION NO. 64-47 FOR CHANGE IN ZONING OF LOT AT 115 LAKEWOOD AVENUE.

The public hearing was held on Petition No. 64-47 by Thomas N. Brand for change in zoning from R-6MF to O-6 of a lot 85' x 150' at 115 Lakewood Avenue.

The Planning Director stated the property is located a short distance off of Rozzells Ferry Road, at the corner of Boyd Street and Lakewood Avenue. The property is used for residential purposes, and the property in this general vicinity is used residentially, the general exception to this being that nearby properties on Rozzells Ferry Road are used for business purposes. The property is surrounded on all sides by R-6MF zoning, the property adjacent to Rozzells Ferry Road being zoned B-2.

Mrs Brand advised they would like to have the property rezoned so that she could move her Beauty Shop from its present location to this property.

No objections were expressed to the proposed rezoning.

Council decision was deferred for two weeks.

HEARING ON PETITION NO. 64-48 FOR CHANGE IN ZONING OF TWO LOTS AT THE SOUTHWEST CORNER OF CLEMSON AVENUE AND WOODSIDE AVENUE.

The public hearing was held on Petition No. 64-48 by Interstate Sales Company for change from O-6 to B-1 of two lots at the southwest corner of Clemson Avenue and Woodside Avenue.

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The City Clerk advised that petitions signed by residents of Clemson Avenue and Woodside Avenue protesting the change in zoning have been filed, representing more than 20% of the adjoining property, therefore a 3/4 majority vote of Council will be required for approval of the petition.

Mr. McIntyre, Planning Director, advised the petition covers property at the intersection of Clemson and Woodside Avenues; the adjoining property is vacant and the lot at the intersection of The Plaza and Clemson is occupied by a vacant house. Diagonally across Clemson Avenue from the property a Curb Market has been established, fronting on the Plaza, and there are scattered businesses down The Plaza. Also across Clemson Avenue there are duplexes on down the street. Across Woodside Avenue there is a single-family house and others extend down the street. Adjoining the property on the westerly side the lot fronting on Woodside Avenue is also occupied by single-family development, which extends on down Woodside. The property is zoned O-6 and is adjoined on The Plaza side by Business zoning; across Clemson Avenue the zoning is both Business and Office; across Woodside Avenue the property is zoned Residential, and property adjoining the subject corner lot is zoned Residentially.

Mr. Frank McCleneghan, Attorney for the Petitioner, stated the property was acquired by them four or five months ago, and was purchased in two portions in order to acquire the property they desired, other property also had to be acquired; four lots in all. At the time of the purchase the Petitioner was misinformed as to the zoning of the two lots in question, and it did not become known that the two lots were not zoned for business purposes until after they had made a lease with Colonial Stores and a contract to build the store and plans had been drawn by an architect.

He stated there has been a protest filed by some 17 folks out there to this change in zoning, and he has the withdrawal of those protests, signed by everyone except two. The original protest was signed by Mr and Mrs Crowder, and Mr. Crowder is out of town and Mrs Crowder has signed the withdrawal in her behalf. Mr. Campbell signed the original protest, and he declined to sign the withdrawal. Mr. McCleneghan filed the Withdrawal Petition with the City Clerk.

Mayor Brookshire asked the City Attorney if this Withdrawal eliminates the effectiveness of the 20% rule? Mr. Morrisey advised he will not know until the Petition is checked to determine the extent of the ownership of the persons remaining on the Petition, which will be done prior to the next Council Meeting. Mr. McCleneghan stated that Mr. Morrisey will find he owned only one lot, and the lots in that subdivision have a 50-ft. frontage. Councilman Jordan asked if all of the residents protesting the change have withdrawn except one, and Mr. McCleneghan replied that is correct. At the request of Councilman Thrower that the location of the residence of this person be pointed out on the map, Mr. McCleneghan pointed out the lot owned by Mr. Mauney, whose address is 1162 Woodside Avenue, and Mr. Campbell's address is 1154 Woodside Avenue.

Mr. McCleneghan stated their problem is really that under the existing zoning out there, it is a question of where the Store is located; they can have the Store redesigned and face it another way and put the parking on these two lots that are presently zoned O-6, so the Store will be built, but the lay-out they presently have where the parking will be at the front of the Store is much better for the neighborhood and more convenient to the people who will use the store, otherwise the parking will have to be at the rear.

Councilman Albea asked who misinformed his client as to the zoning of the property that he has had that to contend with this before? Mr. McCleneghan stated they were given misinformation by a Real Estate Broker. That he presumes he went out and saw the other lots up front were zoned B-1 and just did not check on the others. Councilman Albea stated the zoning on property is too serious a matter to be just bandied around, and he just wanted to know.

Council decision was deferred for two weeks.

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HEARING ON PETITION NO. 64-49 BY CHARLOTTE-MECKLENBURG PLANNING COMMISSION PROPOSING CHANGES IN THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE AND PERIMETER AREA.

The public hearing was held on Petition No. 64-49 by Charlotte-Mecklenburg Planning Commission proposing changes in the Official Zoning Map of the City of Charlotte and Perimeter Area.

Petitions had been filed protesting changes in Tracts 1 and 8; a change to Industrial zoning closer than 400 ft. along Tuckaseegee Road in Tract 2 and along I-85 in Tracts 6 and 7, and proposed Industrial zoning in Tract 3 be extended to Alleghany Street, representing more than 20% of the adjoining property, therefore a 3/4 majority vote of Council will be required for approval of the petition.

The Planning Director advised the zoning changes are proposed in the area between Ashley Road extending west to Little Rock Road, the area between Wilkinson Boulevard extending northerly across Interstate Highway 85 up to Tuckaseegee Road. The basic intent of the zoning changes is to recognize the future effect of air traffic as well as existing effect of air traffic as the ends of the Airport runways are extended to develop a land plan and a zoning plan, which would bring about a use of land that would be compatible with the operation of aircraft from the Airport. That basically the changes proposed are largely in the direction of various types of residential use to a light industrial use. Some areas, however, are proposed to be changed not from residential to industrial, but rather from residential to rural. One of the principal points of the industrial zoning is that if the areas are so zoned houses would be excluded from these areas.

He stated further he will discuss the areas in some details by taking the section north of Interstate 85 up to Tuckaseegee Road, from Ashley Road over to Mulberry Church Road. In that particular area it is proposed not to change all of the land but some of the danger tracts of land fronting on Interstate 85. At the present that area is zoned residential and some industrial, all of which will be changed to I-1 with the exception of a very small piece of property adjacent to Interstate 85 at the Tuckaseegee Road interchange, which will be changed to Office zoning.

On the southerly side of Interstate 85, also between Ashley Road and Mulberry Church Road, it is proposed that all of the land effected by the change would be changed to I-1. At the present time in that area there is some property zoned I-2 and other property zoned Residential, single and multi-family and Business, all of which would be changed to I-1. That this property extends some depth off Interstate 85 and rezones almost all of the land in the area that is still acreage today and has not been developed.

A small section of land immediately north of Wilkinson Boulevard in the Mulberry Church Road area is proposed to be zoned B-2, which would establish compatible zoning of this particular piece of property with the adjacent tracts which front on Wilkinson Boulevard that are now zoned B-2.

On the westerly side of Mulberry Church Road, going up to Interstate 85, there is an area that is presently zoned B-2 and R-9MF, and it is proposed to be rezoned to Light Industrial. Moving further to the west in the area of Interstate 85 and Tuckaseegee Road, an area centered on Little Rock Road, it is proposed that the acreage that is now zoned R-1 be changed to B-2, except for property fronting on Tuckaseegee Road, which is proposed not to be changed to B-2 but rather to Office.

He stated further as he has indicated before, the development in most of these areas, and adjacent to most of these areas, where the zoning is proposed to be

changed is rather sparse but he will review the general characteristics around the boundaries of these areas.

Immediately west of the interchange of Interstate 85 and Tuckaseegee Road on the northerly side of Tuckaseegee Road there is a fair concentration of residential usage, although some of the lands are vacant. The property on the southerly side of Tuckaseegee Road, that immediately adjoins the land proposed to be rezoned for industrial purposes, is generally speaking vacant, although there are a few houses established. Adjoining one of the boundaries of this large area there is a nursery immediately south of the zoned side of Tuckaseegee Road, and the remaining land adjoining this area is vacant. Within the area there is one tract used for storage of tractor trailers. On the southerly side of Interstate 85 in the area proposed to be rezoned, the most significant adjoining land use is Harding High School. The rest of the southerly boundary of this particular area that is to be changed is adjoined principally by vacant land, some new subdivisions and scattered residential developments.

The tract of land on the westerly side of Mulberry Church Road is adjoined on its southerly side by residential property that has been established on Withrow Road.

Moving over the area around Little Rock Road and Tuckaseegee Road, that is proposed to be changed, the area at present has within it a large amount of vacant land a few single family homes and one country store. Immediately across Tuckaseegee Road from the area in question, there are residential uses established generally on that side of Tuckaseegee Road. Also adjoining the area proposed changed on the westerly boundary there are several residential developments. Immediately on the southerly side of the area proposed for change, the property which joins Interstate 85 at the intersection of Little Road Road is a motel, a mobile home and a park.

Councilman Whittington asked how close the Moores Park area is to the property in question? Mr. McIntyre replied it is about 1200 to 1600 feet.

Miss Nordica Jamieson stated she has been forced to move from the home she had lived in all her life because of the noise, vibration and exhaust from the planes at the present time. That she is not protesting what the Planning Commission wants zoned Industrial but she wants the zoning changed to Industrial adjacent to I-85 and Tuckaseegee Road interchange and a piece of land on the southerly side of Tract 3 adjacent to Alleghany Street that goes into Harding High School so that she can sell her property.

Mr. Tom Odom, Attorney for property owners in Moores Park No. 2, stated he appeared before Council some six months ago for these people when a Petition was heard to change a piece of property on I-85 to Business. That his clients property does not lie directly in the area proposed rezoned, but within their area there are a million dollars worth of homes, and from the present effects of the jet planes they realize what the effect will be when these planes use the new north-south runway. That his clients have learned to live with the noise and they have spent their money on homes and they want the entire area to remain residentially zoned. That all of the homes around Tract 7 are new, most of them built within the last five years. Mr. Odom stated one of the main objections of his clients to the change to B-2 is that the existing Trailer Park on I-85 which is now non-conforming, can then extend back into Moores Park No. 2, which will mean a 10 acre trailer park right on the side of a residential area already developed. Mr. Odom stressed the fact that they do not object to the whole proposed plan because there are areas that lie south of I-85 on which there are no new houses and mostly open land, but for the property that lies north of I-85 and particularly that property that lies near Little Rock Road should not be changed.

Mrs Louis Genyard stated there are three schools in the area proposed to be rezoned, and the children have to walk to the Elementary School on Little Rock Road from Moores Park and if the zoning on Little Rock Road is changed to B-2 the danger will be very great. That they have not been able to get a Traffic Light from the County Commissioners. She urged that the residential zoning be retained.

Reverend Bob Little, Minister of Tuckaseegee Road Methodist Church on Tuckaseegee Road just below Little Rock Road, stated he is concerned about Tracts 7 and 8, as he is concerned about the children going to schools and to the churches; that there is also Mulberry Presbyterian Church and Mulberry Baptist Church on Tuckaseegee Road, as well as his church, and he feels the City Council has a responsibility to our churches.

Mrs C. D. Washam stated she moved to Daniel Lane four years ago and they felt moving 8 miles from town they would be protected and although they are not now bothered with air traffic she is sure they will be when the north-south runway is opened but their main concern is the proposed change in zoning to Business. That if the zoning is changed to Business in this area they will have no protection whatsoever, as Business will come up to the side of residential lots and across the street from the property it will come directly up to their back lots - no buffer strip is proposed of any sort. That she thinks fifty years ago it should have been stated that the west side of Charlotte was to be for business and industry only and no residences allowed to be constructed.

Mr. Charles McGee, resident of Tuckaseegee Road, advised that the proposed area to be rezoned joins his lot, and he has put all of his money in his home and hates to think of garbage cans at his back door. The area is not sparsely settled as Mr. McIntyre said, there are a good number of houses and three schools and they have a Store and do not need another. That he thinks Park & Shop on Wilkinson Boulevard is a good example of what could happen to them with all of its parking.

Mr. J. W. Parr, resident of Tuckaseegee Road, pointed out that in their area, and Daniel Lane which adjoins, there is only one vacant lot in the entire development which consists of residences of from \$18,000 to \$30,000. All of them have invested all they have in their homes and he is opposed to any change from Residential zoning.

Mr. Bill Poe, Attorney for five property owners, stated their protest is on record and they want to join in the Petition as relates to the property on the east side of Mulberry Church Road proposed for rezoning to Industrial. That his clients feel the change would destroy the value of their houses, but if the Council honors the Petition for the change to Industrial zoning, they wish to be included, as there would be no reason to leave this small neck of land Residential. He stated he represents all of the residents in this small area and they request Council to initiate action to change this property from Residential to Industrial property, as they think it would be unfair to ask these people to bear the expense of filing a petition, if the Planning Commission's petition is allowed to rezone the adjoining area Industrial.

Miss Lucille Bush stated they live on Ashley Road, the only home facing Ashley Road at the corner of Alleghany Avenue. The proposal is to rezone the area, which is Tract 3, to Industrial up to within 100 feet from their house and they ask that their property be included in the Industrial zone, if the change is permitted.

Mr. C. W. Todd stated he represents Realty Development Company who owns 30 to 40 acres on the south side of I-85, which is presently zoned I-2, with which they are quite happy. They have no opposition to the general proposal of the Planning

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Commission except they are asking that this area not be changed to I-1. That previously their property was zoned multi-family but being in the line of the north-south runway it was changed to I-2 by the City three or four years ago. That their main objection to I-1 is it does not permit trucking companies and they have a good prospect right now for that usage, so they request that their property be left in the I-2 zone.

Mr. Elmer Hilker, Attorney, stated he represents the owner of a four acre tract on the other side of I-85, who purchased the property with the idea of using it for a Truck Terminal and there is presently a Truck Sales Business on the property, and they have just finished grading the property and putting it in shape for a Terminal. That they were most particular to check the zoning before the property was purchased and his client talked today with the owners of the adjoining 19 acre tract occupied by a Trucking Company, out of which his client's property was cut, and they are much concerned over the proposed change in zoning and they ask that he state for them their opposition to the change from I-2 to I-1. That it is one of our cardinal principals of democratic government to which everyone in this room would subscribe, that a certain amount of security should be given to property owners who lay their money on the line for specified uses of property based on classifications which are written in the books and upon which they are expected to rely, and which are reflected in the price which people pay and which they believe has some degrees of permanence. He is not making the charge that the City is going in and taking private property because he knows in every free government there are relative situations, but he does say that as people who believe in freedom, and individual property rights we should respect the property rights that have been acquired with hard earned money on the strength of previous adjudication. He urged that Council give serious consideration to this before they allow the requested change in zoning.

Mr. D. C. Rhyne, resident of Tuckaseegee Road, stated he owns the biggest part of the land in Tract 7, between I-85 and Tuckaseegee Road, and he has 1500 feet on toward Little Rock Road, and this is left out of the proposed rezoning. That he would like very much for council to extend the rezoning to include this property.

Councilman Thrower moved that the Petition be sent back to the Planning Commission for further review. The motion was seconded by Councilman Albea.

Mayor Brookshire stated it will now go to the Planning Commission for their study and recommendations. Councilman Albea stated he did not want their recommendations on the Petition as it now stands, he wants them to take another look at it. Mayor Brookshire stated he thinks that will be done routinely.

Mr. C. D. Long stated he lives in Charlotte but has property on Tuckaseegee Road; that he signed the petition and wants to make one point. That the people who live on Tuckaseegee Road are out there because they like elbow room. That he looked at the tax map and found on the south side of Tuckaseegee Road, lots run into the hundreds in depths, he thinks he saw only one that runs only 270 and 200 feet along Tuckaseegee Road is not enough; that the petition he signed calls for 400 feet. Also, he spends from 6 o'clock to 8 o'clock every morning out on Tuckaseegee Road working in his garden, as that is all the time he is able to work, and he hears the planes come over but is not disturbed by them.

Mr. Parks Sadler, resident of Tuckaseegee Road, stated he owns land on I-85 and Little Rock Road which is now zoned B-2 and it is his understanding it will be left that way.

Mrs Carrie Smith, resident of Tuckaseegee Road, stated she has children and keeps them in her yard, and she does not object to picking up beer cans, broken headlights and such like from the street in front of her house, but she would object

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to picking up a dead child, and the increase in traffic that will result if the area is rezoned Industrial will be an added hazard to the lives of the children in the area.

Mayor Brookshire assured all of the interested persons present that the Planning Commission will give careful consideration to all of the expressions given today and will study them carefully before they make recommendations to Council. After that it will, of course, be the responsibility of the Council to make a final determination on the Petition.

HEARING ON PETITION NO. 64-50 FOR CHANGE IN ZONING OF PROPERTY ON BOTH SIDES OF FAIRGROUND STREET, EAST OF GLENWOOD DRIVE.

The public hearing was held on Petition No. 64-50 by Charlotte-Mecklenburg Planning Commission for a change in zoning from R-6MF to I-1 of property on both sides of Fairground Street, east of Glenwood Drive.

Mr. McIntyre, Planning Director, stated this is a modification of the Petition that was originally submitted by property owners for a change from R-6MF to I-2 which the Planning Commission recommended be modified. Fairground Street extends off Glenwood Drive and is presently about 50% developed with single-family houses and 50% vacant lots; the tract of land to the east is vacant, immediately on the southeasterly side is the rear lot lines of residential lots fronting on the next street; immediately to the southwesterly side is the rear lot lines of property fronting on Avalon Avenue; across Glenwood Drive the property is undeveloped but a new subdivision has been laid out extending off Glenwood Drive. The property is zoned multi-family and is adjoined on the east side by Industrial zoning, otherwise the adjoining zoning is multi-family residential.

No objections were expressed to the proposed change in zoning.

Council decision was deferred for two weeks.

HEARING ON PETITION NO. 64-51 FOR CHANGE IN ZONING OF LOT AT THE SOUTHEAST CORNER OF ARGYLE DRIVE AND SUGAR CREEK ROAD.

The public hearing was held on Petition No. 64-51 by Charlotte-Mecklenburg Planning Commission for a change in zoning from R-9 to O-6 of a lot 145' x 258' at the southeast corner of Argyle Drive and Sugar Creek Road.

The City Clerk advised that a petition protesting the change from R-9 to O-6 has been filed by Mr and Mrs J. A. Abernethy, 701 Sugar Creek Road, representing 100% of the land adjoining the west side of the property in question; therefore, a 3/4 majority vote of the Council will be required to approve the Petition.

The Planning Director advised the original petition submitted by the property owners requested that the property be changed from R-9 and O-6 to B-1 and the Planning Commission's recommendation was that it be changed to office usage rather than business usage.

No objections were expressed to the proposed change in zoning.

Council decision was deferred for two weeks.

MEETING RECESSED FOR TEN MINUTES AT 3:35 O'CLOCK.

Mayor Brookshire recessed the meeting for a ten minute period at 3:35 p.m., and the meeting was reconvened at 3:45 p.m.

PLAQUES PRESENTED RETIRING CITY EMPLOYEES.

Mayor Brookshire presented Employee Awards in acknowledgment and appreciation for service rendered to the City of Charlotte, to retiring city employees, Miss Margie Todd, who was employed in the Water Department on June 14, 1937, and to Mr. James A. White, who was employed in the Water Department on April 1, 1936.

Miss Todd expressed her appreciation for the Plaque and for the kindness and consideration shown her during her 27 years of employment.

Mr. White thanked the Council for the gift of the Plaque and said he was glad he was able to work for the City this long and he had really enjoyed it.

PETITION FOR LOCAL IMPROVEMENTS ON CHATHAM AVENUE NOT CONSIDERED BY COUNCIL DUE TO THE ABSENCE OF A MAJORITY PETITION.

The City Clerk advised that in connection with the scheduled hearing on a Petition for local improvements on Chatham Avenue, from Belvedere Avenue to the end of the street, which was signed by 15 of the 22 owners of property abutting on the improvement, 5 of the petitioners have withdrawn their names from the petition, and the remaining 10 petitioners represent only 45.5% of the abutting property owners. That the petition then fell under the 25% provision of the City Charter, requiring that the Council find the making of improvement is necessary for the safe and efficient movement of vehicular and/or pedestrian traffic. That after making the proper investigation the Traffic Engineer reports the making of the improvement is not necessary for this purpose. Therefore, the petition does not meet the requirements of the Charter, and the improvements cannot be ordered in the absence of a majority petition.

W. J. ELVIN REQUESTS COUNCIL TO TAKE SIMILAR ACTION TO THAT OF THE COUNTY COMMISSIONERS WITH REGARD TO EMPLOYEES WASTING TIME, AND TO ALSO INSTALL A TIME CLOCK FOR CITY EMPLOYEES.

Mr. W. J. Elvin stated the County Manager, Mr. Weatherly, made a recommendation to the County Commissioners about the wasted time by county employees, which they adopted and he thinks that city employees, also paid by tax money, should conform to some similar action taken by the City Council. Further, he would improve upon Mr. Weatherly's recommendation by suggesting that the Council have installed a Time Clock to punch in and out.

Councilman Jordan commented that the City does not have any employees wasting time. Mr. Elvin stated that is a matter of opinion. Councilman Alba asked him if he has any direct information that the City does have such employee? Mr. Elvin replied yes, every place does, no matter where people are employed, and if the Council does not know it, then they are not doing their job.

Mayor Brookshire remarked to Mr. Elvin that he is talking about the responsibilities the Council puts on the City Manager, Mr. Veeder, and he should think he would discuss this with him. Mr. Elvin replied that all he is saying is he has every respect for both Mr. Weatherly and Mr. Veeder. Mayor Brookshire stated if Mr. Veeder asked for such action by Council he suspects they would consider it. Mr. Elvin remarked all he is saying is that he thinks similar action to the County's should be taken by the City and he thinks every working person should punch a Time Clock.

RESOLUTION FIXING DATE OF PUBLIC HEARING ON AUGUST 24TH ON PETITION BY CHARLOTTE-MECKLENBURG BOARD OF EDUCATION FOR ANNEXATION OF 19.228 ACRE TRACT OF LAND IN CRAB ORCHARD TOWNSHIP.

Upon motion of Councilman Thrcwer, seconded by Councilman Bryant, and unanimously carried, a Resolution Fixing the date of Public Hearing on August 24th on Petition by Charlotte-Mecklenburg Board of Education, for the annexation of 19.228 acre tract of land in Crab Orchard Township, was adopted. The resolution is recorded in full in Resolutions Book 4, at Page 403.

RESOLUTION FIXING DATE OF PUBLIC HEARING ON SEPTEMBER 14TH ON PETITION FOR SIDEWALK IMPROVEMENTS ON WOODLAND DRIVE.

Councilman Bryant moved the adoption of a Resolution Fixing the Date of Public hearing on September 14th on Petition for Sidewalk Improvements on Woodland Drive, from Roanoke Avenue to Sheffield Drive. The motion was seconded by Councilman Whittington, and unanimously carried. The Resolution is recorded in full in Resolutions Book 4, at Page 404.

RESOLUTION FIXING DATE OF PUBLIC HEARING ON SEPTEMBER 14TH ON PETITION FOR LOCAL IMPROVEMENTS ON SPRINGVIEW ROAD.

Upon motion of Councilman Whittington, seconded by Councilman Albea, and unanimously carried, a Resolution Fixing the date of Public Hearing on September 14th on Petition for Local Improvements on Springview Road, from Wellingford Street to existing pavement, was adopted. The resolution is recorded in full in Resolutions Book 4, at Page 405.

PETITION NO. 64-22 FOR CHANGE IN ZONING OF TRACT OF LAND FRONTING ON NORTH SIDE OF FAIRVIEW ROAD AT PARK ROAD INTERSECTION, POSTPONED FOR TWO WEEKS.

Councilman Jordan moved that consideration of Petition No. 64-22 by Mr. R. L. Barnett for change in zoning from R-12 to O-15 of a tract of land on the north side of Fairview Road, at the Park Road intersection, be postponed for two weeks. The motion was seconded by Councilman Whittington, and unanimously carried.

PETITION NO. 64-35 FOR CHANGE IN ZONING OF TRACT OF LAND ON THE NORTH SIDE OF PARK ROAD, WEST OF FAIRVIEW ROAD, POSTPONED FOR TWO WEEKS.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and un-animously carried, consideration of Petition No. 64-35 by Mr. Charles K. Price for a change in zoning of a tract of land on the north side of Park Road, west of Fairview Road, was postponed for two weeks.

ORDINANCE NO. 262-Z AMENDING CHAPTER 23, SECTION 23.8 OF THE CITY CODE CHANGING ZONING ON LOTS AT 1300, 1304 AND 1306-08 NORTH PEGRAM STREET.

Councilman Thrower moved the adoption of Ordinance No. 262-Z Amending Chapter 23, Section 23-8 of the City Code, changing the zoning on lots at 1300, 1304 and 1306-08 North Pegram Street, from R-6MF to I-1 as petitioned for by Mr. G. L. Russell, Jr; and Mrs Evelyn R. White. The motion was seconded by Councilman Whittington, and carried by the following recorded vote:

YEAS: Councilmen Thrower, Whittington, Bryant and Jordan.  
NAYS: Councilman Albea.

The ordinance is recorded in full in Ordinance Book 14, at Page 32.

AGREEMENT BETWEEN STATE HIGHWAY COMMISSION AND JOHN CROSLAND COMPANY FOR INSTALLATION OF WATER MAINS IN SHARON AND SHARONVIEW ROADS AUTHORIZED CO-SIGNED BY CITY.

Councilman Bryant moved that the Mayor and City Clerk be authorized to co-sign a right of way agreement between the State Highway Commission and John Crosland Company for the installation of water mains in Sharon and Sharonview Roads, outside the city limits. The motion was seconded by Councilman Albea, and unanimously carried.

ENCROACHMENT CONTRACT AUTHORIZED WITH QUEENS COLLEGE FOR CONSTRUCTION OF ELECTRICAL, WATER AND SEWER LINES CROSSING WELLESLEY AVENUE.

Councilman Whittington moved approval of an encroachment contract with Queens College, for the construction of electrical, water and sewer lines crossing Wellesley Avenue just south of Selwyn Avenue, under which Queens College will be obligated to construct and maintain the structures in accordance with the standard city specifications. The motion was seconded by Councilman Jordan, and unanimously carried.

CHANGE ORDERS AUTHORIZED IN CONTRACTS WITH MYERS & CHAPMAN, INC. P. C. GODFREY INC. AND POWER ELECTRIC COMPANY, FOR ALTERATIONS IN AND ADDITIONS TO GOOD SAMARITAN HOSPITAL.

Upon motion of Councilman Bryant, seconded by Councilman Jordan, and unanimously carried, the following Change Orders in contracts for alterations in and additions to Good Samaritan Hospital, were authorized:

- (a) CHANGE ORDER NO. G-5, in General Construction Contract with Myers & Chapman, Inc.

For extra items and modifications in the plans

Add to adjusted contract price \$2,760.00

- (b) CHANGE ORDER NO. G-6, in General Construction Contract with Myers & Chapman, Inc.

For furnishing 5 letters and changing letters on the front of Hospital to Charlotte Community Hospital

Add to adjusted contract price 131.00

- (c) CHANGE ORDER NO. P-5, in Plumbing Contract with P. C. Godfrey, Inc.  
For special grating in elevator pit.

Add to adjusted contract price 18.00

- (d) CHANGE ORDER NO. H-2, in Heating Contract with P. C. Godfrey, Inc.  
For additional grilles in Pharmacy

Add to adjusted contract price 71.00

- (e) CHANGE ORDER NO. E-4, in Electric Contract with Power Electric Company, Inc.

For extra items and modifications in plans

Add to adjusted contract price 1,230.68

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CONSTRUCTION OF SANITARY SEWERS AUTHORIZED.

Motion was made by Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, authorizing the construction of sanitary sewer mains as follows:

- (a) Construction of 1,880 ft. of sewer mains in Robinson Woods at the request of S & T Development Company, at an estimated cost of \$5,900.00. All costs to be borne by the applicant, whose deposit of the full amount of the cost will be refunded as per terms of the contract.
- (b) Construction of 180 ft. of sewer trunk and 2,260 ft. of sewer main in Meadowood Subdivision, at the request of Nance-Trotter Realty, Inc, at an estimated cost of \$9,885.00. All costs to be borne by the applicant, whose deposit of the full amount of the cost will be refunded as per terms of the contract.
- (c) Construction of 919 ft. of sewer main in Shady Glen Subdivision, at the request of Nance-Trotter Realty, Inc. at an estimated cost of \$3,972.00. All costs to be borne by the applicant, whose deposit of the full amount of the cost will be refunded as per terms of the contract.

CONTRACTS FOR INSTALLATION OF WATER MAINS AUTHORIZED.

Upon motion of Councilman Thrower, seconded by Councilman Albea, and un-animously carried, the following contracts were authorized for the installation of water mains:

- (a) Contract with Nance-Trotter Realty, Inc. for the installation of 1,060 ft. of water mains and one hydrant in Shady Glen Subdivision, inside the city, at an estimated cost of \$3,110.00. The City to finance all construction costs and the applicant will guarantee an annual gross water revenue equal to 10% of the total construction cost.
- (b) Contract with Jackson Engineering Corp. for the installation of 6,860 ft. of water mains and 6 hydrants in Foxcroft Subdivision, Section 5, outside the city limits, at an estimated cost of \$21,650.00. The applicant will pay the entire cost of the mains and hydrant, and own same until such time they will become the property of the City without further agreement.
- (c) Contract with Jackson Engineering Corp. for the installation of 1,430 ft. of water mains in Foxcroft Subdivision, Section 5, inside the city limits, at an estimated cost of \$4,300.00. The City to finance all construction costs and the applicant will guarantee an annual gross water revenue equal to 10% of the total construction cost.
- (d) Supplementary Contract to contract dated Sept. 9, 1963, with Jackson Engineering Corp., for the installation of an additional 5,350 ft. of water mains in Barclay Downs Subdivision, Sections 9 and 10, inside the city limits, at an estimated cost of \$17,700.00. The City to finance all construction costs and the applicant will guarantee an annual gross water revenue equal to 10% of the total construction cost.

CONTRACT AUTHORIZED WITH MECKLENBURG ENGINEERS TO CONNECT PRIVATE SANITARY SEWER LINES IN HUNTINGTOWNE FARMS TO CITY'S SANITARY SEWERAGE SYSTEM.

Councilman Albea moved approval of a contract with Mecklenburg Engineers, to connect private sanitary sewer lines in Huntingtowne Farms, outside the city

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limits, to the City's Sanitary Sewerage System; said sewer lines to become the property of the City of Charlotte when the area in which they are located is annexed to the City. The motion was seconded by Councilman Whittington, and unanimously carried.

CONTRACTS AUTHORIZED FOR APPRAISAL OF PROPERTY IN RIGHT OF WAY FOR NORTHWEST EXPRESSWAY.

Upon motion of Councilman Jordan, seconded by Councilman Thrower, and unanimously carried, the following contracts for the appraisal of property in right of way for the Northwest Expressway were approved:

- (a) Contract with C. W. Todd, for the appraisal of one tract of land on Myers Street.
- (b) Contract with B. Brevard Brookshire, for the appraisal of two tracts of land on Central Avenue and Fifth Street.
- (c) Contract with Alfred E. Smith, for the appraisal of one tract of land on East 12th Street.

ISSUANCE OF SPECIAL OFFICER PERMIT TO DAVID S. HARLLEE, FOR USE ON PREMISES OF CHARLOTTE BRANCH, FEDERAL RESERVE BANK, AUTHORIZED.

Councilman Jordan moved approval of the issuance of a Special Officer Permit to Mr. David S. Harllee, Route 1, Pineville, for use on the premises of the Charlotte Branch, Federal Reserve Bank. The motion was seconded by Councilman Whittington, and unanimously carried.

TRANSFER OF CEMETERY LOTS,

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, the Mayor and City Clerk were authorized to execute deeds for the transfer of the following cemetery lots:

- (a) Deed with Mr. Tom Reynolds, for Grave 3, Lot 13, Section 3, Evergreen Cemetery, at \$60.00.
- (b) Deed with Mrs Mary M. Weaver, for Grave 2, Lot 320, Section 4-A, Evergreen Cemetery, transferred by Mr. Marion T. Pressley and wife, at \$3.00 for the transfer deed.
- (c) Deed with Mr. Marion T. Pressley, for Graves 1, 3 and 4, Lot 320, Section 4-A, Evergreen Cemetery, at \$3.00 for new deed.
- (d) Deed with Miss Gay Willis, for Perpetual Care of Lot 74, Section D-Annex, Elmwood Cemetery, at \$140.00.

CONTRACT AWARDED MANN FILM LABORATORIES FOR MICROFILMING DOCUMENTS.

Councilman Thrower moved the award of contract to the low bidder, Mann Film Laboratories, Inc. for microfilming approximately 110,000 documents, as specified, in the amount of \$2,803.00, on a unit price basis. The motion was seconded by Councilman Whittington, and unanimously carried.

The following bids were received:

Mann Film Laboratories, Inc.	\$ 2,803.00
Recordak Corporation	3,499.80

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CONTRACT AWARDED MATTHEWS MORSE SUPPLY COMPANY FOR SMALL HAND TOOLS.

Upon motion of Councilman Jordan, seconded by Councilman Albea, and unanimously carried, contract was awarded the low bidder, Matthews Morse Supply Company, for 665 small Hand Tools, as specified, in the amount of \$2,520.56, on a unit price basis.

The following bids were received:

Matthews Morse Supply Company	\$ 2,520.56
Industrial & Textile Supply Co.	2,566.31
Dillon Supply Company	2,648.01
Allison Erwin Company	2,708.37
American Hardware & Eqpt. Co.	2,781.94

CONTRACT AWARDED BRIGHTON STEEL COMPANY FOR "U" POSTS.

Motion was made by Councilman Thrower, seconded by Councilman Jordan, and un-animously carried, awarding contract to the low bidder, Brighton Steel Company, for 800 "U" Posts, as specified, in the amount of \$1,746.88, on a unit price basis.

The following bids were received:

Brighton Steel Company	\$ 1,746.88
Traffic Engineers Supply Corp.	1,767.48
Flexible Safety Zoning Co	1,812.28
The Hunt Company	1,862.24
Dominion Signal Company	2,010.56
Hall Sign & Post Company	2,472.00

CONTRACT AWARDED NORMAN'S HOUSE DEMOLISHING COMPANY FOR DEMOLITION OF BUILDINGS.

Councilman Whittington moved the award of contract to the low bidder, Norman's House Demolishing Company, for the demolition of 18 buildings in the Northwest Expressway right of way, as specified, in the amount of \$5,310.00. The motion was seconded by Councilman Albea, and unanimously carried.

The following bids were received:

Norman's House Demolishing Co.	\$ 5,310.00
Crouch Bros. House Moving Contractors	9,250.00
Suggs Wrecking & Removal Company	10,650.00

CONTRACT AWARDED W. H. STEWART COMPANY FOR SEWER RODS.

Upon motion of Councilman Jordan, seconded by Councilman Albea, and unanimously carried, contract was awarded the low bidder, W. H. Stewart Company, for 1,500 Flexicrone Sewer Rods, as specified, in the amount of \$2,313.36, on a unit price basis.

The following bids were received:

W. H. Stewart Company	\$ 2,313.36
Southern Pipe & Tool Company	2,379.93
O'Brien Mfg. Corporation	2,425.65

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CONTRACT AWARDED N. C. LEAGUE OF MUNICIPALITIES FOR AUTOMOBILE AND MOTORCYCLE TAGS.

Motion was made by Councilman Bryant, seconded by Councilman Jordan, and un-animously carried, awarding contract to the only bidder, North Carolina League of Municipalities, for 72,000 metal automobile tags and 400 metal motorcycle tags, as specified, in the amount of \$6,711.48, on a unit price basis.

CONTRACT AWARDED INTERSTATE EQUIPMENT COMPANY FOR TRACTOR WITH SELF-LOADING PAN.

Councilman Jordan moved the award of contract to the low bidder, Interstate Equipment Company, for one tractor with self-loading pan, as specified, in the amount of \$34,092.84. The motion was seconded by Councilman Whittington, and un-animously carried.

The following bids were received:

Interstate Equipment Co.	\$34,092.84
Richmond Machinery & Equipment Co.	34,828.71
State Machinery & Supply Co.	35,417.43

CONTRACT AWARDED CHARLOTTE MOTOR SALES, INC. FOR TOWING VEHICLES.

Upon motion of Councilman Whittington, seconded by Councilman Albea, and un-animously carried, contract was awarded the only bidder, Charlotte Motor Sales, Inc., for Three 4-wheel Towing Vehicles for refuse collecting service, in the amount of \$6,599.92

CONTRACT AWARDED INTERNATIONAL HARVESTER COMPANY FOR CAB AND CHASSIS.

Motion was made by Councilman Jordan, seconded by Councilman Whittington, and un-animously carried, awarding contract to International Harvester Company, for one tilt-type cab and chassis, as specified, in the amount of \$6,502.30.

The following bids were received:

International Harvester Co.	
Delivered to Knoxville Tenn.	\$ 6,502.33
Delivered to Gallion, Ohio	6,455.27
Delivered to Oshkosh, Wis (Alternate)	6,483.95
General Motors Corp. Truck & Coach Div.	
Delivered to Gallion, Ohio	6,990.43
Delivered to Knoxville, Tenn.	7,060.43
Delivered to Gallion, Ohio, (Alternate)	6,442.33

CONTRACT AWARDED SANCO CORPORATION FOR REFUSE COLLECTING BODY AND CONTAINERS.

Councilman Albea moved the award of contract to the low bidder meeting the specifications, Sanco Corporation, for One refuse collecting body and nine train-type collecting containers, as specified, in the amount of \$13,168.61. The motion was seconded by Councilman Whittington, and un-animously carried.

The following bids were received:

Sanco Corporation	\$13,168.61
Baker Equipment Engineering Co.	13,640.59
Shayne Bros. Equip. Co. (not on specifications)	12,654.01
A. E. Finley & Assoc. ( " " " )	15,441.20

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CONTRACT AWARDED INTERSTATE ROOFING COMPANY TO REPLACE ROOF ON BUILDING AT AIRPORT.

Upon motion of Councilman Bryant, seconded by Councilman Albea, and unanimously carried, contract was awarded the low bidder, Interstate Roofing Company, to replace roof on Building No. 296, at Douglas Municipal Airport, as specified, in the amount of \$1,792.58.

The following bids were received:

Interstate Roofing Company	\$ 1,792.58
Stewart & Ramseur, Inc.	1,915.00
Avrette & Ledbetter Rfg. & Htg. Co.	1,996.50

RESOLUTION CALLING FOR A PUBLIC HEARING ON SEPTEMBER 14, 1964 ON THE REDEVELOPMENT PLAN FOR REDEVELOPMENT SECTION NO. 3, BROOKLYN URBAN RENEWAL AREA.

A resolution entitled: Resolution Calling for a Public Hearing on September 14, 1964 on The Redevelopment Plan for Redevelopment Section No. 3, Brooklyn Urban Renewal Area, was introduced and read, and upon motion of Councilman Whittington, seconded by Councilman Albea, was unanimously adopted. The resolution is recorded in full in Resolutions Book 4, beginning at Page 406.

CONTRACT WITH THE TOWN OF PINEVILLE FOR THE TREATMENT OF SEWAGE AUTHORIZED.

Councilman Albea moved the authorization of a contract with the Town of Pineville, N. C. for the treatment of their sewage, as proposed in a memorandum from the Superintendent of the Charlotte Water Department, dated August 5, 1964. The motion was seconded by Councilman Whittington, and unanimously carried.

ORDINANCE NO. 263 AMENDING CHAPTER 17, ARTICLE I, OF THE CITY CODE TO PROVIDE FOR PARTIAL EXEMPTION FROM ASSESSMENT OF CORNER LOTS ABUTTING UPON LOCAL IMPROVEMENTS.

Councilman Bryant moved the adoption of Ordinance No. 263 Amending Chapter 17, Article I, of the City Code to provide for partial exemption from Assessment of corner lots abutting upon local improvements. The motion was seconded by Councilman Thrower, and unanimously carried.

The ordinance is recorded in full in Ordinance Book 14, at Page 33.

ACQUISITION OF RIGHT OF WAY AND CONDEMNATION OF PROPERTY FOR NORTHWEST EXPRESSWAY AND EASEMENTS FOR SANITARY SEWER AND WATER LINES.

Councilman Jordan moved approval of the acquisition of the following right-of-way and the condemnation of property for the Northwest Expressway and easements for sanitary sewer and water lines, which was seconded by Councilman Whittington, and unanimously carried:

- (a) Acquisition of 6,965 square feet of land at 600-02 Louise Avenue for the Northwest Expressway, from Ada Levy and husband, Dr. Lewis Levy, at \$15,500.00.
- (b) Acquisition of 7,048 square feet of land at 615-17 East Eleventh Street, for the Northwest Expressway, from Novella C. Shore, at \$5,750.00.

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- (c) Acquisition of right of way 15' wide x 72' long, in Greenwood Drive off Nations Ford Road, for the Greenwood Lake Site Water Line, from James G. Greene and Inza T. Greene, at \$72.10.
- (d) Acquisition of right of way 10' wide x 130' long, in Garfield Street, for sanitary sewer line to serve Union Carbide Corporation, from Robert W. Thomas and Peggy M. Thomas, at \$130.00.
- (e) Acquisition of right of way 25' wide x 1,831.31' long, south of Seneca Place, for Melbourne Court sanitary sewer line, from A. V. Blankenship and wife, Beatrice E. Blankenship, at \$1,831.31.
- (f) Condemnation of 37,208 sq. ft. of land at the corner of North Davidson and E. 11th Streets, owned by William Victor Fidler, priced at \$37,500.00, for the Northwest Expressway.

SALE OF CITY OWNED LOTS AT 521 EAST 21ST STREET AND 1629 HAWTHORNE LANE AND TRACT AT KENILWORTH AVENUE NEAR SUGAR CREEK AND GREENWOOD CLIFF, AUTHORIZED.

Upon motion of Councilman Thrower, seconded by Councilman Bryant, and un-animously carried, the sale of city owned lots to the highest bidders was confirmed as follows:

- (a) Property located at 512 East 21st Street to Thomas P. Hartis, at \$700.00.
- (b) Property located at 1629 Hawthorne Lane to Edward M. Gibson at \$905.00
- (c) Property on Kenilworth Avenue near Sugar Creek and Greenwood Cliff to Joe Conrad, at \$275.00.

COUNCILMAN WHITTINGTON REQUESTS THAT ASSISTANCE BE GIVEN PLACES OF BUSINESS AFFECTED BY THE WEST TRADE STREET GRADE CROSSING ELIMINATION PROJECT.

Councilman Whittington called attention to the newspaper article last Friday regarding the plight of the Greek citizen who operates a Dry Cleaning establishment on West Trade Street near the Railroad Underpass being literally put out of business because of the street being blocked by the work on the Underpass. He stated that individual Council members have brought up the matter of the effect of this work on businesses in the area, and he feels that Council, as a governing body, owes these people some consideration. He suggested, if the other Council members approve, that Mr. Bobo or someone at City Hall, go to this Greek citizen and see if we can't help him work out a pick-up station for clothes to be dry cleaned, on 4th or 5th Streets, and explain to him, as a new citizen to this country who probably cannot speak English, that probably he could put a beach umbrella up at the location and pick up the clothes and work out an arrangement for the people to get the clothes back. He thinks it would be a good gesture on the part of the Council to assist this man or anyone else in the section whose business is affected by this work, or anyone on any other street similarly affected. That if these people are run out of business before such work is completed, we have not accomplished anything.

Mayor Brookshire remarked that he thinks there was a story in the paper about this and that Kays Gary worked out a solution for this particular citizen. Councilman Whittington stated he did not see the article and he thinks that the Council should give some consideration to this matter and at least go down and talk to him and others similarly affected, and he would appreciate it if Mr. Bobo would do so. That there is also a merchant down there who deals in wholesale produce on the other side of the underpass and you cannot get in or out of his place.

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INCREASE IN SALARY OF MARSHALL HAYWOOD, ASSOCIATE SOLICITOR.

Councilman Thrower asked if Judge Beachum has made a recommendation or approved an increase in salary for Mr. Haywood yet? Mr. Bobo, Administrative Assistant, stated he has recommended a total increase of \$1,000.00.

Councilman Thrower moved that the salary of Mr. Marshall Haywood, Associate Solicitor, be increased \$500.00 in addition to the \$500.00 increase appropriated in the current budget, making his salary \$8,500.00 per annum. The motion was seconded by Councilman Whittington, and unanimously carried.

SETTLEMENT OF CLAIM OF CENTRAL MOTOR LINES FOR DAMAGES TO TRUCK BY STREET CAVE-IN.

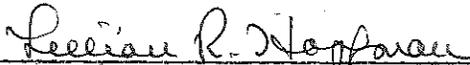
Upon motion of Councilman Bryant, seconded by Councilman Albea, and unanimously carried, the claim of Central Motor Lines, in the amount of \$127.47 for damages to a truck caused by a street cave-in was authorized settled in the amount of \$63.74 as recommended by the City Attorney who advised the compromised settlement of 50% of the claim is acceptable to the Company.

CLAIM OF D. C. SEYMOUR FOR DAMAGES TO PROPERTY BY SEWER STOP-UP DENIED.

Motion was made by Councilman Thrower, seconded by Councilman Jordan, and unanimously carried, that the claim of D. C. Seymour in the amount of \$175.00 for damages to his property allegedly caused by reason of a sewer stop-up be denied, as recommended by the City Attorney, who advised his investigation indicates the City was not negligent in any way.

ADJOURNMENT.

Upon motion of Councilman Albea, seconded by Councilman Thrower, and unanimously carried, the meeting was adjourned.

  
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Lillian R. Hoffman, City Clerk