

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Monday, December 20, 1965, at 2 o'clock p.m., with Mayor Stan R. Brookshire presiding, and Councilmen Claude L. Albea, Fred D. Alexander, Sandy R. Jordan, Milton Short, John H. Thrower, Jerry Tuttle and James B. Whittington present.

ABSENT: None.

The Charlotte-Mecklenburg Planning Commission met with the City Council during the public hearings on petitions for changes in the Zoning Ordinance and Map, and heard the presentations on each petition, with the following members present: Mr. Sibley, Chairman, Mr. Gamble, Mr. Jones, Mr. Lakey, Mr. Stone and Mr. Tate.

ABSENT: Mr. Ashcraft, Mr. Olive, Mr. Toy and Mr. Turner.

INVOCATION.

The invocation was given by Councilman Milton Short.

MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Whittington and unanimously carried, the Minutes of the last Council Meeting on December 13th, were approved as submitted to the City Council.

HEARING ON PETITION NO. 65-117 BY MELVIN T. GRAHAM ET. AL. FOR CHANGE IN ZONING FROM O-15 TO B-1 AND O-6 OF PROPERTY ON THE EAST SIDE OF PARK ROAD EXTENDING FROM NEAR MONTFORD DRIVE TO NEAR SENECA PLACE AND FROM PARK ROAD TO SUGAR CREEK.

Mayor Brookshire advised that Council has received a letter requesting that Petition No. 65-117 by Melvin T. Graham et. al., for change in zoning from O-15 to B-1 and O-6 of property on the east side of Park Road extending from near Montford Drive to near Seneca Place, and from Park Road to Sugar Creek be postponed until January 17th, the date of the next zoning hearings.

Councilman Albea moved that the request be granted which was seconded by Councilman Tuttle.

Mr. Myles Haynes, attorney, stated he represents a group of citizens who live in that area. He would like to present to Council a petition of protest of residents of that area which contains approximately 350 names.

The vote was taken on the motion and carried unanimously.

PETITION NO. 65-111 BY MRS. JOHN H. LITTLE AND MISS SARA LITTLE FOR CHANGE IN ZONING FROM R-9MF TO B-1 OF A LOT AT THE NORTHWEST CORNER OF ALBEMARLE ROAD AND DRIFTWOOD DRIVE POSTPONED UNTIL JANUARY 17, 1966, DUE TO ERROR IN PUBLIC NOTICE WITH REGARD TO THE AREA OF THE PETITION.

Mr. Fred Bryant, Assistant Planning Director, advised that with regard to Petition No. 65-111 by Mrs. John H. Little and Miss Sara Little, they found this morning the public notice had been erroneously written and they had omitted part of the area included in the Petition, so action

should be postponed until January 17th and a revised public notice be published.

Upon motion of Councilman Jordan, seconded by Councilman Whittington and unanimously carried, the hearing on the petition was postponed until January 17th.

HEARING ON PETITION NO. 65-86 BY M. LEE HEATH FOR CHANGE IN ZONING FROM R-15 TO R-15MF OF A 48.63 ACRE TRACT OF LAND EAST OF SHARON ROAD AND NORTH-EAST OF NEW QUAIL HOLLOW ROAD.

The public hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, advised the property contains approximately 48 acres and is located to the east of Sharon Road, and northeast of New Quail Hollow Road, and runs from Sharon Road to Carmel Road. The area surrounding the property is almost entirely vacant, although the area to the north is part of the Beverly Woods Subdivision area which has been laid out in lots, but no construction started as yet. Other than that, the property is completely surrounded by vacant property. The zoning at present is all R-15, with the exception of the intersection of Sharon Road and Quail Hollow which was recently changed to R-15MF.

Councilman Tuttle asked Mr. Bryant if he is familiar with the deep ravine which is located to the east? Mr. Bryant replied he has seen the land but he has not walked over the entire 48 acres, but he believes the ravine or a branch comes down from the north and goes across the land.

Mr. John Shaw, attorney representing the petitioner, gave each Council member a copy of a topo map and pointed out the adjoining property belonging to John Crosland Company, James A. Harris and E. C. Griffith. He advised that Mr. Heath's land is a plateau - he called attention to the drop of approximately 50 feet in the land from 694 to 641 feet. He pointed out the Belk interests and stated the land is an open field; the Jimmy Harris land and the Griffith land and Crosland property in the back and stated that Mr. Crosland filed a protest, but they have made peace with him and the terms are that there will be no recreation area within 90 feet of his boundary line and no parking within 50 feet. That Mr. Harris nor Mr. McConnell object to the rezoning. He advised that Mr. Heath's land is off of Quail Hollow Road, and this is his only entrance and that he and Mr. Harris have discussed it, and there will be no trouble about it if he should decide to develop this.

Mr. Shaw called attention to the proposed extension of the road from the old Chandler Place as it appears on the map and stated there may be a great deal of talk before this goes through. He stated this is Mr. Heath's home and he has lived there for some fifteen to twenty years. He advised that back in the summer of 1964, Mr. Parrott wanted to build some fancy apartments out on the Harris' property and everybody in the neighborhood joined in and said "me too," but Council turned it down and that started the change from R-15 to R-15MF; that just within the past six months, the McConnell and Belk interests have had a change in zoning to R-15 MF. That Mr. Heath did not object to that because he wanted the same thing; and it appears to be the thinking of the Planning Commission, and perhaps the Council, that when you have a great deal of single family residences, to relieve the monotony by having some multi-family zoning is all right, depending on the neighborhood as to how fine it should be. That R-15MF is the finest multi-family apartment zoning, and it is most restrictive. He pointed out on a map Providence Road as rezoned in January, 1962, and called attention first to the R-15 which is principally the Lex Marsh

homestead. That at Providence Road and Sardis Road, there is a filling station and an old store; then the Pritchard property, which has had press publicity within the past week and which is the property they are going to build apartments on; then down at the other end is primarily the Ervin Construction property. He stated that all through this area you have had fights on changes in zoning - business fights not multi-family fights.

Mr. Shaw stated that Mr. Heath's house sits on a knoll, and they will take any of the Council to see it whenever they wish. That Quail Hollow Road runs through the property. When you look from Mr. Heath's property towards the Gambrell and McConnell property, there is no break. Behind it towards the Crosland properties the land lies pretty well although, as you go further around, you begin to get into this hollow going into the stream. He stated they have agreed with Mr. Crosland, and he no longer objects, Harris does not object, Griffith does not object and Mr. Heath thinks this property is best suited to have R-15MF, the most restrictive type of apartments you can have, 15,000 sq. ft. for the first unit and 3,500 sq. ft. for each unit thereafter. That, of course, you have the projected highway, and he understands Council's theory on that type of zoning damage and he agrees with them, and until the highway is built, it should not be considered but it is in the making. With everybody else not objecting to it and with the land isolated, this is the best way he can think of to develop it; and this would work out better for Mr. Heath economically and would be in keeping with the thoughts of the Planning Commission in the development and rezoning.

Mr. Shaw stated he would like to request that when the matter comes to Council for a vote that it be at the time when all seven of the Council members are present.

Councilman Whittington asked if this road from Quail Hollow Road to the Heath property is a privileged access or if that is Mr. Heath's property? Mr. Shaw replied the deed to the land is Mr. Harris's, and Mr. Heath has the right to use it as his deed refers to it; he has an easement of ingress and egress over that road.

Mr. Lee Heath, petitioner, stated he has lived out here for 21 years, and he did not buy the land to speculate with it. That he has been asked questions about this road. That he has a right to go over it, to improve it and if and when the road might be feasible to change by mutual agreement, he and Mr. Harris could agree on that. Another feature that has not been brought out, he is not wanting for roads, there is no question about access. We have now, thanks to the Planning Commission, in the city a subdivision law, and any developer desiring to go into a new area has to have permission first, the development has to be approved, has to have reservations for sidewalks, sewers etc., roads. That if he desires he can even go through Mr. Crosland's development as they have a waiver. That the lots on Mr. Crosland's last development come up to his property and he believes there are at least two roads leading out of his property into Mr. Crosland's, and this is a subdivision requirement; he cannot block him and neither could he block Mr. Crosland. That this takes care of the future and this is the way it should be.

Mr. Heath commented that the very people who today criticize apartments will probably find themselves in years to come living in these apartments, as we are getting into the age where we are going to see people buy apartments. Architects are doing a better job than they have ever done in landscaping and there will not be the objections there have been in the past. That if Council sees fit to go over into Providence Road and put apartments over there, 83 acres for Mr. Marsh, 130 acres for Mr. Ervin across the street from Mr. Marsh's 36 acres and this was put down in the midst of a

multitude of people - Meadowbrook, Cloisters, Randolph Road and what not; in view that he is the only man who could be hurt out in this area as he is the only man who can be seen from Carmel Road to Sharon, he feels this request should be approved and he would appreciate any help or relief Council can give.

No objections were expressed to the proposed change in zoning.

Council decision was deferred until the next Council Meeting on January 4th.

HEARING ON PETITION NO. 65-110 BY RICHARD M. SALISBURY FOR CHANGE IN ZONING FROM R-6 TO B-2 OF A LOT 70' x 168' ON THE NORTHEAST SIDE OF DEWOLFE STREET, BEGINNING 175' NORTHEAST OF GLENWOOD DRIVE.

The public hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, stated this is a lot on DeWolfe Street, and DeWolfe Street is a short street that runs off Glenwood Drive near Interstate 85. That Glenwood Drive comes from Tuckaseegee Road and crosses I-85. DeWolfe runs off of Glenwood Drive and runs two or three blocks up towards Tillman Street. The lot in question is 153' deep and 70' wide and is vacant at present. There is a house on the corner of DeWolfe and I-85, and the area is predominately developed with single family housing and there are scattered vacant lots in the area. The nearest non-residential use at present is across I-85 on the other side of Glenwood where there is a service station. That all the corners of Glenwood and I-85 are zoned for business, and the lot in question is the lot immediately behind the corner of DeWolfe and Glenwood that is zoned B-1; other than this, the area all around the property is zoned R-6.

Councilman Short asked if this will not wind up where the owner will have three lots, two of which would be B-1 and one would be B-2. Mr. Bryant replied that is correct.

Mr. Henry Harkey, Attorney for the Petitioner, advised that Mr. Salisbury asked the Council about three months ago rezone the corner lot to B-2, and this was done; three of the corner lots were already zoned Business. That the lot in question in size is not sufficient because when the ramp came up from I-85, it took off a good portion of the corner. He stated the area is sparsely settled, the one resident is on Mr. Salisbury's land. That they propose to build a first-class retail type establishment on this property, and they need to rezone this property and add this recently acquired lot to what Mr. Salisbury already has in order to provide adequate parking. That this lot in comparison with the other three corner lots is quite small and they are only asking for the rezoning of one interior lot, which also fronts or backs on I-85, and it is in fact only an extension of the present zoning. Mr. Harkey stated they know of no opposition.

Councilman Whittington asked if Mr. Salisbury owns any other lots behind this lot in question, and Mr. Harkey replied that he does not.

No objections were expressed to the proposed rezoning.

Council decision was deferred until the next meeting on January 4, 1966.

HEARING ON PETITION NO. 65-112 BY HOWARD B. MCCOY FOR CHANGE IN ZONING FROM R-9MF TO C-6 OF A LOT 125' x 166' AT THE SOUTHWEST CORNER OF EASTWAY DRIVE AND SPRINGWAY DRIVE.

The public hearing was held on the subject petition.

The Assistant Planning Director stated that the property is one block removed from the Eastway Drive-Shamrock Drive intersection. The property has a house on it; across Springway Drive the property is vacant and there are single-family homes across Eastway Drive and one house to the rear of the property on Springway. He advised that Springway Drive is not open all the way through, there is a very deep ravine across it; otherwise, the area is used for single-family purposes. The subject property is zoned R-9MF as is everything to the south of it on both sides of Eastway Drive and the property to the rear. That at the intersection of Eastway Drive and Shamrock Drive, all of the property is zoned B-1, including the property directly across Springway Drive, and there is some office zoning across the street; otherwise, the area is zoned R-9MF.

Mr. McCoy, the Petitioner, stated he is the owner of the property being discussed, and he sincerely requests that the zoning be changed from R-9MF to O-6, since B-1 property is only a few feet from it.

Councilman Whittington asked Mr. McCoy if he lives at 1601 Eastway Drive, and Mr. McCoy replied that he does and pointed out on the map the location of his house and stated that his property runs from Springway Drive 125 feet toward Eastway Drive.

Councilman Thrower asked how wide the right of way is at this location, and Mr. McCoy stated it is now 100 feet.

No objections were expressed to the proposed rezoning.

Council decision was deferred until the next meeting on January 4, 1966.

HEARING ON PETITION NO. 65-113 BY MRS. GERTRUDE FUNDERBURK ET. AL. FOR CHANGE IN ZONING FROM R-9 TO R-6MF OF A LOT 50' x 245' ON THE WEST SIDE OF MCALWAY ROAD, BEGINNING 142' SOUTH OF BEAL STREET.

The public hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, pointed out on the map McAlway Road off of Randolph Road; its intersection with Walker Road, then Ashworth Street and Beal Street, which street ties in with Billingsly Road. He stated the property in question is triangular shaped and is located directly across from McAlway Manor. That a new apartment is Plantation Apartment on McAlway Road and to the rear of the property in question on Beal Street is a small apartment group called Forest Arms, and there are single-family homes across from McAlway Manor; otherwise, the area is single-family and a few duplexes. That the zoning primarily along McAlway Road is multifamily, and the subject property is bordered by R-6MF zoning and R-9 single-family zoning on one side and at the rear.

Mr. Parker Wheadon, Attorney for Mrs. Funderburk, stated she is joined in the petition by Mr. R. P. Forester, Jr. and Mr. A. P. Perkinson, Jr., who have a lease contract with Mrs. Funderburk. He stated the property was petitioned for rezoning in 1962 to multifamily and the petition was denied. The very substantial and fundamental changes that have taken place since that time, encouraged the petitioners to file this second petition; the changes he refers to have been explained in detail by Mr. Bryant. That over 219 Apartment Units in the immediate vicinity within 2,000 feet of the property have been constructed and are under the management of Mr. Perkinson - McAlway Manor directly across the street, Walker Terrace Apartments diagonally across the street, Plantation Apartments, McAlway House Apartments, Forest Arms Apartments, Craig Garden Apartments and some 34 more

units under construction at this time. In addition to that, many more units have been constructed - so they say that the area has undergone not only a trend, but it has arrived. That the traffic to and from the Auditorium and Coliseum on McAlway Road has increased, making the area less desirable for single-family use.

Mr. Wheadon called attention that the opposition to the change in zoning that was present in 1962 is not present today, and he thinks it was primarily Mr. Plyler who has the property next door to the property in question, and since that time Mr. Plyler has sold property to his client for the construction of an apartment and to his knowledge has no opposition to their petition.

He presented a survey which he stated shows in a larger scale the property involved and stated that as pointed out by Mr. Bryant, the adjoining property in the corner of McAlway and Beal Street is also owned by Mrs. Funderburk and is zoned R-6MF and with the rezoning of the property in question today, she will be able to make better use of the corner property.

Councilman Whittington asked if the property on which the other apartments are constructed is zoned R-6 or R-9 and Mr. Wheadon replied he understands the zoning is R-6MF, and Mr. Bryant stated that is correct, that the R-9MF zoning is down along Walker Road. Mr. Wheadon stated that in addition to the apartments, there have been several other petitions for rezoning to R-6MF allowed in the last year.

No objections to the proposed rezoning were expressed.

Council decision was deferred until the next meeting on January 4th, 1966.

HEARING ON PETITION NO. 65-114 BY SAMMY L. STRAUSE FOR CHANGE IN ZONING FROM R-9MF TO O-6MF TWO LOTS 75' x 150' EACH ON THE NORTH SIDE OF HICKORY GROVE ROAD, BEGINNING 150' EAST OF HICKORY GROVE-NEWELL ROAD.

The public hearing was held on the subject petition.

The Assistant Planning Director advised that the property before Council is located near the intersection of Hickory Grove-Newell Road and runs from Old 49 to the Albemarle Road. The petition consists of one lot and the adjoining property is used by the Volunteer Fire Department. Across the street from the property in question are single-family homes down Pence Road on in an easterly direction. On one corner are small business stores, and diagonally across the street are other small business establishments. At the rear of the property it is vacant, and Mr. Bryant pointed out the location of a Church on one of the corner lots. Three corners of the Hickory Grove-Newell Road intersection are zoned for business, and the other corner lot is zoned single-family.

He stated the property to the east and to the rear are zoned R-9MF.

Mr. Robert Kurtz, Attorney for the petitioner, stated the proposed use of the property in question is to build a small, single-story office for a dentist, and with only the one occupant and an assistant, they do not anticipate much traffic being created. The reason they believe the property has become unsuited for residential use is because of the general business development right around the intersection. Also, because of the existence of the Volunteer Fire Department immediately adjacent to the property. That they think the existence of this small dental office would not in any way be detrimental to any of the surrounding areas.

No objections were expressed to the proposed rezoning.

Council decision was deferred until the next meeting on January 4, 1966.

Councilman Short commented that although this has nothing to do with the petition before Council, he would like to suggest informally that the Planning Commission might consider whether the name Hickory Grove Road should not be changed to Sharon Amity Road, as we have a major intersection here where both the streets are named Hickory Grove Road, and it could cause some problems.

Mr. Bryant stated that in 1960 when all the street names were being changed, it was recommended at that time that the name Sharon Amity be continued on out into the county, but the County has done nothing about it.

HEARING ON PETITION NO. 65-115 BY LUBY W. FIELDS FOR CHANGE IN ZONING FROM R-9 TO B-1 OF A TRACT OF LAND ON THE NORTH SIDE OF WALLACE LANE, BEGINNING 400' EAST OF INDEPENDENCE BOULEVARD, AND EXTENDING NORTH FROM WALLACE LANE A DISTANCE OF 185'.

The public hearing was held on the subject petition.

A petition protesting the requested change in zoning had been filed with the City Clerk by the owners of more than 20% of the area within 100 feet adjacent to the property, which is sufficient to invoke the 20% rule, requiring the affirmative vote of six Council members to approve the change in zoning.

Mr. Fred Bryant, Assistant Planning Director, advised that this is an odd shaped tract of land that is about 200 feet coming back on Wallace Lane with a widening of 120 feet coming into the existing business zone parallel to Independence Boulevard. He stated the area adjoins the Ervin Sharon Forest Development, which has been constructed over the past few years. The property is part of a larger tract of land and is vacant. Across Wallace Lane the property is used by the Sharon Forest Baptist Church and some adjoining residences.

That the area along Independence Boulevard is zoned B-2 for a depth of 400 feet, the adjoining zoning all through the area is single-family. There is a strip of R-9MF to accomodate duplexes along Briardale Street.

Mr. Fields, Petitioner, stated he wants to correct the impression that he owns the adjoining property - the one little lot that he owns is the lot being petitioned for rezoning today. That he has agreed to make this available for use provided it is rezoned; that what was done and said they thought was done in respect to the church and to all concerned.

Councilman Whittington asked Mr. Fields where he lives, and he replied on Pinecrest Avenue in Charlotte.

Mr. Fields stated the person who wishes to use this property wants to put a sales garage there, which would be closed on weekends and church hours.

Mr. Fred Bryant asked who the objection owner is as they were told all along that this was all under one ownership, and Mr. Fields replied Mr. Bernie Fogel.

Dr. David Fletcher, Pastor of Sharon Forest Baptist Church, stated he represents the church and they did not know who owned the property nor the use or anything about it. That when they saw the sign, they felt that it would not be for the best interest of the church as they face the street. That there is a business zone behind them which is owned by Mr. Ervin and they felt the privacy of the church was affected by that, and if this is rezoned, it would bring in other less desirable business. That with all these

things in mind they felt they should raise objections for the interest of the church, esthetically as well as being against undesirable business that might come, and the fact that many times when one piece of property is zoned for business, other people do likewise. That it becomes a pattern and they did not want this pattern to develop on Wallace Lane as they felt there is enough business zoning along Independence to take care of most needs.

Council decision was deferred until the next meeting on January 4, 1966.

HEARING ON PETITION NO. 65-116 BY L. ANDERSON TODD AND W. REESE TODD, FOR CHANGE IN ZONING FROM R-6MF TO B-1 OF PROPERTY ON THE NORTHWEST SIDE OF VIRGINIA AVENUE, EXTENDING FROM MATHESON AVENUE SOUTHWEST 320'.

The public hearing was held on the subject petition.

A petition protesting the change in zoning had been filed with the City Clerk by owners of more than 20% of the area within 100 feet adjacent to the property, which is sufficient to invoke the 20% rule requiring the affirmative vote of six Council members to approve the change in zoning.

Mr. Fred Bryant, Assistant Planning Director, advised that the property is about 150 feet by 300 feet and runs between Matheson Avenue and Division Streets. He pointed out the location of The Plaza with Matheson crossing and Shamrock just one block away. That the property has on it one house and other than that the property is vacant. He stated there are two houses across the street from it on Virginia Avenue and several houses along Matheson Avenue; there is a duplex on the corner of Virginia Avenue and Matheson Avenue, and other than that there are single-family residences scattered throughout the area. Along the Plaza there is a variety of business uses. All of The Plaza on both sides of the street is zoned B-1, and other than that there is multi-family zoning down to Division Street coming down from Shamrock Drive and then R-6 single-family.

Mr. J. A. Todd stated he and his brother Wade Todd are present representing the Todd family who are the petitioners. As has been pointed out, The Plaza is zoned 150 feet back and their property joins this property line, with the exception of a ten foot alley and goes back to Virginia Avenue, and then to Division Street which has never been opened up. The property owners on The Plaza are in agreement with them that if this property can be rezoned Business, it can be sold as an entire block which, in their way of thinking, is far better and will make a better looking building area than what is happening out there now, up and down The Plaza. That there are other places up and down The Plaza that are zoned business. That diagonally across the street is the Winn-Dixie Store and Shamrock Drugs which cover practically a block. Back up the Plaza about two blocks is a new Colonial Store, which sets back from the street and on down The Plaza is Pet Dairy and so forth. They feel this property zoned Business, since it adjoins business property now, will make it available for an entire block to be purchased as there are not too many places around Charlotte now of that size that would be available. They would appreciate Council's consideration and they would like to request that all seven Councilmen be present when the vote is taken.

Councilman Whittington asked if the people who live on The Plaza between the Todd property and Matheson Avenue join in the petition or will join in the petition? Mr. Todd replied they are in agreement with them; that they have agreed with them if they can get their property rezoned, which is the entire length of about five property owners on The Plaza which backs up to their property, they will sell it as a block. There are about five houses facing The Plaza which is now zoned Business. Councilman Whittington asked how many homes are in the plot that Mr. Todd is talking

about from Matheson down to Division? Mr. Todd replied only their old home place which they have owned since 1923.

Mr. Wade Todd stated across the street from their property on Virginia Avenue there are three residences and across from Matheson Avenue there is a residence and a duplex and there might be some question as to whether it would create a traffic hazard for school children, but he would say that the largest majority of school children in that area go to Shamrock Garden, Garinger and Hawthorne, and they would be going the opposite way towards Plaza Road.

Councilman Whittington asked if this should become a Shopping Center would there be entrances on Virginia and Matheson Avenue, and Mr. Bryant replied that it would be possible.

Mr. Wade Todd stated the people who are considering this property is a Company who has recently announced they were coming to Charlotte. Just to let the people know that it is not to be rezoned business for some honky-tonky drive in, or Tomcat Lounge or some place like that, he would rather say just exactly what they have in mind.

Mr. Z. A. Blalock stated he lives on the corner of Matheson and Virginia Avenue and he is here today to represent the community in which he lives and to voice their objections to the proposed zoning change. Out of 26 homeowners that are directly involved whom they approached to sign the protest petition, 23 of those homeowners signed the petition and some are here today. That the property values are the main considerations to be weighed. They, as homeowners, are not wealthy people. They take pride in their homes, in their yards and the streets and places where they live. The economist say that a house is the largest single purchase that an average family will transact in his lifetime, and they are in that group. They are average families and they must protect their investment by all legal means at their command. The zoning change would depreciate their property value and this to them is an inescapable conclusion. That Matheson and Virginia Avenues would be ruined for residential uses; the traffic congestion would endanger their children and the noise would destroy the present peaceful atmosphere of their neighborhood. He stated they do not demand that Council deny this rezoning, but they do request that Council not allow it.

Mr. J. A. Todd asked when a petition protesting a change is filed, does the person signing it have to live within 100 feet or 100 feet adjacent to the property? Mr. Kiser, Acting City Attorney, replied that it means the owner or owners of 20% of the property within 100 feet of either side line, the rear line or across the street in front of; so if the property is across the street, you begin at the right of way of the street on their side. Mr. Todd stated the reason he asked is because he does not see how there could be but six property owners.

Councilman Thrower remarked that he thinks Council should have the reasons why protesters object to a petition as it would be beneficial as far as the Council is concerned and for the Planning Board to make their recommendations. That often the protesters do not appear at the hearing, and Council does not have the reasons for the protest. The City Clerk stated she will be glad to include in the Docket the reasons given for the protest, and also, furnish a copy of the petition to the Planning Commission.

Mr. N. C. Tucker stated he owns the property just across the street from the property in question, and he protests the change as he feels it would ruin their property value; that if the property was needed for expansion or progress, he would not object; but there is plenty of space up and down The Plaza for progress and building that has already been rezoned for business.

Mr. O. M. Smith stated he lives diagonally across the street, and they take great pride in their homes on Virginia Avenue and they are all aged from fifty to eighty. They feel if this zoning change is allowed, it will probably set a pattern and it could spread and in time they will be out in the cold. That the back side of the building to be constructed on the property would be right in his front door, and the back side is the delivery side which increases the traffic on Virginia Avenue.

Mr. Todd stated that the objector in speaking against this talked about backing up to the backside of a grocery store; they feel sure if the property is not rezoned B-1 that their property, now zoned multi-family, will be backing up to a lot of small joints, pool rooms and so forth because the property off Plaza Road is only 34 feet deep and that does not give any room for business of any size to establish there. That he wonders if the signers are really homeowners or some of them renters, as there is right much rental property in this area. That they are not selling this property to get healed; his parents bought this property in 1924 as a home for the parents and eight children, and as time has gone on, they have deceased and the family has moved various places and they do not feel it is practical to hold the property and the nine room house on it and maintain it for just two people.

Mr. Blalock stated the names on the protest petition are property owners.

Council decision was deferred until next Meeting on January 4, 1966.

MEETING RECESSED FOR TEN MINUTES AT 3:25 AND RECONVENED AT 3:35 P.M.

Mayor Brookshire declared a ten minute recess at 3:25 p.m. and reconvened the meeting at 3:35 p.m.

SOUVENIR BASEBALLS, AUTOGRAPHED BY THE MEMBERS OF THE AMERICAN LEGION POST NO. 9 CHAMPION BASEBALL TEAM, PRESENTED CITY OFFICIALS BY POST NO. 9 AS A TOKEN OF APPRECIATION.

Councilman Albea, Commander of American Legion Post No. 9, stated that Chief Walter J. Black is here to present to each Councilman and the Mayor a baseball from the World Champion American Legion Hornets Nest Post No. 9 Baseball Team.

Chief Black remarked that for a great many years Hornets Nest Post No. 9 has sponsored an American Legion Baseball Team. This year they were able to go to the top and won the National Championship, bringing national recognition to Hornets Nest Post No. 9 American Legion and to the City of Charlotte.

On behalf of the Commander of Post No. 9 and the membership, he presented to the Mayor and other City Officials a token of their appreciation - an official baseball autographed by each member of this championship team. Chief Black stated that the citizens of Charlotte, the City Officials and everyone has been most kind to the Legion this year during the Baseball Tournament and they would like them to know that the Post appreciates it very, very much.

Mayor Brookshire stated on his own behalf and on behalf of the members of the City Council and the members of the Administration to whom the baseballs were presented, he thanked Chief Black for the souvenirs and remarked that they will keep them with a great deal of pride, and he is very proud of the fine job of public relations done by the Championship Team, who represented Charlotte in such a fine way.

GREETINGS OF THE CHRISTMAS SEASON EXTENDED THE MAYOR AND CITY COUNCIL ON BEHALF OF "THE HIRED HELP OF THE CITY" BY FORMER CITY ATTORNEY.

Mayor Brookshire recognized Mr. John D. Shaw, former City Attorney. Mr. Shaw stated as has been his practice for twenty years, on behalf of "the hired help" - the 2,000 city employees - he extends to the Mayor and each of the Council members a Merry Christmas and a Happy New Year.

DECISION ON PETITION NO. 65-105 FOR CHANGE IN ZONING OF TRACT OF LAND ON THE SOUTHWEST SIDE OF PROVIDENCE ROAD, BEGINNING NORTHWEST OF SHOREHAM DRIVE, DEFERRED UNTIL JANUARY 10, 1966.

Upon motion of Councilman Tuttle, seconded by Councilman Short and unanimously carried, decision on Petition No. 65-105 by Mrs. Cynthia Pharr Whiting for change in zoning from R-15 to R-6MFH of a tract of land on the southwest side of Providence Road, beginning northwest of Shoreham Drive, was deferred until January 10, 1966.

RESOLUTION FIXING THE DATE OF PUBLIC HEARING ON JANUARY 17, 1966, ON PETITION TO CLOSE A PORTION OF SOUTH DAVIDSON STREET, ADOPTED.

Upon motion of Councilman Whittington, seconded by Councilman Tuttle and unanimously carried, a resolution entitled: Resolution fixing the date of Public Hearing on January 17, 1966, on Petition to close a portion of South Davidson Street, was adopted. The resolution is recorded in full in Resolutions Book 5, at Page 166.

RESOLUTION FIXING THE DATE OF PUBLIC HEARING ON JANUARY 17, 1966, ON PETITIONS NO. 65-117 (AMENDED) AND 66-1 THROUGH 66-15 FOR ZONING CHANGES, ADOPTED.

Councilman Thrower moved the adoption of a resolution entitled: Resolution fixing the date of Public Hearing on January 17, 1966, on Petitions No. 65-117 (amended) and 66-1 through 66-15 for Zoning Changes, which was seconded by Councilman Whittington and unanimously carried. The resolution is recorded in full in Resolution Book 5, at Page 168.

CONSTRUCTION OF SANITARY SEWER MAIN AUTHORIZED IN AMY JAMES AVENUE.

Motion was made by Councilman Whittington, seconded by Councilman Albea and unanimously carried, authorizing the construction of 345 feet of sanitary sewer main in Amy James Avenue, inside the city limits, at the request of Mr. L. W. and Mr. C. D. Harris. The estimated cost of the construction is \$2,440.00, which will be borne by the Applicants, whose deposit of the full amount of the cost will be refunded as per terms of the contract.

STREETS TAKEN OVER FOR CONTINUOUS MAINTENANCE.

Upon motion of Councilman Thrower, seconded by Councilman Jordan and unanimously carried, the following streets were taken over for continuous maintenance by the City:

	FROM	TO
Crestmont Drive	13' south of Donnybrook	140' W. of Winedale
Woodgreen Terrace	Winedale Lane	110' S. of Winedale
Winedale Lane	140' east of Crestmont Dr.	110' W. of Woodgreen
Wilora Lake Road	Hickory Grove Road	Belshire Lane
Belshire Lane	155' S. of Wilora Lake Rd.	End of cul-de-sac
Cheval Place	170' east of Belshire	End of cul-de-sac
Michigan Avenue	448' N. of Eastway Dr.	748' N. of Eastway Dr.
Vinetta Court	100' E. of Tipperary Pl.	End of cul-de-sac

RIGHT OF WAY APPRAISAL CONTRACTS FOR WOODLAWN ROAD WIDENING PROJECT AND NORTHWEST EXPRESSWAY AUTHORIZED.

Motion was made by Councilman Albea, seconded by Councilman Jordan and unanimously carried, authorizing approval of contract with D. A. Stout for the appraisal of one parcel of land on Woodlawn Road for Woodlawn Road Widening Project and one parcel of land on 12th Street for the Northwest Expressway.

CONTRACT AWARDED A. V. BLANKENSHIP FOR CONSTRUCTION OF STORM DRAINAGE FACILITIES IN PUBLIC HOUSING PROJECT N. C. 3-5.

Councilman Alexander moved award of contract to the low bidder, A. V. Blankenship, for the construction of storm drainage facilities in Public Housing Project N. C. 3-5, as specified, in the amount of \$115,750.00. The motion was seconded by Councilman Whittington and carried unanimously.

The following bids were received:

A. V. Blankenship	\$115,750.00
Noll Construction Co.	116,260.00
Boyd & Goforth, Inc.	123,302.60
Blythe Bros. Company	124,380.00
Crowder Construction Co.	126,840.00
D. W. Flowe & Son	128,630.00
T. A. Sherrill Constr. Co.	132,060.00
Eagle Construction Co.	138,252.00
Sam W. Smith, Inc.	147,770.00
Rand Construction Co.	158,792.80

TRANSFER OF CEMETERY LOT.

Upon motion of Councilman Tuttle, seconded by Councilman Short and unanimously carried, the Mayor and City Clerk were authorized to execute a deed for the transfer of Lot 428, Section 6, Evergreen Cemetery, to Mrs. Ruby L. Funderburk, at \$240.00.

CONTRACT AWARDED GLAMORGAN PIPE & FOUNDRY COMPANY FOR CAST IRON PIPE.

Councilman Whittington moved award of contract to the low bidder, Glamorgan Pipe and Foundry Company, in the amount of \$54,693.00 on a unit price basis for 30,000 feet of 6" cast iron pressure pipe as specified. The motion was seconded by Councilman Albea and carried unanimously.

The following bids were received:

Glamorgan Pipe & Foundry Co.	\$54,693.00
Lynchburg Foundry Company	55,620.00
U. S. Pipe & Foundry Co.	56,856.00
American Cast Iron Pipe Co.	57,165.00
Griffin Pipe Products Co.	57,474.00

CONTRACT AWARDED HERSEY SPARLING METER COMPANY FOR COMPOUND WATER METER.

Motion was made by Councilman Thrower awarding contract to the only bidder, Hersey Sparling Meter Company, in the amount of \$1,470.45 for one Compound Water Meter, as specified. The motion was seconded by Councilman Albea and carried unanimously.

BID REJECTED ON UNIFORM SHIRTS.

Upon motion of Councilman Tuttle, seconded by Councilman Albea and unanimously carried, the bid received on white uniform shirts for the Police and Fire Department was rejected as recommended by the Chiefs of Police and Fire Departments and Purchasing Agent.

MR. JOHN H. VICKERS NOMINATED AS A CANDIDATE FOR REAPPOINTMENT TO THE FIREMEN'S RELIEF FUND BOARD OF TRUSTEES.

Councilman Albea nominated Mr. John H. Vickers to succeed himself as a member of the Firemen's Relief Fund Board of Trustees for a two year term. The nomination will remain open until the next Council Meeting.

ACQUISITION OF PROPERTY FOR RIGHT OF WAY FOR WOODLAWN ROAD WIDENING, EAST THIRD STREET EXTENSION, EASTWAY DRIVE WIDENING, NORTHWEST EXPRESSWAY AND EASEMENTS FOR SANITARY SEWER LINES FOR SHAMROCK HILLS, CAPITAL DRIVE AND LOWER SUGAR CREEK OUTFALL.

Upon motion of Councilman Albea, seconded by Councilman Tuttle and unanimously carried, the following property transactions were authorized:

- (a) Acquisition of 2,153.63 sq. ft. of property at 4701 New Pineville Road, from J. Preston, Paul E., and George L. Wrenn, at \$4,700.00 for Woodlawn Road Widening Project.
- (b) Acquisition of 8,600 sq. ft. of property at Kings Drive, from Three C Inc., at \$21,500. for Third Street Extension Project.
- (c) Acquisition of 10' x 495.52' of property at 2624 Milton Road, from Howard S. Caldwell and wife, Doris W., at \$495.52 for Shamrock Hills Sanitary Sewer line.
- (d) Acquisition of 9,900 sq. ft. of property at 1027 Pharr Street, from Mrs. Dessie H. Jamieson, at \$850.00 for right of way for the Northwest Expressway.
- (e) Acquisition of 49,747 sq. ft. of property at 812-22 North College Street, from Carl H. Graham and wife, Eva F., at \$59,500.00 for right of way for the Northwest Expressway.
- (f) Acquisition of 800 sq. ft. of property at 2914 Shamrock Drive, from Edgar Crain Deaton, at \$800.00 for the Eastway Drive Widening Project.
- (g) Construction easement for 15' x 35.53' of property at 4440 Morris Field Drive, from L. A. Lineberger and wife, Georgia V. in the amount of \$71.06, in connection with the Capitol Drive Sanitary Sewer Line Extension.
- (h) Construction easement for 372' x 15' of property at 4719 Morris Field Drive, from Mrs. D. D. Redmond in the amount of \$744.00, in connection with the Capitol Drive Sanitary Sewer Line Extension.
- (i) Construction easement for R/W 60' x 358.39' of property at Spring Valley Swim Club in Spring Valley Subdivision, from Spring Valley Community Association, Inc. in the amount of \$1,019.39, in connection with the Lower Sugar Creek Outfall Line.
- (j) Construction easement for approximately 240 sq. ft. of property at 4338 Waterbury Drive, from Jack London, in the amount of \$160.00 for the Woodlawn Road Widening.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR ACQUISITION OF PROPERTY OF SCOTLAND RENTAL COMPANY, LOCATED AT 1224 WOODLAWN ROAD FOR WOODLAWN ROAD WIDENING PROJECT.

Upon motion of Councilman Albea, seconded by Councilman Tuttle and unanimously carried, a resolution entitled: Resolution Authorizing Condemnation Proceedings for Acquisition of Property of Scotland Rental Company, located at 1224 Woodlawn Road for Woodlawn Road Widening Project, was adopted. The resolution is recorded in full in Resolutions Book 5, at Page 169.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR ACQUISITION OF PROPERTY OF THOMAS W. FORD AND WIFE, WILLIE M., LOCATED AT 515 WOODLAWN ROAD FOR WOODLAWN ROAD WIDENING PROJECT.

Upon motion of Councilman Albea, seconded by Councilman Tuttle, and un-animously carried, a resolution entitled: Resolution Authorizing Condemnation Proceedings for Acquisition of Property of Thomas W. Ford and wife, Willie M., located at 515 Woodlawn Road for Woodlawn Road Widening Project, was adopted. The resolution is recorded in full in Resolutions Book 5, at Page 170.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR ACQUISITION OF PROPERTY OF E. L. BUDD, LOCATED AT 917 WOODLAWN ROAD FOR WOODLAWN ROAD WIDENING PROJECT.

Upon motion of Councilman Albea, seconded by Councilman Tuttle, and un-animously carried, a resolution entitled: Resolution Authorizing Condemnation Proceedings for Acquisition of Property of E. L. Budd, located at 917 Woodlawn Road for Woodlawn Road Widening Project, was adopted. The resolution is recorded in full in Resolutions Book 5, at Page 171.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR ACQUISITION OF PROPERTY OF DAVID E. HENDERSON, LOCATED AT N/E CORNER OF WOODLAWN ROAD AND SCALEYBARK ROAD FOR WOODLAWN ROAD WIDENING PROJECT.

Upon motion of Councilman Albea, seconded by Councilman Tuttle, and un-animously carried, a resolution entitled: Resolution Authorizing Condemnation proceedings for Acquisition of Property of David E. Henderson, located at N/E corner of Woodlawn Road and Scaleybark Road for Woodlawn Road Widening Project, was adopted. The resolution is recorded in full in Resolutions Book 5, at Page 172.

RESOLUTION ADOPTED BY THE MAYOR'S CITIZENS' ADVISORY COMMITTEE ON MONDAY, DECEMBER 13, 1965, RECOMMENDING THAT THE CITY COUNCIL EXPAND THE CITY'S URBAN REDEVELOPMENT PROGRAM INTO THE FIRST WARD, GREENVILLE, THIRD WARD, PORTIONS OF OLD DILWORTH AND THE DOWNTOWN SECTION, WITH PRIORITY GIVEN TO THE FIRST WARD, AND THEREAFTER TO THE DOWNTOWN AREA: AND THAT FUNDS FOR THIS PURPOSE BE OBTAINED THROUGH A BOND ISSUE.

Mayor Brookshire asked that the Council approve including in the Minutes of this Meeting the Report and Recommendations of the Citizens' Advisory Committee on Urban Renewal, adopted at their meeting on December 13th, copies of which were mailed to the Council members with the Conference Agenda for today.

Councilman Thrower moved that the Report and Recommendations of the Committee be included in the Minutes, which was seconded by Councilman Tuttle, and unanimously carried.

"Whereas, the Mayor's Citizens' Advisory Committee on Urban Renewal (herein referred to as the 'Committee'), appointed May, 1962, has worked closely with the Mayor of the City of Charlotte, Honorable Stanford R. Brookshire, City Councilmen, City Administrators, members of the Redevelopment Commission, and many interested citizens and civic leaders of the City of Charlotte in assisting the City's urban renewal efforts to eradicate slums and blight in accordance with its long range plans set forth in the Workable Program for Community Improvement; and

WHEREAS, the Committee has been most gratified with many phases of the total urban renewal effort which include the City's enforcement of the Minimum Housing Standards Code, leadership of neighborhood improvement organizations concentrating on clean-up, paint-up, fix-up, the City's efforts in improving its streets and other property, and the Urban Redevelopment Program which to date has been confined to the clearance and redevelopment of the Brooklyn section of the City; and

WHEREAS, from its peculiar vantage point, observing the entire City structure and appraising its physical condition, it has become obvious to this Committee that there are sections which are severely blighted and deteriorated beyond the ability of property owners to economically rehabilitate either voluntarily, or by compulsion of the Housing Code Division of the City; and

WHEREAS, this Committee now sees no alternative to eliminating these blighted conditions except through expansion of the City's Urban Redevelopment Program; and

WHEREAS, experience in many other cities in the United States has proved that after slum property has been cleared, the land sold and redeveloped, that the taxes from the new development amounts to many times the taxes collected on the slum property prior to clearance and redevelopment, and it is reasonable to assume that similar results can be expected in Charlotte.

NOW, THEREFORE, BE IT RESOLVED that the Executive Committee of the Citizens' Advisory Committee on Urban Renewal recommends that the City Council expand at the earliest possible time the City's Urban Redevelopment Program into the First Ward, Greenville, Third Ward, portions of old Dilworth, and the Downtown sections of the City which the City Council has already requested that the Charlotte-Mecklenburg Planning Commission study.

BE IT FURTHER RESOLVED that this Executive Committee recommends to the City Council that it give priority to the First Ward section in the approval of many projects within these sections and that thereafter it give priority to commercial areas in the core of the City in order to implement the Master Plan for revitalization of the Downtown district which is now being prepared by planning and architectural consultants, and realizing that expanding the Urban Redevelopment Program in the manner herein recommended will require funds in excess of available current revenue, the Executive Committee recommends to the City Council that the additional funds be obtained through a bond issue which we believe will win approval of the citizens of Charlotte since in the past they have demonstrated a determination to meet challenges and forge ahead."

LETTER OF WELCOME FROM THE MAYOR AND CITY COUNCIL TO RESIDENTS IN THE AREA TO BE ANNEXED TO THE CITY OF CHARLOTTE ON DECEMBER 27, 1965.

At the request of Councilman Whittington, the following letter of Welcome to the Residents in the Area to be annexed to the City of Charlotte on December 27, 1965 is included in the Minutes:

"LETTER OF WELCOME

DEAR NEW RESIDENT,

On December 27, 1965, you will become a part of the Queen City. We bid you a warm welcome. As a new resident of Charlotte you will want to know about the municipal services you will receive. Some of them are explained below.

Sanitation Services

Sanitation services of the Motor Transport Department will begin at once. Garbage will be collected from the rear of residences twice each week (Monday and Thursday or Tuesday and Friday). Trash will be collected on Wednesdays and other days when facilities permit. Trash collection is at the curb only. Commercial dumpmaster users will also receive collection service. There is no charge for these services.

Fire Protection

Over 400 full-time professional firemen operating out of 15 stations provide Charlotte with a high level of fire protection and prevention services. Construction on station #16 at Park Road and Sulkirk Road will begin soon.

It will house a full engine company to serve the annexed area. Until it is complete, existing volunteer departments and two city companies will respond to calls in the area. Annexation should reduce fire insurance rates on the average dwelling by approximately \$.05 per \$100.

Traffic Control and Street Lighting

Immediately after the effective date of annexation, the city will assume cost and maintenance of existing street lights. Installation of new street lights at intersections will begin soon afterwards. Traffic control devices for increased safety will be installed where needed.

Water and Sewer Service

Effective immediately, rates for water and sewer services will be adjusted to comply with inside-the-city rates for those services. This means that rates charged after December 27 will be one-half those you paid while located outside the city.

Street Maintenance

Streets now maintained by the State Highway Department will continue to be maintained by the State until July 1, 1966. At that time maintenance will become the responsibility of the city. City street maintenance policy provides that the city will be responsible for general maintenance of all streets which meet the standards required for acceptance into the city street system, in accordance with their general condition. This service includes patching holes, repairing failures in street base, cleaning and shaping side ditches and repairing shoulders, storm drains and inlets within the right of way.

Police Protection

As soon as annexation is effective, city police protection will be extended to the area. Charlotte has a well trained and well equipped police force of more than 360 officers whose duty it is to protect the lives and property of the citizens. The annexed area will become a new Patrol Zone and Detective, Juvenile and Traffic service will be available when needed.

Council-Manager Government

Charlotte has a Council-Manager form of government under which general management and control of all affairs is vested in the Mayor and seven Councilmen. The Mayor and Councilmen are elected biennially, at large by the registered voters. The City Manager is appointed by the Council to serve as administrative head of the city government.

Frequently Called Telephone Numbers

City Hall	376-0731	Pet Shelter	334-4216
Police	332-4141	Sanitation	334-9765
Fire	332-5151	Water	376-0731

Any additional questions you might have should be directed to one of the above numbers. Once again, welcome to the Queen City.

Sincerely,

Stan R. Brookshire, Mayor

James B. Whittington, Mayor Pro Tem

Councilmen

Claude L. Albea
Fred D. Alexander
Sandy R. Jordan

Milton Short
John H. Thrower
Jerry Tuttle"

CITY MANAGER REQUESTED TO REPORT ON AGENDA FOR JOINT CITY-COUNTY CONFERENCE ON DECEMBER 30TH RELATIVE TO SUGGESTION THAT THE COOPERATIVE PROGRAM BETWEEN MECKLENBURG COUNTY AND THE STATE WITH THE HOME DEMONSTRATION GROUPS BE EXTENDED TO INCLUDE THE BLIGHTED AREAS AND AREAS OF HOUSING IN THE CITY OF CHARLOTTE.

Councilman Whittington asked if there has been any report or progress made on Mr. Alexander's suggestion some time ago that the cooperative program between the County and State on the Home Demonstration Groups working with us in the blighted area or the area of housing?

Mr. Veeder advised that the County has been discussing it with appropriate persons, but what they may have concluded or may not has not been reported as yet.

Councilman Whittington remarked that he thinks this is important and he requested the City Manager to follow this up and give Council a report on the Agenda for the meeting with the County Commissioners on the 30th.

COUNCILMAN WHITTINGTON REQUESTS THAT PUBLIC HEARING BE HELD ON SECTION 4 BROOKLYN AREA RENEWAL PROGRAM AS QUICKLY AS POSSIBLE AFTER THE HEARING BY THE REDEVELOPMENT COMMISSION AND THAT CONSIDERATION BE GIVEN TO PRESENTING A BILL TO THE STATE LEGISLATURE TO AMEND THE URBAN RENEWAL LAW TO PERMIT A REDUCTION IN THE TIME INTERVAL BETWEEN THE TWO HEARINGS.

Councilman Whittington remarked that he talked with Mr. Sawyer, Director of the Redevelopment Commission, over the weekend and Mr. Veeder this morning with the hope that the City Council could sit jointly or concurrently with the Redevelopment Commission in the hearing on Section 4 in the Brooklyn Renewal Area. That he was under the impression from the Commission's Attorney that as the Redevelopment Commission they could do that and we could do it, but he found out this morning that we could not. That he thinks this is important that any time in the future that we can change our legislation to

have public hearings with the Redevelopment Commission and with the Planning Commission concurrently it would help to eliminate some of this red tape and delay which we are all trying to get around and he would like this entered into the record as having attempted to do this and he hopes that Mr. Veeder will set our hearing as quickly as it is humanly possible after the Redevelopment Commission has its hearing.

The City Manager replied that he concurs with what Mr. Whittington has said in terms of shortening the time interval. That the best time intervals that we can work with in this particular situation now is for the Redevelopment Commission to go ahead with its hearing the 12th of January and this would put the Council in a position of advertising for its hearing and taking official action on the 17th of January and permit the hearing to be held on February 7th. That he thinks what Mr. Whittington has said in terms of the possibility of a statutory amendment that would permit a shorter time interval is something worth consideration, but this is not something that Council can take action on, as it is a State Statute.

CHAIRMAN OF WATER AND SEWER COMMITTEE TO BE REQUESTED TO MAKE THEIR REPORT AND RECOMMENDATIONS TO THE COUNCIL IMMEDIATELY IN ORDER THAT COUNCIL MAY HAVE IT PRIOR TO MEETING WITH THE TASK FORCE.

Councilman Whittington stated in the interest of paving the way for Council and for the Task Force for the initial report of the Task Force, he moved that Council go on record asking Mr. Charles Baker, Chairman of the Water and Sewer Committee, to give Council a Report of their findings and Recommendations prior to Council Meeting with the Task Force and their Committee.

Mr. Veeder remarked that this group is meeting tomorrow morning at 9 o'clock and Council should have a report very soon.

Councilman Short stated this can be a formal request if Mr. Whittington feels it would accomplish some good. Councilman Whittington moved that the Council formally request this report immediately or as soon after tomorrow as possible. The motion was seconded by Councilman Tuttle and carried unanimously.

LAND STUDY COMMITTEE APPOINTED TO MAKE STUDY OF CITY'S INVENTORIED PROPERTY AND RECOMMEND ANY SURPLUS PROPERTY FOR PUBLIC SALE.

Councilman Jordan asked the Mayor if he has completed the appointment of the members of the Land Study Committee, as he would like for the Committee to meet shortly after the first of the year and, as requested by Council, begin the study of the City's inventoried property in order to make a recommendation with regard to making available for public sale surplus property?

Mayor Brookshire advised that he has requested Mr. Louis Rose, as one of Charlotte's leading Realtors, to serve on the Committee and give Mr. Jordan, Chairman, any assistance that he can without compensation. And, although the two former members of the Committee, Mr. Craig Lawing and Mr. Don Bryant are no longer in public office, with the consent of Mr. Jordan, he would like them to continue to serve on the Committee.

STATUS OF IMPROVEMENTS TO PINWOOD CEMETERY REPORTED BY CITY MANAGER.

Councilman Alexander asked the City Manager for a progress report on the improvements to Pinwood Cemetery. Mr. Veeder stated the work is coming along fine but there is the problem of ownership of property as relates to the construction of the fence around the Cemetery. That the City Attorney

has written the Seaboard Airline Railway Company in this regard and is awaiting their reply.

RESOLUTION COMMENDING MR. AND MRS. HOMER M. KIRKMAN, SR. FOR THEIR OUTSTANDING OPERATION OF DOUGLAS MUNICIPAL AIRPORT RESTAURANT.

Upon motion of Councilman Tuttle, seconded by Councilman Albea, and unanimously carried, a Resolution entitled: Resolution commending Mr. and Mrs. Homer M. Kirkman, Sr. for their outstanding operation of Douglas Municipal Airport Restaurant, was adopted. The resolution is recorded in full in Resolutions Book 5, at Page 173.

CHAIRMAN OF TASK FORCE TO BE REQUESTED TO MAKE COMMITTEE REPORT TO THE CITY COUNCIL AT A COUNCIL MEETING OTHER THAN ON JANUARY 17, 1966.

Councilman Tuttle remarked that he is wondering if it would not be well to ask the Chariman of the Task Force and his Committee to make their Report to the City Council at a Council Meeting other than on January 17, 1966, which has a very heavy schedule. That he would like for the Report to be submitted at the Meeting on January 10th if convenient to the Committee; otherwise, at the meeting following January 17th.

Mayor Brookshire concurred in the suggestion and stated he would get in touch with the Task Force Chairman, General Younts.

COUNCIL MEETINGS ON DECEMBER 27th AND JANUARY 3rd DISPENSED WITH.

Councilman Albea moved that the Council Meetings on Monday, December 27th and January 3rd be dispensed with. The motion was seconded by Councilman Whittington and unanimously carried.

NEXT COUNCIL MEETING AUTHORIZED HELD ON TUESDAY, JANUARY 4, 1966.

Upon motion of Councilman Thrower, seconded by Councilman Whittington and unanimously carried, the next Council Meeting was scheduled to be held on Tuesday, January 4, 1966, at 3 o'clock.p.m.

ADJOURNMENT

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

Lillian R. Hoffman
Lillian R. Hoffman, City Clerk