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A regular meeting of the City Council of the City of Charlotte, North Carolina was held in the Council Chamber, City Hall, on Monday, June 6, 1966, at 3 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 and Jerry C. Tuttle.

ABSENT: Councilman James B. Whittington.

INVOCATION.

The invocation was given by Councilman Milton Short.

MINUTES OF LAST MEETING APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Alexander and unanimously carried, the Minutes of the last meeting on May 30, 1966, were approved as submitted to the City Council.

RESOLUTION OF THE CITY COUNCIL APPROVING THE REDEVELOPMENT PLAN AND THE FEASIBILITY OF RELOCATION FOR PROJECT NO. N. C. R-60, ADOPTED.

The public hearing was held on The Redevelopment Plan for the redevelopment of Section No. 5, Brooklyn Urban Renewal Area.

Mr. Vernon L. Sawyer, Director of the Redevelopment Commission, stated they have prepared the Redevelopment Plan for this project, and have furnished Council with copies in advance of this meeting; that they have complied with the North Carolina Urban Redevelopment law in preparing the Plan as it relates to various existing conditions, proposed land uses, standards and continuing controls, zoning changes, estimated costs and method of financing, and feasible methods for the relocation of families to be displaced. The Redevelopment Commission approved the Plan on May 11 following a public hearing; the Charlotte-Mecklenburg Planning Commission also approved the Plan as conforming to the General Plan for the future development of the City as a whole, and the Plan with maps and text has been on display in the City Manager's office during the period of advertisement for this hearing.

Mayor Brookshire asked if in general the format, the rules and regulations and the figures outlined correspond to those we have followed on the other Phases of the Brooklyn Renewal Project? Mr. Sawyer replied that is correct; generally speaking, they are very similar to the four plans that Council has approved in the past; that he has maps illustrating this Plan and will be glad to answer any questions.

No objections were expressed by the public to the proposed project.

Councilman Albea moved the adoption of a resolution entitled: Resolution of the City Council Approving the Redevelopment Plan and the Feasibility of Relocation for Project No. N. C. R-60. The motion was seconded by Councilman Short and unanimously carried.

The resolution is recorded in full in Resolutions Book 5, beginning at Page 274.

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AGREEMENT BETWEEN THE CITY OF CHARLOTTE AND REDEVELOPMENT COMMISSION OF THE CITY OF CHARLOTTE, PROVIDING FOR THE CITY'S ONE-THIRD SHARE OF THE NET COST OF SECTION NO. 5, BROOKLYN URBAN RENEWAL AREA, IN THE AMOUNT OF \$796,501.00, AUTHORIZED.

Upon motion of Councilman Tuttle, seconded by Councilman Jordan and unanimously carried, an Agreement was authorized between the City of Charlotte and the Redevelopment Commission of the City of Charlotte, providing for the City's one-third share of the net cost of Section No. 5, Brooklyn Urban Renewal Area, in the amount of \$796,501.00.

MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CHARLOTTE AND REDEVELOPMENT COMMISSION OF THE CITY OF CHARLOTTE, FOR THE ACQUISITION OF FEDERALLY-AIDED HIGHWAY RIGHTS-OF-WAY IN AN URBAN RENEWAL AREA, APPROVED.

Councilman Short moved approval of a Memorandum of Understanding between the City of Charlotte, North Carolina, and the Redevelopment Commission of the City of Charlotte, for the acquisition of federally-aided highway rights-of-way in an Urban Renewal Area, setting forth the method of prorating costs to the City for the acquisition of the portion of the Independence Boulevard Expressway right-of-way included in the Brooklyn Urban Renewal Project area. The motion was seconded by Councilman Alexander and unanimously carried.

PETITIONERS FOR CHANGE IN ZONING OF 11 LOTS FRONTING ON WEST SIDE OF EASTWAY DRIVE, BEGINNING 400 FEET NORTH OF SHAMROCK DRIVE, EXPRESS APPRECIATION FOR COUNCIL CONSIDERATION OF PETITION (NO. 66-56) AS THE LOCATION OF THE PROPERTY RELATES TO THE BELT ROAD, AND REQUEST THAT COUNCIL ACTION ON PETITION BE IN ACCORDANCE WITH THE RECOMMENDATION OF THE PLANNING COMMISSION TO DENY THE PETITION.

Mr. Parker Whedon, Attorney, stated that in connection with the Zoning Petition of Gene Johnson Remodeling Service of property on Eastway Drive, which was deferred until today, he has a statement from his client which he would like to read to Council; that it is in the form of a letter from Mr. A. P. Perkinson, Jr., Agent for his client, to the City Council and the Planning Commission:

"Gentlemen:

Mr. Gene Johnson and I recently requested a zoning change on a parcel of property located near the intersection of Shamrock Drive and Eastway Drive, fronting on Eastway Drive some 550 feet.

The Planning Commission recommended that our petition be denied, and the City Council graciously allowed us an additional week to make further study of the situation to see if there might be any approach open that would protect the proper development of the Belt Road while allowing our request.

After consultation with the Traffic Engineering Department and the Planning Commission staff, we have concluded that there is no practical way to gain both objectives. Since there is no way known to us whereby we can withdraw our petition at this late date, please accept our thanks for your objective and careful consideration of this request and proceed with voting in accordance with the Planning Commission recommendation.

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We are in agreement with the principle that the public interest should be paramount in cases like this one, and we would not have entered our request had we thought it was in any way contrary to the public interest. Charlotte needs good belt roads, and we trust you gentlemen will always keep this need foremost in your deliberations on all requests for zoning.

Thank you for your consideration.

Sincerely yours,

A. P. Perkinson, Jr.
Agent for Gene Johnson's Remodeling
Service, Inc."

Mr. Whedon filed the letter with the City Clerk.

Mayor Brookshire remarked to Mr. Whedon that this is a very fair and generous position that his client has taken.

ATTORNEY FOR PETITIONERS FOR CHANGE IN ZONING OF A LOT AT 2934 COMMONWEALTH AVENUE (PETITION NO. 66-49) ADVISES CLIENT NEGOTIATING WITH PROPERTY OWNERS PROTESTING THE CHANGE IN ZONING, AND WILL BE BACK LATER WITH REGARD TO ITS REZONING.

Mr. Parker Whedon, Attorney for Mr. A. P. Perkinson and Mr. V. R. Snider, Petitioners for a change in zoning from R-9 to R-6MF of a lot located at 2934 Commonwealth Avenue, being Petition No. 66-49, advised that in view of the Planning Commission's recommendation that the Petition be denied, his clients have already commenced negotiations with the property owners protesting the change in zoning, for the acquisition of their property, and his clients will be back with a request for the rezoning of the property at a later date.

PETITION NO. 66-49 FOR CHANGE IN ZONING FROM R-9 TO R-6MF OF A LOT LOCATED AT 2934 COMMONWEALTH AVENUE DENIED.

Councilman Jordan moved that the subject petition be denied, as recommended by the Planning Commission. The motion was seconded by Councilman Tuttle.

Councilman Short remarked that Mr. Whedon mentioned that perhaps they would come back at a later date on this petition, and it might have to be two years later.

Mr. Whedon replied if it is a different petition they would not have to wait two years, and if they acquire some land, it would change the conditions.

The vote was taken on the motion and carried unanimously.

PETITION NO. 66-56 FOR CHANGE IN ZONING FROM R-9MF TO B-1 OF ELEVEN LOTS FRONTING 550 FEET ON THE WEST SIDE OF EASTWAY DRIVE, BEGINNING 400 FEET NORTH OF SHAMROCK DRIVE, DENIED.

Councilman Tuttle moved that the subject petition be denied as recommended by the Planning Commission. The motion was seconded by Councilman Thrower and carried unanimously.

Mayor Brookshire stated that he would like to commend the Petitioner, the Planning Commission and the City Council for the actions they have taken on this to preserve the residential character of the so-called Belt Road.

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CONSIDERATION OF PETITION NO. 66-57 BY CHARLES E. HICKS FOR CHANGE IN ZONING FROM R-9 TO R-6MF OF A TRACT OF LAND ON THE EAST SIDE OF PARK ROAD BEGINNING NORTH OF TOWNES ROAD, POSTPONED FOR TWO WEEKS.

Petition No. 66-57 by Charles E. Hicks for change in zoning from R-9 to R-6MF of a tract of land fronting on the east side of Park Road, beginning north of Townes Road, recommended denied by the Planning Commission, and Council's request to the Planning Commission that they give an opinion on changing the zoning of the property to R-9MF in lieu of R-6MF, was presented for Council consideration.

Councilman Albea stated that Council heard the report of the Planning Commission in the Conference session, and he did not hear anything to cause him to change his mind, and he moved that the recommendation of the Planning Commission to deny the Petition be upheld. The motion did not receive a second and lost.

Councilman Jordan moved that consideration of the subject petition be postponed for two weeks, as the Council will not meet next week. The motion was seconded by Councilman Tuttle.

Councilman Albea remarked that out of deference to the Council, he will not vote against the motion to defer it, but he thinks it is stalling as it has already been postponed once, but in view of one member of the Council being absent, he will go along with the Council.

Councilman Thrower remarked that he thinks it should be explained to the persons who are present in the interest of this Petition that Councilman Whittington could not be here today and requested Council to postpone taking action on the Petition, and that is the reason it is being postponed until the next meeting of the Council.

The vote was taken on the motion and carried unanimously.

HEARING ON PROPOSED AMENDMENT TO THE CITY CODE RELATING TO AMENDMENTS AND WITHDRAWALS OF PETITIONS FOR THE REZONING OF PROPERTY RESCHEDULED FOR JUNE 27TH DUE TO ERROR IN THE PUBLICATION OF THE NOTICE OF THE HEARING SCHEDULED FOR JUNE 6TH.

Upon motion of Councilman Thrower, seconded by Councilman Short, and unanimously carried, a public hearing was rescheduled on June 27th on a Proposed Amendment to the City Code Relating to Amendments and Withdrawals of Petitions for the rezoning of property, due to an error in the publication of the Notice of the hearing scheduled for June 6th.

Councilman Short requested the City Clerk to send a copy of this item of the Minutes to the attorneys who have shown an interest in this Amendment - such as Mr. Beverly Webb, Mr. Jimmie Walker, Mr. Ben Horack - in view of the date of the hearing being changed.

RESOLUTION APPROVING THE PRELIMINARY ASSESSMENT ROLL FOR IMPROVEMENTS COMPLETED ON GALAX DRIVE, LEAFMORE DRIVE, CLINTWOOD DRIVE AND BARRYMORE DRIVE AND PROVIDING FOR NOTICE AND PUBLIC HEARING ON JUNE 20TH ON THE CONFIRMATION OF THE ASSESSMENT ROLL.

Councilman Jordan moved the adoption of a resolution entitled: Resolution Approving the Preliminary Assessment Roll for Improvements Completed on Galax Drive, Leafmore Drive, Clintwood Drive and Barrymore Drive and Providing for Notice and Public Hearing on June 20th on the Confirmation of the Assessment Roll, which was seconded by Councilman Thrower, and unanimously carried.

The resolution is recorded in full in Resolutions Book 5, at Page 278.

CONTRACT AUTHORIZED WITH GEORGE G. SCOTT & COMPANY FOR AUDITING THE BOOKS OF ACCOUNTS AND RECORDS OF THE CITY OF CHARLOTTE FOR THE FISCAL YEAR ENDING JUNE 30, 1966.

Upon motion of Councilman Thrower, seconded by Councilman Short, and unanimously carried, a contract was authorized with George G. Scott & Company for Auditing the books of accounts and records of the City of Charlotte for the fiscal year ending June 30, 1966, at a fee of \$14,000.00.

AGREEMENT WITH STATE HIGHWAY COMMISSION FOR ENCROACHMENT IN RIGHT OF WAY IN REMOUNT ROAD FOR THE RELOCATION OF A DISTRIBUTION SYSTEM WATER MAIN.

Councilman Alexander moved approval of an Agreement with the State Highway Commission for the encroachment in its right of way in Remount Road, for the relocation of a 36-inch distribution system water mains. The motion was seconded by Councilman Short, and unanimously carried.

CONTRACT AUTHORIZED FOR THE APPRAISAL OF RIGHTS-OF-WAY.

Upon motion of Councilman Jordan, seconded by Councilman Thrower, and unanimously carried, the following contracts were authorized for the appraisal of rights of way:

- (a) Contract with James L. Varnadore for the appraisal of one parcel of land on The Plaza for the right of way for Plaza Road Widening.
- (b) Contract with Stewart Elliott for the appraisal of one parcel of land on East 12th Street for Northwest Expressway, and the appraisal of one parcel on Eastway Drive for Eastway Drive Widening.

CONSTRUCTION OF SANITARY SEWER MAIN AUTHORIZED IN GREENBRIAR SUBDIVISION.

Councilman Thrower moved approval of the construction of 1,419 feet of 8-inch sanitary sewer main in Greenbriar Subdivision, inside the city limits, at the request of Evans Construction Company, at an estimated cost of \$6,790.00. All construction cost to be borne by the Applicant, whose deposit of \$6,790.00 has been deposited with the City of Charlotte, and will be refunded as per terms of the agreement. The motion was seconded by Councilman Albea, and unanimously carried.

LEASE AUTHORIZED WITH DELTA AIR LINES, INC. FOR OCCUPANCY OF SPACE IN AIR CARGO BUILDING.

Upon motion of Councilman Albea, seconded by Councilman Alexander, and unanimously carried, a lease was authorized entered into with Delta Air Lines, Inc., for the occupancy of 3,920 square feet of space in the Air Cargo Building, for a period of 10 years, at a rental of \$10,386.00 per year, with said rental to be adjusted for full compensation of taking the Lessee's former freight building at the Airport.

TRANSFER OF CEMETERY LOT.

Councilman Tuttle moved that the Mayor and City Clerk be authorized to execute a deed with Louis L. and Teresa W. McDaniel, for Lot 41, Section 1, Oaklawn Cemetery, at \$645.00. The motion was seconded by Councilman Albea, and unanimously carried.

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CONTRACT AWARDED HERSEY-SPARLING METER COMPANY FOR DISPLACEMENT & COMPOUND TYPE COLD WATER METERS.

Motion was made by Councilman Jordan awarding contract to the low bidder, Hersey-Sparling Meter Company, in the amount of \$105,962.92 for 3,086 Cold Water Meters, as specified on a unit price basis. The motion was seconded by Councilman Thrower, and carried unanimously.

The following bids were received:

Hersey-Sparling Meter Company	\$105,962.92
Rockwell Mfg. Company	114,115.50
Badger Meter Mfg. Company	124,368.66
Neptune Meter Company	124,677.43

CONTRACT AWARDED HERSEY-SPARLING METER COMPANY FOR COMBINATION FIRE AND DOMESTIC SERVICE METERS.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, contract was awarded Hersey-Sparling Meter Company, the only bidder, in the amount of \$10,636.31 on a unit price basis, for seven combination fire and domestic service meters, as specified.

CONTRACT AWARDED CRAWFORD DOOR SALES COMPANY, INC. FOR SLIDING DOORS FOR ENTRANCE TO MAIN ARENA OF COLISEUM.

Councilman Albea moved award of contract to the low bidder, Crawford Door Sales Company, Inc., in the amount of \$2,136.10 for sliding doors to replace existing sliding doors at entrance to the main arena of the Coliseum. The motion was seconded by Councilman Jordan, and carried unanimously.

The following bids were received:

Crawford Door Sales Co., Inc.	\$ 2,136.10
Delph Hardware & Specialty Co.	2,519.75

NOMINATION OF MR. GEORGE L. SIBLEY AND MR. JOHN C. TURNER TO THE CHARLOTTE-MECKLENBURG PLANNING COMMISSION FOR A TERM OF THREE YEARS EACH TO REMAIN OPEN FOR TWO WEEKS.

The Council was advised that the terms of office of Mr. George L. Sibley and Mr. John C. Turner on the Planning Commission will expire on June 30th, the terms being for three years.

Councilman Albea nominated Mr. George L. Sibley to succeed himself on the Planning Commission for a term of three years.

Councilman Thrower nominated Mr. John C. Turner to succeed himself on the Planning Commission for a term of three years.

Mayor Brookshire advised that the nominations would remain open until the next Council Meeting as is the usual practice.

ONE YEAR EXTENSION OF SERVICE GRANTED CERTAIN EMPLOYEES AGE 65 AND OVER.

Upon motion of Councilman Thrower, seconded by Councilman Albea, and un-
animously carried, the following employees, ages 65 and over, were granted
an extension of service through June 30, 1967, as recommended by the
Personnel Director:

L. G. Justice	Engineering Department
J. A. House	Engineering Department
Mrs Ruby V. Simpson	Engineering Department
S. P. Dewese	Police Department
J. W. Yandle	Police Department
R. H. Covington	Police Department
C. J. Dixon	Police Department
W. M. Yandle	Police Department
Mrs Lillian R. Hoffman	City Clerk
F. H. Dellinger, Sr.	Motor Transport Department
E. Edwards	Motor Transport Department
Will Caldwell	Cemeteries Department

PROPERTY TRANSACTIONS AUTHORIZED FOR EASTWAY DRIVE WIDENING PROJECT,
PLAZA ROAD WIDENING PROJECT AND SANITARY SEWER EASEMENTS.

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

- (a) Acquisition of 750 sq. ft. of property at 2700 Eastway Drive, from
Adam M. Kissiah, at a cost of \$250.00, for the Eastway Drive Widening
Project.
- (b) Acquisition of 375 sq. ft. of property at 2726-30 Eastway Drive, from
Ernest H. Cox and wife, at \$300.00, for the Eastway Drive Widening
Project.
- (c) Acquisition of 540 sq. ft. of property at 2734-38 Eastway Drive,
from Carl W. Kissiah, Inc., at \$250.00, for the Eastway Drive Widening
Project.
- (d) Acquisition of 662 sq. ft. of property at 3618 Eastway Drive, from
George E. Midgett and wife, at \$1,200.00, for the Eastway Drive
Widening Project.
- (e) Acquisition of 945 sq. ft. of property at 4327 The Plaza, from Roy
A. Guiney and wife, at \$1,134.00, for the Plaza Road Widening Project.
- (f) Acquisition of 128 sq. ft. of property at 4219 The Plaza, from Union
Builders, Inc., at \$1.00 for the Plaza Road Widening Project.
- (g) Acquisition of right of way 7.5' x 1,056' at Swamp Creek and Park
Road, from H. M. Johnston and wife, at \$604.27, for easement for
sanitary sewer to serve Spring Valley.
- (h) Acquisition of right of way 7.5' x 720' and 15' x 208.7' at Swamp
Creek and Park Road, from William R. Johnston and wife, at \$569.15,
as easement for sanitary sewer to serve Spring Valley.
- (i) Acquisition of right of way 10' x 2,005.90', from Grier's Grove Road
to McAllister Street, from Nance-Trotter Realty, Inc., at \$1.00, as
easement for sanitary sewer to serve Garden Park.
- (j) Acquisition of right of way 30' x 633.33' at Oaklawn Avenue and Irwin
Creek, from H. L. McCrorey, Sr., Heirs, at \$2,278.25, as easement for
sanitary sewer to serve Irwin Creek Outfall.

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PROPERTY AT 510 WEST MOREHEAD STREET AUTHORIZED ADVERTISED FOR SALE.

Upon motion of Councilman Thrower, seconded by Councilman Jordan and unanimously carried, 11,605 square feet of residue property from the West Side Grade Crossing Elimination Project, located at 510 West Morehead Street, was authorized advertised for sale at public auction, with the bidding to start at \$5,000.00.

CITY MANAGER ADVISED THAT NEW CLOCK WILL SOON BE INSTALLED IN COUNCIL CHAMBER.

Councilman Thrower asked the City Manager if the clock that formerly hung in the Council Chamber will not be replaced, and Mr. Veeder advised that a new one will soon be installed.

CITY MANAGER ADVISED THAT PICTURES OF ALL THE CITY'S PAST MAYORS WILL BE DISPLAYED IN AN APPROPRIATE AREA IN THE CITY HALL.

Councilman Short asked the City Manager what has happened to the pictures of all of Charlotte's past Mayors and are they not to be a part of the decor of the Council Chamber as heretofore?

Mr. Veeder replied they will be a part of the decor of the City Hall, and it is something that should be done. That the problem in the Council Chamber is one of acoustics with all the glass area of the pictures - this has been our problem before. That the problem now is to find an appropriate area to display the pictures with the pride that we all attach to them.

Councilman Tuttle asked if someone from the Mint Museum of Art was not to be asked to help in the study of where to place the pictures, and Mr. Veeder replied he has had the advantage of some thoughts from Mr. Schlageter, Director of the Museum, who is trying to help us devise somewhere we could adequately display them.

CITY MANAGER ADVISES REPORT WILL BE GIVEN COUNCIL ON THE TRAFFIC COUNT AT PROVIDENCE AND COLVILLE ROADS.

Councilman Tuttle called to the City Manager's attention that this is the last day of the school term, and he has not seen the Traffic Engineering Department crew taking a traffic count at Providence and Colville Roads as requested to do before the close of school, although he goes past this site practically every day.

The City Manager stated that it is his personal opinion that there is a problem at this intersection in terms of traffic movement at peak hour especially and in sight distance. That he has discussed both with the Traffic Engineer, who has taken some traffic counts, and he will have something to present to Council regarding the intersection just as soon as the report is completed.

APPRECIATION EXPRESSED TO AMERICAN INSTITUTE OF ARCHITECTS FOR OFFER OF ITS FACILITIES TO THE CITY IN ITS BEAUTIFICATION PROGRAM.

Councilman Jordan called attention to the letter received by the Council last week from the American Institute of Architects, and he stated he thinks it is a very fine gesture on their part to offer the use of their facilities to help the City in every phase of its beautification program.

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CITY MANAGER ADVISED STUDY OF PARKING SITUATION ON EAST BOULEVARD, IN KENILWORTH AVENUE AREA, STILL IN PROCESS AND A REPORT WILL BE MADE TO COUNCIL WHEN IT IS COMPLETED.

The City Manager advised that he does not have a report for Council as requested on the Petition concerning parking restrictions being placed on East Boulevard in the area of Kenilworth Avenue, which was presented to Council last week.

That the Traffic Engineering Department has been taking a look at the existing parking regulations on East Boulevard, and, perhaps, this fact prompted the residents to present the Petition opposing the banning of parking on the Boulevard last week.

That until the Traffic Engineering Department completes its study and has a concrete recommendation to make, which they expect to do fairly shortly, he does not have any proposal to make to Council.

Councilman Jordan requested the City Manager to notify Mr. S. T. Broome, 1251 East Boulevard, who presented the Petition to Council last week, that the City is still in the process of making a survey of the situation.

PLANNING DEPARTMENT REQUESTED TO GIVE THE CITY COUNCIL THE LEGAL DEFINITION IN WRITING OF THE TERM "SPOT ZONING".

Councilman Thrower stated, for the record, that he has asked the Planning Department to give the Council the legal definition of the term "spot zoning". That he requested that it be given Council in writing, so that persons desiring changes in zoning may read it and understand what "spot zoning" is and not waste their \$100.00 filing a petition for a change in zoning and then be turned down.

COPIES OF PRELIMINARY BUDGET FOR FISCAL YEAR 1966-67 FILED WITH COUNCIL AND PERSONNEL WHO PREPARED SAME COMMENDED.

Mr. Veeder, City Manager, presented the Council copies of the Preliminary Budget for the fiscal year, 1966-67, a copy of which will be on file in the City Clerk's office for public inspection.

Councilman Jordan stated he realizes how hard Mr. Paul Bobo, Administrative Assistant, and other personnel have worked on the Budget, and from the looks of it, it is complete as usual, and he moved that Council give Mr. Bobo and the other personnel a vote of thanks for the work that has been done on it. The motion was seconded by Councilman Short, and carried unanimously.

ADJOURNMENT.

Upon motion of Councilman Thrower, seconded by Councilman Albea and unanimously carried, the meeting was adjourned until Monday, June 20, 1966.

Lillian R. Hoffman, City Clerk