

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Monday, May 31, 1965 at 3 o'clock p.m., with Mayor Brookshire presiding, and Councilmen Albea, Alexander, Jordan, Short, Thrower, Tuttle and Whittington present.

ABSENT: None.

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INVOCATION.

The invocation was given by Councilman Fred D. Alexander.

MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and un-animously carried, the minutes of the last meeting on May 24th were approved as submitted.

PETITION NO. 65-44 FOR CHANGE IN ZONING OF A STRIP OF LAND ON THE WEST SIDE OF STATESVILLE ROAD, EXTENDING FROM HUTCHINSON-MCDONALD ROAD TO CINDY LANE, REFERRED BACK TO THE PLANNING COMMISSION.

Mr. M. A. Lyons one of the Petitioners for Petition No. 65-44 for a change in zoning of a strip of land on the west side of Statesville Road, extending from Hutchinson-McDonald Road to Cindy Lane, requested Council to turn the petition back to the Planning Commission as they would like to withdraw a portion of their petition. He stated that a portion of the property is already zoned B-2 and this leaves a little odd piece at the rear; and they would like to request rezoning on this portion of the property and withdraw the balance.

Mr. Morrisey, City Attorney, stated he has discussed this with Mr. Fred Bryant of the Planning Office and the Planning Staff now has some knowledge which they didn't have at the time of the hearing, and they also want to give the Petitioner this opportunity to withdraw a portion of the petition, and Mr. Bryant indicated this would meet with good planning practice.

Councilman Jordan moved that Petition No. 65-44 be referred back to the Planning Commission as requested by the Petitioner. The motion was seconded by Councilman Alexander, and carried unanimously.

PETITION NO. 65-39 FOR CHANGE IN ZONING OF TRACT OF LAND ON THE WEST SIDE OF STATESVILLE ROAD, BEGINNING NORTH OF BURMITH AVENUE AND EXTENDING WESTWARD TO MILHAVEN LANE, DENIED.

Councilman Whittington moved that Petition No. 65-39 by W. G. Dellinger for change in zoning from R-9 to R-9MF of a 22.84 acre tract of land on the west side of Statesville Road, beginning north of Burmith Avenue extending westward to Milhaven Lane be denied as recommended by the Planning Commission. The motion was seconded by Councilman Tuttle, and carried unanimously.

ORDINANCE NO. 340-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE CHANGING ZONING ON REAR PORTION OF A LOT AT 2401 ROZZELLS FERRY ROAD, ADOPTED.

Upon motion of Councilman Jordan, seconded by Councilman Albea, and un-animously carried, Ordinance No. 340-Z Amending Chapter 23, Section 23-8 of the City Code changing zoning from R-6MF to B-2 of the rear portion of a lot at 2401 Rozzells Ferry Road, on petition of Z. R. Little, and recommended by the Planning Commission, was adopted.

The ordinance is recorded in full in Ordinance Book 14, at Page 165.

ORDINANCE NO. 341-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE CHANGING ZONING OF PROPERTY ON ONE SIDE OF LECLINE DRIVE, BEGINNING SOUTH OF PURSER DRIVE AND EXTENDING ALONG LECLINE DRIVE, ADOPTED.

Councilman Albea moved the adoption of Ordinance No. 341-Z Amending Chapter 23, Section 23-8 of the City Code by changing zoning from R-9 to R-9MF of property on one side of Lecline Drive, beginning south of Purser Drive and extending along Lecline Drive, upon petition of P. D. Goss and as recommended by the Planning Commission. The motion was seconded by Councilman Whittington, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 14, at Page 166.

PETITION NO. 65-43 FOR CHANGE IN ZONING OF A LOT ON THE EAST SIDE OF STATESVILLE ROAD BEGINNING SOUTH OF RODNEY AVENUE, DENIED.

Motion was made by Councilman Tuttle, seconded by Councilman Albea, and un-animously carried, denying Petition No. 65-43 by Eugene Payseur for a change in zoning from B-1 to B-2 of a lot on the east side of Statesville Road, beginning south of Rodney Avenue as recommended by the Planning Commission.

ORDINANCE NO. 342-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE CHANGING ZONING OF A TRACT OF LAND LOCATED ON THE NORTHWEST SIDE OF THE FAIRVIEW-SHARON ROAD INTERSECTION, ADOPTED.

Upon motion of Councilman Thrower, seconded by Councilman Whittington, and un-animously carried, Ordinance No. 342-Z Amending Chapter 23, Section 23-8 of the City Code changing zoning from R-12, O-15, O-6 and B-1 to B-1 SCD of a tract of land approximately 100 acres in size, located on the northwest side of the Fairview-Sharon Road intersection was adopted upon petition of James J. Harris, and as recommended by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 14, at Page 167.

PETITION NO. 65-46 FOR CHANGE IN ZONING OF A TRACT OF LAND AT THE NW CORNER OF SLEEPY HALLOW ROAD AND NEW U.S. 21 DEFERRED PENDING FURTHER STUDY OF THE PLANNING COMMISSION.

Councilman Albea moved that decision on Petition No. 65-46 by C. C. Thomas for a change in zoning from R-9MF to B-2 of a tract of land at the northwest corner of Sleepy Hollow Road and new U. S. 21 be deferred pending the further study by the Planning Commission. The motion was seconded by Councilman Jordan, and un-animously carried.

ORDINANCE NO. 343-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE CHANGING ZONING OF THREE LOTS AT THE SW CORNER OF WILDWOOD AVENUE AND WABASH AVENUE, ADOPTED.

Motion was made by Councilman Alexander, seconded by Councilman Jordan, and unanimously carried, adopting Ordinance No. 343-Z Amending Chapter 23, Section 23-8 of the City Code by changing zoning from R-6 to R-6MF of three lots at the southwest corner of Wabash Avenue and Wildwood Avenue, upon petition of E.Howard Counts, and as recommended by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 14, at Page 168.

DECISION ON PETITION NO. 65-48 FOR A CHANGE IN ZONING OF A TRACT OF LAND ON THE SE SIDE OF NC 49 OPPOSITE CHARLOTTE COLLEGE, BEGINNING AT MARK TWAIN ROAD AND EXTENDING ALONG NC 49 EASTWARD, DEFERRED.

Councilman Whittington moved that Petition No. 65-48 by John Crosland Company for a change in zoning from R-12MF to R-9MF of a tract of land on the south-east side of NC 49 opposite Charlotte College, beginning at Mark Twain Road and extending along NC 49 eastward be denied as recommended by the Planning Commission. The motion was seconded by Councilman Thrower.

Councilman Short stated he is not certain that it is always easy to put something of this nature in the vicinity of a college. That we have heard nothing from the College and he would question whether we should make it more expensive than the developer apparently intends to pay to put this type of housing out at the College without having heard something from Dr. Cone and even Dr. Friday. He therefore would like to offer a substitute motion that Council ask Mr. McIntyre to confer with Dr. Cone about this and if she so desires then she should confer with Dr. Friday. That it seems to him Council should hear from them before deciding what to do with land in that area. The motion was seconded by Councilman Jordan who stated there was only one objection last week.

Mayor Brookshire stated we assume the Planning Commission has made its recommendation based on the theory of proper zoning in that area. Councilman Tuttle asked why Council can't rely on the Planning Commission. Councilman Alba stated the Planning Commission doesn't necessarily go by the objections or the affirmatives, they go by what they think is best for the community, and that is the reason 9 times out of 10 he follows their recommendation.

Councilman Whittington stated the Planning Commission has given a great deal of study, and so have organizations like Bell Telephone and others, of that area from The Plaza around to North 29 which would include the area around Charlotte College, and it is estimated there will be some 12,000 new homes built in this area in the next 10 or 15 years because of the growth of the College and the influx of students and professors, and he thinks that could be one of the reasons the Planning Commission has denied this request because of the orderly development which is planned in the area. That he has no objections to holding up the petition but on the basis of the background as he has it, he would not be in favor of changing the zoning.

Councilman Short stated he does not think the Planning Commission should have denied the request without hearing something from the College. That this could be somewhat of a crossroads for them if they want to develop the land economically and get a lot of housing, or do they want to make it a little more spacious with the possibility that it will be a little harder to expect private enterprise or developers in there. That he feels we should hear from them.

Councilman Thrower stated he can't help but compare this with the housing around Queens College. That he doesn't think it is up to the College itself to decide the type houses which should be put out there. This is Council's responsibility. Councilman Short replied he does not think Queen's College ever had the opportunity but he is comparing this with Chapel Hill. That he is not certain that making it more expensive for a developer to put housing in Chapel Hill would have been a good policy.

Councilman Short stated further that the amount of development which has been mentioned is far in the future and it just seems to him to be a courtesy to the University to get some comment from them. That he thinks the zoning change might well be an asset to the College. That he would like to say before the vote is taken that it will probably be July before Dr. Cone can confer with Dr. Friday as he will not have any authority until then.

Councilman Jordan asked if the substitute motion is for this to be postponed for one week or until we can get some information from the College. Councilman Short replied he is just asking that it be postponed until we get some information from the College.

Councilman Alexander asked Councilman Short if he is thinking the College might desire multifamily buildings for student rentals. Councilman Short replied he has almost never heard of a College that wasn't trying to get more housing.

Councilman Whittington asked where Mark Twain Road is located and Councilman Short replied it turns right off Highway 49 at a point somewhat opposite the southwesterly development of the College. Councilman Whittington then asked if that is not the area that Jones Construction Company is now building single family homes in? And Councilman Short stated he did not have this information; that there are two single family homes on beyond to the northeast of this property.

The vote was taken on the substitute motion to defer action until Mr. McIntyre confers with Dr. Cone, and carried by the following recorded vote:

YEAS: Councilmen Alexander, Jordan, Short, Thrower and Whittington.  
NAYS: Councilmen Albea and Tuttle.

ORDINANCE NO. 344-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE CHANGING ZONING OF TWO LOTS AT 704 AND 708 LOUISE AVENUE, ADOPTED.

Councilman Alexander moved approval of Ordinance No. 344-Z Amending Chapter 23, Section 23-8 of the City Code by changing zoning from R-6MF to O-6 of two lots at 704 and 708 Louise Avenue, upon petition of Erskine L. Harkey and the Mecklenburg Association for the Blind, et al, and recommended by the Planning Commission. The motion was seconded by Councilman Jordan, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 14, at Page 169.

PETITION NO. 65-50 FOR CHANGE IN ZONING OF A TRACT OF LAND ON THE NORTH SIDE OF I-85 BEGINNING AT STEWART CREEK AND EXTENDING EASTWARD TO MECKLENBURG COLLEGE PROPERTY AND NORTHWARD TO HOSKINS ROAD, DEFERRED.

Upon motion of Councilman Thrower, seconded by Councilman Whittington, and unanimously carried, decision on Petition No. 65-50 by C. D. Spangler Construction Company for a change in zoning from R-6 to R-6MF and B-2 of a tract of land on the north side of I-85, beginning at Stewart Creek and extending eastward to Mecklenburg College property and northward to Hoskins Road, was deferred pending the further study of the question by the Planning Commission.

ORDINANCE NO. 345-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE BY CHANGING ZONING OF A TRACT OF LAND ON THE SW SIDE OF GLENWOOD DRIVE SE OF I-85, ADOPTED.

Motion was made by Councilman Albea, seconded by Councilman Jordan, and unanimously carried, adopting Ordinance No. 345-Z Amending Chapter 23, Section 23-8 of the City Code by changing the zoning from O-6 to B-1 of a tract of land on the southwest side of Glenwood Drive southeast of I-85 upon petition of Odessa B. Hartsell and recommended by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 14, at Page 170.

DECISION ON PETITION NO. 65-52 FOR CHANGE IN ZONING OF A TRACT OF LAND NORTH OF SHAMROCK DRIVE, BEGINNING WEST OF EASTWAY DRIVE, DEFERRED.

Upon motion of Councilman Whittington, seconded by Councilman Alexander, and unanimously carried, decision on Petition No. 65-52 by H. H. Baucom for a change in zoning from R-9 to R-6MF of a 4.03 acre tract of land north of Shamrock Drive beginning west of Eastway Drive, was deferred pending further study by the Planning Commission.

ORDINANCE NO. 346-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE CHANGING ZONING OF ALL PROPERTY IN THE HARDING PLACE-GREENWOOD CLIFF COMMUNITY NOT NOW ZONED O-6, BEING PROPERTY FRONTING ON HARDING PLACE, GREENWOOD CLIFF AND BERKLEY AVENUE, ADOPTED.

Councilman Tuttle moved the adoption of Ordinance No. 346-Z Amending Chapter 23, Section 23-8 of the City Code changing zoning from R-6MF to O-6 of all property in the Harding Place-Greenwood Cliff Community not now zoned O-6, being property fronting on Harding Place, Greenwood Cliff and Berkley Avenue, as petitioned by the Harding Place-Greenwood Cliff Community Improvement Association and recommended by the Planning Commission. The motion was seconded by Councilman Albea, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 14, at Page 171.

ORDINANCE NO. 347-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE CHANGING ZONING OF A LOT ON THE WEST SIDE OF NORLAND ROAD, BEGINNING SOUTH OF CENTRAL AVENUE, ADOPTED.

Motion was made by Councilman Thrower, seconded by Councilman Albea, and unanimously carried, adopting Ordinance No. 347-Z Amending Chapter 23, Section 23-8 of the City Code changing zoning from R-9 to O-6 of a lot on the west side of Norland Road, beginning south of Central Avenue, on petition of Pal-Lor Company, Inc. and recommended by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 14, at Page 172.

PETITION NO. 65-55 FOR A CHANGE IN ZONING OF A LOT AT 301 PETERSON DRIVE, DEFERRED FOR ONE WEEK.

Councilman Albea moved that Petition No. 65-55 by L. L. Beman, Jr. for a change in zoning from R-6MF to O-6 of a lot at 301 Peterson Drive, be approved as recommended by the Planning Commission. The motion was seconded by Councilman Alexander.

Councilman Whittington made a substitute motion that the decision be delayed for one week as this is the only one he is not familiar with and he would like to have the privilege of looking at it before voting. The motion was seconded by Councilman Thrower, and carried by the following recorded vote:

YEAS: Councilmen Alexander, Jordan, Short, Thrower, Tuttle and Whittington.  
NAYS: Councilman Albea.

DECISION ON PETITION NO. 65-56 FOR A CHANGE IN ZONING OF A TRACT OF LAND ON THE SOUTH SIDE OF ARROWOOD ROAD, EXTENDING FROM IRWIN CREEK TO THE NEW US 21, DEFERRED.

Councilman Whittington moved that decision on Petition No. 65-56 by J. F. Lane for a change in zoning from R-9 to I-1 of a 1.89 acre tract of land on the south side of Arrowood Road, extending from Irwin Creek to the new US 21, be deferred pending the further study of the Planning Commission. The motion was seconded by Councilman Tuttle, and carried unanimously.

DECISION ON PETITION NO. 65-57 FOR A CHANGE IN ZONING OF A TRACT OF LAND ON THE NORTH SIDE OF ARROWOOD ROAD EXTENDING FROM IRWIN CREEK TO THE NEW US 21, DEFERRED.

Upon motion of Councilman Jordan, seconded by Councilman Short, and un-animously carried, decision on Petition No. 65-57 by G. F. Shrum for a change in zoning from R-9 to B-2 of a tract of land on the north side of Arrowood Road extending from Irwin Creek to the new U. S. 21, was deferred pending the further study of the question by the Planning Commission.

ORDINANCE NO. 348-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE BY CHANGING THE ZONING OF PROPERTY ON THE NW SIDE OF LOUISE AVENUE, FROM BELMONT AVENUE TO WITHIN APPROXIMATELY 100 FT. OF THE SAL RAILROAD, ADOPTED.

Motion was made by Councilman Thrower, seconded by Councilman Alexander, and unanimously carried, adopting Ordinance No. 348-Z Amending Chapter 23, Section 23-8 of the City Code by changing the zoning from R-6MF to I-1 of property on the northwest side of Louise Avenue, from Belmont Avenue to within approximately 100 ft. of the SAL Railroad as petitioned by the Charlotte-Mecklenburg Planning Commission.

The ordinance is recorded in full in Ordinance Book 14, at Page 173.

RESOLUTION FIXING THE DATE OF PUBLIC HEARING ON THE PETITION OF ERVIN CONSTRUCTION COMPANY FOR THE ANNEXATION TO THE CITY OF CHARLOTTE OF PROPERTY IN BERRYHILL TOWNSHIP ON BOTH SIDES OF I-85, ADOPTED.

Upon motion of Councilman Thrower, seconded by Councilman Jordan, and un-animously carried, Resolution Fixing the Date of Public Hearing on June 14th on the Petition of Ervin Construction Company for the Annexation to the City of Charlotte of 82.09 Acres of Property in Berryhill Township, was adopted.

The resolution is recorded in full in Resolutions Book 5, at Page 32.

## CLAIM OF JAMES TURNER FOR DAMAGES TO CAR DENIED.

Councilman Whittington moved that claim of Mr. James Turner, 3222 Central Avenue, in the amount of \$77.02 for alleged damages to his car be denied as recommended by the City Attorney who advises investigation shows there was no negligence on the part of the city. The motion was seconded by Councilman Alexander, and carried by the following recorded vote:

YEAS: Councilmen Albea, Alexander, Jordan, Short, Turner and Whittington.  
NAYS: Councilman Tuttle.

## CHANGE ORDER NO. G-4 IN CONTRACT OF REA CONSTRUCTION COMPANY FOR THE GENERAL CONSTRUCTION OF MCALPINE CREEK WASTE TREATMENT PLANT, APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Tuttle, and un-animously carried, Change Order No. G-4 in the contract of Rea Construction Company for the general construction of McAlpine Creek Waste Treatment Plant, covering preparation and coating with Epoxy Seal No. 81 the exterior surfaces of louvers and louver sills in the Raw Sludge Pump Building, Boiler Building, Utility Building and Lab Office Building, at an additional amount of \$62.00 to the contract price, was approved.

## STREETS TAKEN OVER FOR CONTINUOUS MAINTENANCE.

Motion was made by Councilman Albea, seconded by Councilman Thrower, and un-animously carried, taking over for continuous maintenance the following streets:

STREET	FROM	TO
Adkins Court	Edsel Place	End of cul-de-sac
Edsel Place	Existing maintained street	325' North of Clardy Ct.
Clardy Court	Edsel Place	End of street west
Clardy Court	Edsel Place	End of cul-de-sac
Kentbrook Drive	Existing maintained street	Cinderella Road
Cinderella Road	Existing maintained street	East 1,080 feet

## CONSTRUCTION OF SANITARY SEWER MAINS AUTHORIZED.

Upon motion of Councilman Whittington, seconded by Councilman Alexander, and un-animously carried, the construction of sanitary sewer mains at the following locations were authorized:

- (a) Construction of 100 ft. of main in Farnham Street, inside the city limits, at the request of Park & Shop Food Stores, at an estimated cost of \$600.00. All costs to be borne by the Applicant, whose deposit of the amount of the cost will be refunded as per terms of the contract.
- (b) Construction of 175-ft. of main to serve Amy James School, inside the city limits, at the request of the Board of Education, at an estimated cost of \$1,060.00. All costs to be borne by the Applicant, whose deposit of the amount of the cost will be refunded as per terms of the contract.

- (c) Construction of 1,060-ft. of main in Central Park, inside the city limits, at the request of Ed Griffin Development Corp., at an estimated cost of \$3,970.00. All costs to be borne by the Applicant whose deposit of the amount of the cost will be refunded as per terms of the contract.
- (d) Construction of 1,560 ft. of outfall, 80-ft. of trunk and 2,915 ft. of main to serve University Park North, inside the city limits, at the request of C. D. Spangler Construction Company, at an estimated cost of \$30,395.00. All cost to be borne by the Applicant, whose deposit of the amount of the cost will be refunded as per terms of the contract.

RENEWAL OF SPECIAL OFFICER PERMIT TO C.O. HALL APPROVED.

Councilman Thrower moved approval of the renewal for a period of one year of the Special Officer Permit issued to C. O. Hall, Rt. 2, Fort Mill, S. C. for use on the premises of Charlottetown Mall. The motion was seconded by Councilman Whittington, and carried unanimously.

CONTRACT AWARDED MILLER TIRE SERVICE FOR TIRE RECAPPING & REPAIR SERVICE.

Councilman Albea moved award of contract to the low bidder, Miller Tire Service, in the amount of \$17,890.64, on a unit price basis for the yearly requirement of tire recapping and repair service. The motion was seconded by Councilman Whittington.

Councilman Jordan asked if the quality of the rubber is marked on the finished product after recapping. That this question was brought to him by some of the local companies. The City Manager replied that last year we had quite a discussion on this prior to the award of the contract which were the same two bidders; subsequently we have had the advantage of one year's experience with the successful bidder who is this year's low bidder. That in all cases, the using departments are satisfied with the quality of work and service they have been getting from this organization. That the low bid this year is about 4% less on a total basis than was paid last year.

Councilman Jordan stated we had this discussion to come up last year but never as far as he knows about making sure the quality of the rubber is marked on the finished product.

Mr. Beatty, Purchasing Agent, stated that our usual procedure is to have the type of recapping marked on the outside of the case, and this has been done in the past year and the year before and is being done now. He stated further the quality is indicated on the outside of the tire by a label which is a new process. That the rubber is sold by Firestone to the South Carolina Agency under a certification that this is 100% rubber and we take the label to represent 100% rubber. That the City used this same process and the same rubber last year to the entire satisfaction of all three of the garages. That Miller Tire Service does not have a branch in Charlotte; they come to us on a regular pick up day, once a week. They take all of our tires, repair them and bring them back the following week; they are doing a real "jam-up" job in picking up and returning them. If they pick up 25 tires they return 25; they never bring back part, they bring back all of them. They are all recaps in good shape and first class condition when the City receives them.

After further discussion, the vote was taken on the motion and carried unanimously.

The following bids were received:

Miller Tire Service	\$17,890.64
L & N Royal Tire Service, Inc.	19,297.57

CONTRACT AWARDED MILL-POWER SUPPLY COMPANY FOR WIRE AND CABLE.

Councilman Whittington moved award of contract to the low bidder, Mill-Power Supply Company in the amount of \$4,758.05 for 19,000 feet of wire and cable as specified. The motion was seconded by Councilman Albea, and carried unanimously.

The following bids were received:

Mill-Power Supply Company	\$ 4,758.05
Graybar Electric Co., Inc.	4,763.27

CONTRACT AWARDED C. M. ALLEN & COMPANY FOR RECONSTRUCTION OF A PORTION OF OLD BRIAR CREEK OUTFALL.

Motion was made by Councilman Thrower, seconded by Councilman Albea, and unanimously carried, awarding contract to the low bidder, C. M. Allen & Company, in the amount of \$9,417.50, on a unit price basis for the reconstruction of a portion of the Old Briar Creek Outfall.

The following bids were received:

C. M. Allen & Company	\$ 9,417.50
Howie Crane Service	10,205.00
Sanders Brothers	12,970.00

CONTRACT AWARDED SUGGS WRECKING & REMOVAL COMPANY FOR DEMOLITION OF BUILDINGS.

Motion was made by Councilman Alexander, seconded by Councilman Tuttle, to award contract to Suggs Wrecking & Removal Company, the low bidder, in the amount of \$30,765.00, for demolition of 86 buildings for the Northwest Expressway and Redevelopment Project, Sections 2 and 3.

Councilman Whittington called attention that last week the City of Winston-Salem in conjunction with demolition of slum housing in their Urban Renewal Program had members of our Fire Department and perhaps others across the State to remove some 100 or 130 houses, at a cost to that City of way less than what we are talking about here, by burning them. After they were burned, the brick was sold and the rubbish was hauled off. That in the future he thinks Charlotte should take a real look at this with our own Fire Department and if it is economical feasible, it could be done quicker and for less, plus that training for our own department and this would make a lot of sense. That it was done a great deal cheaper than anywhere else and is a lot faster than we can get them down here.

Councilman Tuttle stated he has talked with the Fire Department in this connection and they say they cannot get permission from the City's Smoke Abatement Department.

Mr. Veeder, City Manager, stated that Chief Black is very much opposed to this. That he has gone into this at length with him especially in light of the

Winston-Salem experience. That Chief Black feels there is not a great deal to be gained in training. Mr. Veeder stated he is not familiar with the geography involved with the buildings Winston-Salem has been removing, but the geography here is such that he is sure is one reason why Chief Black is not anxious to enter into this.

Councilman Whittington stated he is thinking about the economics of it and he thinks it is worth consideration that we should investigate the way Winston-Salem did it and if we can do it in the future for less and if our men can be trained by it we should do that too. That the houses up there were 6 ft. apart. We are talking about \$30,000 and if this is done 5 times a year that is well over \$100,000, and he is interested in the economics of the facts and he would like to have some information on it.

The vote was taken on the motion to award the contract to the low bidder, and carried unanimously.

The following bids were received:

Suggs Wrecking & Removal Co.	\$30,765.00
Rike Wrecking Co., Inc.	35,000.00
J. L. Darr & Son	43,490.00

WALTER D. TOY PLACED IN NOMINATION FOR REAPPOINTMENT TO THE PLANNING COMMISSION.

Councilman Albea nominated Mr. Walter D. Toy to succeed himself for a three year term on the Planning Commission, which nomination will remain open for one week.

ORDINANCE NO. 349 AMENDING AND READOPTING AND CONTINUING IN FORCE CHAPTER 11, "LICENSES", OF THE CODE OF THE CITY OF CHARLOTTE TO PROVIDE FOR LEVYING, ASSESSING, IMPOSING AND DEFINING THE PRIVILEGE LICENSE TAXES OF THE CITY OF CHARLOTTE FOR THE FISCAL YEAR BEGINNING JULY 1, 1965 AND ENDING JUNE 30, 1966.

Upon motion of Councilman Whittington, seconded by Councilman Tuttle, and unanimously carried, an ordinance entitled: "Ordinance No. 349 Amending and Readopting and Continuing in force Chapter 11, "Licenses", of the Code of the City of Charlotte to provide for Levying, Assessing, Imposing and Defining the Privilege License Taxes of the City of Charlotte for the Fiscal Year beginning July 1, 1965 and ending June 30, 1966", was adopted.

The ordinance is recorded in full in Ordinance Book 14, beginning at Page 174.

PROPERTY TRANSACTIONS IN CONNECTION WITH NORTHWEST EXPRESSWAY, SANITARY SEWER EASEMENT ON JOHNSTON STREET AND SHARON AMITY ROAD WIDENING PROJECT, AUTHORIZED.

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

- (a) Condemnation of 4,560 sq. ft. of property at 716 N. Pine Street, owned by Furr Realty Company, Inc., at a condemnation price of \$4,400.00, for the Northwest Expressway right of way.
- (b) Acquisition of 14,400 sq. ft. of property at 720-724 N. Pine Street, from Furr Realty Company, Inc., at \$32,000 for the Northwest Expressway right of way.

- (c) Acquisition of 11,964 sq. ft. of property at 601-05 Seigle Avenue, from Furr Realty Company, Inc. at \$11,400.00 for the Northwest Expressway right of way.
- (d) Acquisition of 24,460 sq. ft. of property at E. Trade and Elizabeth Avenue, from E. J. Smith and Sons Company, at \$126,000 for the Northwest Expressway right of way.
- (e) Acquisition of right of way 10' x 174.45' near the intersection of Johnston Road and Derita Road, at \$1.00, from Auto Storage, for sanitary sewer line to serve Johnston Road.
- (f) Acquisition of construction easement on Sharon Amity Road, from George A. Wallace and wife, at \$25.00 for Sharon Amity Road Widening project.
- (g) Acquisition of construction easement on Sharon Amity Road, from Mrs Juanita C. Hicks, at \$200.00 for Sharon-Amity Road Widening project.
- (h) Acquisition of construction easement on Sharon Amity Road, from Thomas J. Presson and wife, at \$600.00 for Sharon-Amity Road Widening project.
- (i) Acquisition of construction easement on Sharon-Amity Road, from Charles B. Brinkley, at \$100.00 for Sharon-Amity Road Widening project.
- (j) Acquisition of construction easement on Sharon Amity Road, from John H. Quattlebaum and wife, at \$30.00 for Sharon-Amity Road Widening project.
- (k) Acquisition of construction easement on Sharon Amity Road, from James N. Gardner and wife, at \$25.00 for Sharon-Amity Road Widening project.
- (l) Acquisition of construction easement on Sharon Amity Road, from Clarence L. Cheatham and wife, at \$75.00 for Sharon-Amity Road Widening project.
- (m) Acquisition of construction easement on Sharon Amity Road from Kenneth J. Higgins and wife at \$60.00 for Sharon-Amity Road Widening project.
- (n) Acquisition of construction easement on Sharon Amity Road from Edwin F. Bridgford and wife, at \$85.00 for Sharon-Amity Road Widening project.
- (o) Acquisition of construction easement on Sharon Amity Road, from Cleveland D. Whatley, at \$25.00 for Sharon-Amity Road Widening project.
- (p) Acquisition of 67 sq. ft. of property at the southeast corner of Sharon Amity Road and Randolph Road, from American Oil Company, at \$200.00 for Sharon-Amity Road Widening project.
- (q) Acquisition of 1,910 sq. ft. of property at the northwest corner of Providence Road and Sharon Amity Road, from Oliver R. Rowe and Marie Rich Rowe, at \$2,200.00 for Sharon-Amity Road Widening project.

MOTION TO REAPPOINT CHIEF HORD AS CHIEF OF THE POLICE DEPARTMENT DID NOT RECEIVE A SECOND.

Councilman Albea stated Council has now been in office for four weeks and he thinks it is time to make some appointments, if for no other reason than to show their moral support. That the Police Department has been under fire one way or another for almost a year. That two or three weeks ago the City Manager and City Attorney reported to the Council that their investigation of the Police Department, unless instructed otherwise, was closed. That he has not heard any of the Councilmen or anyone else asking for any other information. Therefore, he placed Chief Hord in nomination as Chief of the Police Department and moved that he be reappointed today. The motion did not receive a second.

CITY MANAGER REQUESTED TO HAVE CONTRACTORS PUT STREETS BACK IN PROPER ORDER AFTER INSTALLING WATER AND SEWER LINES.

Councilman Whittington stated he thinks that all members of Council get complaints quite frequently about these companies that the City awards contracts to put in water and sewer lines in the city streets; then after the lines have been cut, it is either neglect on the engineering department or whoever follows up and pays the final payment to these contractors, that these streets are not put back as they should be. That he is thinking primarily now of Noll Construction Company job, from about McDowell and 10th Street as far east as they go. If a car would hit one of these areas along Pecan or Central Avenue there could be a very serious accident and apparently we are only doing a little bit about this and he requests the City Manager to make these people put these streets back in proper order. That if you go to McDowell and 10th Street right now there is an 8 to 12 inch drop in the street where the lines ran and this is generally true all the way out.

TRAFFIC ENGINEER REQUESTED TO MAKE A SURVEY AS TO NEED FOR STREET LIGHTS IN THE GRIER HEIGHTS AREA.

Councilman Whittington requested the City Manager to have the Traffic Engineer make a survey as to the need of street lights in the Grier Heights Area on the east side of town, between 7th Street and Randolph Road.

CITY MANAGER REQUESTED TO MAKE A STUDY OF THE EFFECT ON SOCIAL SECURITY OF CITY EMPLOYEES RETIRING AFTER THEY HAVE WORKED A NUMBER OF MONTHS IN THE YEAR.

The City Manager stated at the last meeting of Council, he requested that the retirement of O. G. Overcash, Police Department, be held as an open question for one week. Since then he has had an opportunity to check further on one of the points which had been left unanswered in his mind and as a result of this, Chief Hord has written a memo in which he states that it will be to Mr Overcash's distinct advantage to have his retirement effective July 31, 1965 rather than June 30. Mr. Veeder then suggested that Council approve this retirement effective July 31, 1965. Councilman Tuttle moved that the retirement be effective on this date. The motion was seconded by Councilman Albea.

Councilman Thrower stated a lot of these people who are retiring are eligible for Social Security and if the City retires them in the middle of the year or after 8 months then they are no longer eligible. He asked if the City could not take this into consideration and retire them at the end of the calendar year rather than retiring them at mid year. That he thinks we should reconsider and study it a little more and make sure that we are not jeopardizing a man by retiring him in the middle of the year or any other time, unless it would be the first of the year so he would then be eligible for social security.

Mr. Veeder stated he would be happy to make a study of this but he doesn't think that 999 cases out of a thousand that it would make any difference. The individual would have accrued enough in the way of participating quarters that it wouldn't make very much difference.

Councilman Thrower made a substitute motion that Council hold up on voting on Mr. Overcash's retirement until this can be checked out. That this would cover all city employees and he does not want Council to vote on Mr. Overcash and then be sorry. The motion was seconded by Councilman Whittington.

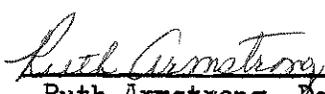
Councilman Short stated if Mr. Overcash wants to pass his opportunity for social security and wants to be retired on July 31st then he sees no objections to it.

Councilman Thrower stated this is not at Mr. Overcash's request to be retired. It is Council's policy to retire anyone after 65 unless they stand an annual physical and pass it.

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

ADJOURNMENT.

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

  
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Ruth Armstrong, Deputy City Clerk