

November 18, 1963
Minute Book 43 - Page 373

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber in the City Hall, on Monday, November 18, 1963, at 2 o'clock p.m., with Mayor Brookshire presiding, and Councilmen Albea, Bryant, Dellinger, Jordan, Smith, Thrower and Whittington present.

ABSENT: None.

Sitting as a Joint Body with the City Council during the Hearings on Petitions for changes in Zoning Classifications were the following members of the Charlotte-Mecklenburg Planning Commission: Mr. Sibley, Chairman, Mr. Erwin, Mr. Jones, Mr. Lakey, Mr. Turner and Mr. Ward.

ABSENT: Mr. Hanks, Mr. Stone, Mr. Suddreth and Mr. Toy.

* * * * *

INVOCATION.

The invocation was given by the Reverend W. T. Ratchford, Assistant Minister, First Methodist Church.

MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Thrower, and unanimously carried, the Minutes of the last meeting of the Council on November 4, 1963, were approved as submitted.

HEARING ON PETITION NO. 63-64 FOR CHANGE IN ZONING OF PROPERTY ON THE SOUTH-WEST SIDE OF WEST 5TH STREET AT ITS INTERSECTION WITH WEST 6TH STREET.

The scheduled hearing was held on Petition No. 63-64 by Southern Electric Service Company, for change in zoning from B-2 to I-3 of a tract of land on the southwest side of West 5th Street at its intersection with West 6th Street.

The Planning Director advised this is a small tract of land on West 5th Street at the rear of Southern Electric Service Company, which fronts on West Trade Street. The property is adjoined on one side by a Waste Paper Company, adjacent to the Southern Railway tracks. Directly across from the property is the U. S. Naval Reserve Center and a portion of the property is Elmwood Cemetery. On the out-of-town side the property is adjoined by a deteriorated residential structure and vacant land. The property is adjoined on all sides by B-2 zoning with one exception, on the downtown side the zoning is I-3.

Mr. Martin Waters, Waters Insurance & Realty Company, spoke in behalf of their client, Southern Electric Service Company, and stated they feel the rezoning to a higher classification is in order because this Industrial classification is more descriptive of the type work the Electric Company does. That the Company has been at this location since the middle 1920s, their business is the sale of electric motors and the repair and servicing of other electrical equipment, so they feel the I-3 zoning is actually more appropriate than the B-2 classification. Also, Southern Electric Service owns additional property on West 5th Street that is zoned I-3 now, contiguous to the property in question and next to the Chesapeake Paper Company, which is an industrial

November 18, 1963
Minute Book 43 - Page 374

operation, and you can see that with their property zoned both B-2 and I-3 their future planning is made difficult. Also, the setback requirements in the two zones are different; in B-2 zones it is 20 feet and in I-3 only 5 feet, which adds to the difficulty in planning ahead; also the side line and rear yard requirements are different. This sets up another critical situation in that Southern Electric Company has lost 9 feet off of the front of their property in the widening of West 5th Street, and if they have to set back under the present B-2 zoning an additional 20 feet, then they have lost a lot of their property. Therefore, they submit their request for rezoning to I-3. He stated they know of no conflict with the adjoining property owners.

No opposition was expressed to the proposed rezoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 63-65 FOR CONDITIONAL APPROVAL OF STORAGE OF PETROLEUM PRODUCTS IN AN EXISTING I-2 ZONED DISTRICT ON A 15-ACRES TRACT ON THE SOUTH SIDE OF OLD MT. HOLLY ROAD, EAST OF SINCLAIR REFINING COMPANY PROPERTY.

The public hearing was held on Petition No. 63-65 by Continental Oil Company for Conditional Approval of Storage of Petroleum Products in an existing I-2 zoned district, on a 15 acre tract of land on the south side of old Mt. Holly Road, east of Sinclair Refining Company property.

Mr. McIntyre, Planning Director, stated this is an irregularly shaped tract of land and is vacant; it is adjoined on one side by vacant land and rural homes. It also has adjoining on its other sides property in use for residential purposes. The majority of the adjoining property is vacant lands. That directly across Old Mt. Holly Road, it is partially developed residentially and vacant. In the near vicinity there are already several petroleum oil storage tanks; that the property is presently zoned Industrial and the zoning would not be changed, but Council would simply grant the conditional use for storage of petroleum storage tanks.

Mr. Frank Snepp, Attorney for the petitioner, stated this is a request for the conditional use as an oil storage tank farm and is in the area of the Paw Creek Tank Farm Development; that the petroleum is now being put into this area by a pipe line and it is essential that these oil companies have some place for their storage area. That this will not change the usage of the property, as it is already zoned Industrial.

Mr. E. T. Dickens of Paw Creek section, stated he lives directly across from the property in question, having built his home there some 10½ years ago, and at that time Sinclair Oil Company did not have the Tank Storage Farm on the property, and he did not know about the property being zoned Industrial. However, he did not know he was going to be confronted by the Oil Companies or he might not have built there, but he has no particular objections to them, but wanted Council to know his residence is in front of this property, and if the tanks are put on the property near the highway, he feels it will devalue his property. He asked how close the tanks will be put to the highway? Mr. McIntyre, Planning Director, pointed out the property on the Plot Plan to Mr. Dickens and stated the tanks will be 300 feet back from the highway.

Council decision was deferred for one week.

HEARING ON PETITION NO. 63-66 FOR CHANGE IN ZONING OF TWO 50-FOOT LOTS AT 1114-1118 CLEMENT AVENUE.

The scheduled hearing was held on Petition No. 63-66 by Mr. D. H. Reid, for

November 18, 1963
Minute Book 43 - Page 375

change in zoning from O-6 to B-2 of two 50-foot lots at 1114-1118 Clement Avenue.

The Planning Director stated the property fronts on Clement Avenue and is presently occupied by an electrical contractors establishment, a Beauty Parlor and a House. The property is adjoined on the side going away from Central Avenue by vacant land and single-family and duplex developments. Towards Central Avenue the property is adjoined by various businesses located on Central Avenue and in the general area. That behind the property it is developed for office use and residentially. The property is zoned O-6 and is adjoined by B-2 and B-1, otherwise the adjoining zoning is O-6.

Mr. D. H. Reid, Petitioner, advised at the time he built his warehouse on the property to operate his contracting business in the early 1960s the zoning was changed from B-2 to O-6 without his knowledge, and he would like it changed back so that he can expand and continue operating at this location instead of looking for another location; that his present building on the property is worth \$40,000.00.

Councilman Smith asked the Planning Director if the zoning was changed from B-2 to O-6 as indicated by Mr. Reid and Mr. McIntyre stated the zoning under the old ordinance was a 300 foot line along Central Avenue zoned for Business usage.

No objections were expressed to the proposed change in zoning.

Council decision was deferred one week.

HEARING ON PETITION NO. 63-67 FOR CHANGE IN ZONING OF 10 LOTS ON THE NORTH-EAST SIDE OF GREENWOOD CLIFF, FROM NEAR KNEILWORTH AVENUE TO NEAR HARDING PLACE.

The public hearing was held on Petition No. 63-67 by Paway, Inc., et al for change in zoning from R-6MF to O-6 of 10 lots on the northeast side of Greenwood Cliff, from near Kenilworth Avenue to near Harding Place.

Mr. McIntyre, Planning Director, advised the petition covers several lots on Greenwood Cliff, between Kenilworth Avenue and Harding Place, and is the portion of Greenwood Cliff that backs up to Sugar Creek, and King's Drive is across Sugar Creek from it. That the property is presently developed with single family residences, duplexes and apartments and a small amount of vacant land. That directly across Greenwood Cliff from the property the land is developed with single family homes and some few duplexes. That across Sugar Creek the property fronting on King's Drive is zoned B-2, and the adjoining property on the Kenilworth Avenue side is zoned O-6 and across Greenwood Cliff it is R-6MF.

Councilman Whittington asked how many residences are left on Greenwood Cliff not included in this request? Mr. McIntyre replied there is one lot at Greenwood Cliff and Harding Place and two lots that have frontage on Greenwood Cliff.

Mr. Jack Hamilton, Attorney representing the Petitioner, advised they want to erect on the property fronting on Kings Drive a 13-story office building and a 104 unit motel with a restaurant on the first floor of the office building and the property on Greenwood Cliff is needed for parking purposes. That at this point their project is about to get off the ground, the mortgage funds have been committed and \$3,000,000.00 of these funds are available and only two things remain to be done. First, if the City will allow the

November 18, 1963
Minute Book 43 - Page 376

developers to use the property in question for parking, and secondly, a construction loan. That the plans and specifications by Mr. Charles Morrison Grier are completed and the Mortgage Commitments were obtained based upon these plans and specifications, and he is asking that these plans and specifications be appended to their petition and made a part thereof and it shows on the fact of the plans and specifications that the intended use of the land is for parking purposes and there is no ingress and egress shown on Greenwood Cliff. That the property on Greenwood Cliff was acquired solely for parking purposes and it is necessary that the parking be available in order to complete the project. Mr. Hamilton stated further they have conferred with the Harding Place-Greenwood Cliff Community Development Association and they have indicated they are in favor of the petition and have filed a letter with the Planning Director to that effect, and the President of the Association is present to answer any questions the Council may wish to ask.

Councilman Bryant asked if his company is in possession of the lots on which he is asking the change in zoning? Mr. Hamilton replied they own all but three of the lots and these three are in the contract and the Kings Drive property is on option from Mr. Brevard Myers and a certain amount has been paid on it.

Councilman Thrower asked if they plan to span Sugar Creek, and Mr. Hamilton replied they do, just as they did at Charlottetown Mall.

No objections were expressed to the proposed change in zoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 63-68 FOR CHANGE IN ZONING OF PROPERTY AT THE NORTHWEST CORNER OF EASTWAY DRIVE AND SPRINGWAY DRIVE.

The scheduled hearing was held on Petition No. 63-68 by Mr. W. C. Bunting and Mr. J. W. Tulloss for change in zoning from O-6 to B-1 of property at the northwest corner of Eastway Drive and Springway Drive.

The Planning Director stated the property is adjacent to the Eastway Drive-Shamrock Drive intersection, and is partially vacant and developed with single family residences. Towards town along Eastway Drive there are houses and vacant lots on both sides of the street; directly across Eastway Drive from the property there is a Gas Station at the intersection of Eastway and Shamrock, and the four corners of this intersection are occupied by various business establishments. The zoning of the property is O-6 and it is adjoined by B-1 zoning at the intersection, and on two sides the zoning is R-9MF; across Eastway Drive a portion is zoned for Business and on the other side zoned Office.

Mr. John A. McRea, Attorney representing the petitioners, advised that Mr and Mrs Bunting reside at the corner of Springway Drive and Eastway Drive, and Mr and Mrs Tulloss' property is vacant, that he owns 125 feet and the Buntings have 100 feet; that since the petition has been filed Mr Bunting has received notice from his company that he will be transferred to Albemarle and it is necessary to his personally to sell his property, and he cannot do so under O-6 zoning, as it is not conducive to office use. That all of the corners are used for business which extends on down Eastway Drive with all types of business, Drug Store, Hardware Store, Fabric Shop, Laundrette, Restaurant and another Service Station. Therefore, they submit that the proper zoning of this property is for Business.

Councilman Albea asked how far from the residences on Springway Drive is his client's property located? Mr. McRea stated there are residences on the

November 18, 1963
Minute Book 43 - Page 377

corner and across the street but the residents say they have no objections to the rezoning of this property. He stated further that his clients can sell their property today if the zoning is changed to B-1.

No objections were expressed to the proposed change in zoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 63-69 FOR CHANGE IN CHAPTER 23, ARTICLE III, DIVISION I, SECTION 23-31, TABLE OF PERMITTED USES, CATEGORY (A) TO PERMIT NURSING HOMES, REST HOMES AND HOMES FOR THE AGED IN B-3 ZONED DISTRICTS.

The public hearing was held on Petition No. 63-69 by Mr. James E. Roberts, to Amend Chapter 23 of the City Code, Article III, Division I, Section 23-31, TABLE OF PERMITTED USES, Category (a) to permit "Nursing Homes, Rest Homes and Homes for the Aged" in the B-3 zoned districts.

Mr. McIntyre, Planning Director, stated this is not a classification change but a change in the text of the zoning ordinance to allow Nursing Homes in the downtown district; that the ordinance at the present time does not allow Nursing homes in this district.

Mr. James E. Roberts, petitioner, stated in view of the fact that hospitals and sanitoriums are already allowed in B-3 districts, that their close relationship to Nursing homes makes it pertinent to request that Nursing Homes also be allowed in B-3 districts. In addition, the State Board of Health must approve all specific locations before a license is granted for the operation of a nursing home or hospital, and this would tend to eliminate an undesirable location in all districts. That he is particularly interested in the property at 229 North Poplar Street, the location of old St. Peters Hospital, which was built as a hospital and, of course, the most logical use for the building now is for a Nursing Home; that it is right in the fringe of the B-3 area. That the use of the property for this purpose would benefit the owners who are a charitable foundation.

He introduced Mr. Gordon Poole, Chief of the Nursing Home Section of the State Board of Health, and asked him to express an opinion in the matter. Mr. Poole stated that Nursing Homes and Hospitals are very much alike in that they have patients, doctors, nurses and acceptable building in which to operate. That patients in Nursing Homes are in convalescent care so that they may return to their homes restored to health; Nursing Homes provide a much needed care after the hospital and before returning home; it is a medical institution which looks after patients in a less critical stage than were they in a hospital. Mr. Poole stated he has looked at the site proposed by Mr. Roberts for a Nursing Home, finds it is surrounded by parking areas mostly and not by noises and smoke and undesirable situations and their Sanitary Engineer and himself feel it can be adapted to meet the qualifications of the uniform State Building Code and any Code you may have in Charlotte. That it does meet, under the architectural directive, the Code of the State and the City and the requirements of the State Board of Health and they see no reason why it would not be subject for license. Mr. Poole stated further whenever they have a request to examine these places, they go and study them in the light of prevailing conditions and conditions which might come about in the future. That they do not find that this building is so crowded that it would make it in an undesirable place for patients, and it might be well to have the Nursing Home so located the patients can walk out to the stores or places of amusements. That they have found that many of the Homes that have had the greatest difficulty in meeting their budget, getting professional staff to look after the patients and even nurses, have been those Homes out in the country or long distances from the metropolitan centers. They have

November 18, 1963
Minute Book 43 - Page 378

found that many of these oldsters do not like to go a long ways from home or where there is no public transportation facilities and do not want to be isolated away from traffic. They are happiest if they can look out the windows and see activities going on. That they see no reason why this proposed Building could not meet the requirements for a Nursing Home. Should the time come when someone else presented a similar situation, crowded in between tall buildings, on a main street, where there is much smoke and noxious odors, they would recommend against a Nursing Home in such building.

No objections were expressed to the proposed amendment to the Zoning ordinance.

Council decision was deferred for one week.

HEARING ON PETITION NO. 63-70 FOR CHANGE IN CHAPTER 23, ARTICLE III, DIVISION I, SECTION 23-31 TABLE OF PERMITTED USES, CATEGORY (b) TO PERMIT BEAUTY SHOPS AND BARBER SHOPS IN O-6 AND O-15 ZONED DISTRICTS AND CHANGE SECTION 23-32.01 PARAGRAPH (g) TO ELIMINATE BEAUTY SHOPS AND BARBER SHOPS IN OFFICE DISTRICTS FROM THE REQUIREMENTS OF THIS SECTION.

The scheduled hearing was held on Petition No. 63-70 by Charlotte-Mecklenburg Planning Commission to amend Chapter 23, Article III, Division I, Section 23-31, TABLE OF PERMITTED USES, Category (b) to permit Beauty Shops and Barber Shops in O-6 and O-15 Zoned districts, and amend Section 23-32.01, paragraph (g) to eliminate Beauty Shops and Barber Shops in Office Districts from the requirements of this Section.

The Planning Director stated as the Charlotte-Mecklenburg Planning Commission is the petitioner, he will be glad to answer any questions.

At the invitation of the Mayor if anyone in the audience wished to speak with regard to the petition, Mr. Charles Henderson recalled that he appeared before Council on September 15th representing Dr. Laura Venning, requesting a change in zoning of her property on East 5th Street to permit the establishment of a Beauty Parlor type of operation and the petition today is an outgrowth of that request. He stated he feels along with the Planning Commission that this is a reasonable request and urges Council to so amend the ordinance to permit Beauty Parlors in O-6 and O-15 zoned districts. He stated that Dr. Otho Ross, the father of Dr. Venning, is present to answer any questions about the property that Council might wish to ask.

Mr. W. B. Sample, 1522 East Boulevard in an O-6 zoned district, stated he is opposed to the amendment which would permit the invasion of Beauty Parlors in their residential block.

Mr. Alfred Butcher stated his home is located at 1717 East Boulevard in an O-6 zone, and he would like to maintain his home there without Beauty Parlors and Barber Shops coming into the area.

Mr. John Nivens, speaking for his father, Mr. Walter Nivens who has property at 1727 East Boulevard in an O-6 zoned district, stated they feel the block should be kept residential, and they object to the amendment to the ordinance to permit Beauty Parlors and Barber Shops in Office zoned areas.

Mr. Leon Brown, 1712-1714 East Boulevard, stated the 1600 block contains business and the fire department is located in the block below him, and the ball park is behind him, and it is hard to keep his property rented, and at one time he lost 9 months rent; that he owns one vacant adjoining lot and his taxes have climbed every year since he bought it and he would like to build a Beauty Parlor on it, and favors the amendment to the Ordinance.

November 18, 1963
Minute Book 43 - Page 379

Miss JoAnn Hart stated she cannot see why anyone should object to having a Beauty Parlor in the 1700 block of East Boulevard; that there are other businesses in the block and adjacent blocks, and a Beauty Parlor would certainly not downgrade the block.

Council decision was deferred for one week.

COUNCIL MEETING RECESSED AT 3 P.M. AND RECONVENED AT 3:10 P.M.

Mayor Brookshire declared a ten minute recess at 3 p.m. and the meeting was reconvened at 3:10 p.m.

REQUEST FOR PERMISSION TO ERECT HOUSES ON PRIVATE, UNDEDICATED STREET REFERRED TO ENGINEERING DEPARTMENT FOR RECOMMENDATION.

Mr. John Shaw, representing Mr. Ed Smith, appeared before Council stating that Mr. Smith owns 22 acres of property off West Boulevard. That when the Cross-line Railroad was constructed it ran off to the right and cut Mr Smith's access road, so the State Highway Department built a road about 400 feet long to get to his house, which is outside the city limits. That Mr. Smith has four rental units on this private roadway, two units on the north side and two on the south side, and he applied for permission to erect a third house on the south side, which was granted because it fronted on West Boulevard. That the Subdivision Ordinance provides that property must front on a public street, and must be 24 feet wide with curb and gutter. Mr. Smith says this access road is his private roadway, and he wants no one to have anything to do with it. That the Planning Commission says he cannot develop it and not sell any of the property as it is not in accordance with the Subdivision regulations. Therefore, he comes to Council with a proposition from Mr. Smith, that he will put on record, approved by the City Attorney, that he will put in an 18 foot lane with no turn-around and no cul-de-sac, so you can get to these small rental units, all of which are his own, and should he take a notion to sell other than all of it at one time, then he will comply with the ordinance and it will be on record so that the person who is going to buy it will know that it will be necessary to spend another thousand or two dollars to put in curb and gutter and finish the road. That he has the funds to put in the 18 foot lane but if he were forced to do what the ordinance provides he would be grievously hurt.

Mr. Shaw stated in other words, Mr. Smith having gotten permission to build the third house went ahead without permission and started the fourth house which faces on his roadway but not West Boulevard and has the foundation in and has the brick on hand but is not allowed to finish it. Mr. Smith positively will not dedicate the street, he wants it solely for his own. Councilman Whittington asked why he does not want to dedicate the street? Mr. Shaw replied he wants to keep it a private street, he owns all the property on it and does not want the public running up and down the road.

Mr. Shaw asked his client, Mr. Smith, if the property were taken into the city would he dedicate the street to the public and let it comply with the ordinance? Mr. Smith stated yes he would. Mr. Shaw asked if it comes into the city would he make it comply with the Subdivision Ordinance? Mr. Smith stated yes he would, he just does not have the money to do all that work now.

Councilman Whittington stated he has been out and looked at the property, and as he understands it from Mr. Smith, he received a permit from the Building Inspection Department to build each one of these houses. Mr. Smith stated that is right, the Cit did not turn him down on those, so he took for

November 18, 1963
Minute Book 43 - Page 380

granted he wouldn't have any trouble with building others and went ahead. Councilman Whittington asked the City Attorney in view of Mr. Smith having received a building permit to erect the other houses, then his request is not as unjust as it sounds.

Councilman Bryant moved that the matter be referred to the Engineering Department for investigation and recommendation. The motion was seconded by Councilman Smith, and unanimously carried.

Mr. Shaw stated if he or Mr. Smith can give them any information please let them know.

LACK OF NEEDED PARKING SPACES IN DOWNTOWN AREA CALLED TO COUNCIL ATTENTION BY ALBERT PEARSON.

Mr. Albert Pearson called attention to an article in The Charlotte News on November 16th mentioning the fact that out of 1,002 people contacted by East Mecklenburg High School D.E. Club, 38% of them said we needed more parking spaces downtown. He stated he does not present this as an engineering survey, but as the thoughts of the people when it comes to using downtown Charlotte. That further in the article the question was asked, What improvement do you feel shopping centers need most, and 34% said better regulation of traffic flow and less speeding.

Mr. Pearson commended Mr. Hoose and Mr. Veeder for their thoughts regarding parking for city employees and the public near City Hall, and he commended the Council for their stand that the public and city employees are one and the same and should be treated the same when it comes to spending money. He stated further if the rumor he has heard is true that the plan calls for 8 free parking spaces for newspaper reporters, he will not even say what he thinks about that.

ORDINANCE NO. 216-Z AMENDING CHAPTER 23 OF THE CITY CODE CHANGING THE ZONING OF THE REAR PORTION OF FOUR LOTS ON THE SOUTH SIDE OF PURSER DRIVE, ADOPTED.

Councilman Albea moved the adoption of Ordinance No. 216-Z Amending Chapter 23 of the City Code Changing the Zoning of the rear portion of four lots on the south side of Purser Drive, from R-9 to R-9MF, upon petition of Mr. C. A. Butler and Mr. L. S. Hill, and recommended by the Planning Commission. The motion was seconded by Councilman Jordan.

There was no response to the invitation of Mayor Brookshire that anyone present opposing the revised rezoning of this property would be heard.

The vote was taken on the motion and unanimously carried. The ordinance is recorded in full in Ordinance Book 13, at Page 483.

ORDINANCE NO. 217 AMENDING CHAPTER 13 ARTICLE I OF THE CITY CODE TO REGULATE THE ADMITTANCE OF MINORS TO POOLROOMS AND BILLIARD PARLORS, ADOPTED.

Councilman Bryant introduced an Ordinance Amending Chapter 13, Article I of the City Code to Regulate the Admittance of Minors to Poolrooms and Billiard Parlors, and moved its adoption. The motion was seconded by Councilman Dellinger.

Mr. W. J. Elvin asked what the position will be with regard to the ordinance as to the sale of liquor and beer in these joints in which we are going to allow 18 year olds to be admitted? Councilman Bryant advised that this matter was discussed and it is a matter of not being able to effect the sale of beer in any of these places; that they discussed the fact that beer is now

November 18, 1963
Minute Book 43 - Page 381

available in bowling alleys; that this is actually a compromise ordinance unless we are able to effect the license of the beer in these particular types of places of amusement. Councilman Dellinger stated he thinks this ordinance is prepared for one type establishment and this will take care of it in that they do not have a license to sell beer. Councilman Bryant stated further that this ordinance recognizes that there are more than one type of billiard parlor and poolroom, there are those that cater to younger people that do not now sell nor do they care to sell beer; actually this is an improvement on the other ordinance.

The vote was taken on the motion, and carried by the following recorded vote:

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

The ordinance is recorded in full in Ordinance Book 13, at Page 484.

ORDINANCE NO. 218 AMENDING CHAPTER 11, ARTICLE II, SECTION 11-18 (250) OF THE CITY CODE RELATIVE TO POOLROOMS, ADOPTED.

Councilman Bryant introduced the following ordinance to repeal a portion of the existing ordinance with regard to Poolrooms in conflict with the new Ordinance, "An Ordinance to Amend Chapter 11, Article II, Section 11 (250) of the City Code Relative to Poolrooms", and moved its adoption. The motion was seconded by Councilman Jordan.

Councilman Dellinger asked the City Attorney what this ordinance does to the other poolrooms and billiard parlors? Does this allow the same people to go to any place where they sell beer and liquors? He asked if the present law does not specify the age of 21 and now this will make it 18 years? Mr. Morrissey replied that is correct. Mayor Brookshire pointed out that would be if accompanied by a legal guardian or with the consent of the guardian. Councilman Dellinger stated he does not like that part of it at all and did not know the age limit would be reduced below 21 years in every type of establishment. The City Attorney stated all he can say is the State law fixes 18 as the legal age for the purchase of beer.

Mr. Jack Hamilton, Attorney, spoke to the question stating that what is proposed to be done and the present ordinance will be mutually conflicting and the State law would allow them to purchase beer anywhere they wished to purchase it, and Council is not lowering the age limit at all; however, there is one thing that should be pointed out, Council is lowering the age limit to go into a poolroom without parents consent between 18 and 21 years of age. Councilman Dellinger stated he was of the opinion that we were going to differentiate between the two kinds of establishments - those that sold beer and liquor and those that do not, and that is the way that Mr. Hamilton discussed it with him. Mr. Hamilton stated the idea was not to change the age limit, but to allow a minor with his family or with his parents consent to go into a poolroom. As far as the age is concerned, it is now simply in conformity with the State law, which is 18 years of age. He asked Mr. Morrissey to comment on this. Councilman Dellinger stated that Mr. Morrissey has just done what he was asked to do, he has drawn the ordinance predicated on the State regulations, but we have an ordinance on the books that is different. Mr. Hamilton asked if Mr. Dellinger would like it better if they substituted 21 for 18 in the ordinance that was just passed? Councilman Dellinger stated he is just one member of the Council and the others might not be in accord with his thinking.

Councilman Dellinger stated if the new ordinance is confined to Cue rooms only that is one thing, but he does not think the other establishments should be

frequented by kids even 18 years old.

The vote was taken on the motion, and carried by the following recorded vote:

YEAS: Councilmen Bryant, Jordan, Smith, Thrower and Whittington.

NAYS: Councilmen Albea and Dellinger.

The ordinance is recorded in full in Ordinance Book 13, at Page 485.

AMENDMENT NO. 1 TO LICENSE NO. FA SO-373 WITH FEDERAL AVIATION AGENCY FOR RENTAL OF THREE PARCELS OF LAND AT DOUGLAS MUNICIPAL AIRPORT APPROVED ELIMINATING RENTAL FEE OF \$1.00 PER ANNUM.

Upon motion of Councilman Bryant, seconded by Councilman Thrower, and un-animously carried, the Mayor was authorized to execute Amendment No. 1 to License No. FA SO-373 with Federal Aviation Agency, covering the rental of three small parcels of land at Douglas Municipal Airport on which facilities are installed in connection with the Instrument Landing System, deleting the rental fee of \$1.00 per annum.

REVISION IN CONTRACT WITH FEDERAL AVIATION AGENCY FOR FURNISHING HEAT, LIGHT JANITORIAL SERVICES ET CETERA TO OFFICES IN AIRPORT TERMINAL, TO INCREASE MONTHLY SERVICE FEE TO COVER ADDITIONAL SERVICE.

Councilman Smith moved that the Mayor be authorized to execute a revised contract with the Federal Aviation Agency, which covers furnishing heat, light, janitorial services et cetera to offices in the Airport Terminal, to increase their monthly service fee from \$559.56 to \$564.56 to cover commercial cleaning of rugs in two offices. The motion was seconded by Councilman Thrower, and un-animously carried.

APPLICATION OF CLAUDE E. HARRELSON FOR PRIVILEGE LICENSE FOR CLASSIFICATION OF PRIVATE DETECTIVE, APPROVED.

Councilman Albea moved approval of the application of Mr. Claude E. Harrelson for a privilege license for the classification of Private Detective. The motion was seconded by Councilman Bryant, and un-animously carried.

ISSUANCE OF SPECIAL OFFICER PERMITS AUTHORIZED.

Upon motion of Councilman Jordan, seconded by Councilman Albea, and un-animously carried, Special Officer Permits were authorized issued to the following persons:

- (a) Issuance of Permit to Garland Gabriel, Davidson Road, for use on the premises of Mecklenburg Laundry, 1600 West Trade Street.
- (b) Renewal of Permit to Ralph J. Beatty, 803 Main St., Mt. Holly, on the premises of Charlotte Branch, Federal Reserve Bank.
- (c) Renewal of Permit to Price D. Crutchfield, 1946 Kilbourne Drive, on the premises of Charlotte Branch, Federal Reserve Bank.
- (d) Renewal to Permit to Paul T. Guin, 338 Hewitt St, Mt. Holly, on the premises of Charlotte Branch, Federal Reserve Bank.
- (e) Renewal of Permit to Paul E. Haefling, 1206 Lancaster Avenue, Monroe, N. C. on the premises of Charlotte Branch, Federal Reserve Bank.
- (f) Renewal of Permit to Clyde Haywood, 3141 Graymont Drive, for use on the premises of Charlotte Branch, Federal Reserve Bank.

(continued)

November 18, 1963
Minute Book 43 - Page 383

- (g) Renewal of Permit to Frank W. Helderman, 447 Belton Avenue, Mt. Holly, N. C. for use on the premises of Charlotte Branch, Federal Reserve Bank.
- (h) Renewal of Permit to W. Y. Henderson, 6939 Pleasant Oaks Circle, for use on the premises of Charlotte Branch, Federal Reserve Bank.
- (i) Renewal of Permit to Robt. H. Horne, 2206 McClintock Road, for use on the premises of Charlotte Branch, Federal Reserve Bank.
- (j) Renewal of Permit to Wade H. Linker, 442 Loran St, for use on the premises of Charlotte Branch, Federal Reserve Bank.
- (k) Renewal of Permit to John H. Miller, 3809 Avalon Avenue, for use on the premises of Charlotte Branch, Federal Reserve Bank.
- (l) Renewal of Permit to Johnnie C. Mumford, 5824 Wilkinson Boulevard for use on the premises of Charlotte Branch, Federal Reserve Bank.
- (m) Renewal of Permit to Ralph S. Padgett, Route 7, for use on the premises of the Charlotte Branch, Federal Reserve Bank.
- (n) Renewal of Permit to Oliver W. Parks, Route 1, Huntersville, for use on the premises of Charlotte Branch, Federal Reserve Bank.
- (o) Renewal of Permit to John E. Pettit, 207 Bradford Drive, for use on the premises of The Charlotte Branch, Federal Reserve Bank.
- (p) Renewal of Permit to John E. Porter, Route 1, Huntersville, for use on the premises of the Charlotte Branch, Federal Reserve Bank.
- (q) Renewal of Permit to Joe L. Puckett, for use on the premises of the Charlotte Branch, Federal Reserve Bank.
- (r) Renewal of Permit to Burnie Snyder, 104 Crest St., Mt. Holly, for use on the premises of the Charlotte Branch, Federal Reserve Bank.
- (s) Renewal of permit to Odus H. Turner, 4018 Avalon Avenue, for use on the premises of Charlotte Branch, Federal Reserve Bank.
- (t) Renewal of Permit to John R. Wall, 1308 Edgewood Drive, for use on the premises of Charlotte Branch, Federal Reserve Bank.
- (u) Renewal of Permit to Paul W. Watson, 200 Jackson Drive, for use on the premises of Charlotte Branch, Federal Reserve Bank.

RESOLUTION PROVIDING FOR PUBLIC HEARINGS ON DECEMBER 16TH ON PETITIONS FOR CHANGES IN ZONING CLASSIFICATIONS, ADOPTED.

Upon motion of Councilman Dellinger, seconded by Councilman Whittington, and unanimously carried, a Resolution Providing for Public Hearings on December 16, 1963 on Petitions Numbered 63-71 through 63-73, and the Publication of Notice thereof, was unanimously adopted. The resolution is recorded in full in Resolutions Book 4, at Page 348.

CONTRACTS AUTHORIZED FOR THE INSTALLATION OF WATER MAINS AT VARIOUS LOCATIONS.

Motion was made by Councilman Thrower, seconded by Councilman Bryant, and unanimously carried, authorizing the following contracts for the installation of water mains:

- (a) Contract with Atando Industries, Inc. for the installation of 300 ft. of water mains in McClelland Court, inside the city limits, at an estimated cost of \$900.00. The City to finance all costs and applicant will guarantee an annual gross water revenue equal to 10% of the total cost.
- (b) Contract with S & T Development Company for the installation of 6,140 feet of water mains in Robinson Woods, inside the city limits, at an estimated cost of \$21,200.00. The City to finance all costs and applicant will guarantee an annual gross water revenue equal to 10% of the total cost.

- (c) Supplementary Contract with John Crosland Company, to contract dated April 16, 1958, for the installation of 1,450 ft. of additional water mains in Spring Valley Subdivision, outside the city limits, at an estimated cost of \$4,700.00. All costs to be borne by the applicant, who will dedicate the mains to the city without cost upon the acceptance of the work by the City.
- (d) Supplementary Contract with John Crosland Company, to contract dated August 28, 1961, for the installation of 2,365 ft. of additional mains in Sharon Colony Subdivision, outside the city limits, at an estimated cost of \$6,813.00. All costs to be borne by the applicant, who will dedicate the mains to the city without cost upon the acceptance of the work by the city.

CONNECTION OF PRIVATE SANITARY SEWER LINES TO CITY'S SANITARY SEWERAGE SYSTEM IN ELEANOR DRIVE APPROVED.

Councilman Bryant moved approval of the request of Mr. Earl C. Withrow to connect private sanitary sewer lines to the City's Sanitary Sewerage System in Eleanor Drive, outside the city limits, to serve residential property; the said lines to become the property of the City when the area is annexed. The motion was seconded by Councilman Jordan, and unanimously carried.

CONSTRUCTION OF SANITARY SEWER MAINS IN WESTCHESTER SUBDIVISION No. 5 AND IN MULBERRY ROAD, APPROVED.

Upon motion of Councilman Smith, seconded by Councilman Dellinger, and un-animously carried, the construction of sanitary sewer mains was authorized as follows:

- (a) Construction of 2,419 ft. of mains in Westchester #5, inside the city limits, at request of Ervin Construction Company, at an estimated cost of \$6,850.00. All cost to be borne by the Applicant, whose deposit of the entire cost will be refunded as per terms of the contract.
- (b) Construction of 330-ft. of mains in Mulberry Road, inside the city limits, at the request of Thomas G. Lane, at an estimated cost of \$1,390.00. All cost to be borne by the Applicant, whose deposit of the entire cost will be refunded as per terms of the contract.

RESOLUTION CALLING A PUBLIC HEARING ON DECEMBER 9, 1963 ON THE REDEVELOPMENT PLAN FOR REDEVELOPMENT SECTION NO. 2, BROOKLYN URBAN RENEWAL AREA, ADOPTED.

Councilman Whittington moved the adoption of Resolution Calling a Public Hearing on December 9, 1963, at 3 o'clock p.m., on the Redevelopment Plan for Redevelopment Section No. 2, Brooklyn Urban Renewal Area. The motion was seconded by Councilman Albea, and carried by the following recorded vote:

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

The resolution is recorded in full in Resolutions Book 4, beginning at Page 349.

REAPPOINTMENT OF ELMER E. ROUZER TO REDEVELOPMENT COMMISSION.

Councilman Albea moved the reappointment of Mr. Elmer E. Rouzer to the Redevelopment Commission for a term of five years. The motion was seconded by Councilman Jordan, and unanimously carried.

November 18, 1963
Minute Book 43 - Page 385

NOMINATION OF JOHN A. MCREA, JR. AND WHITEFORD BLAKNEY FOR APPOINTMENT TO AIR POLLUTION CONTROL ADVISORY & APPEAL BOARD.

Councilman Whittington nominated Mr. John A. McRea, Jr. to fill the vacancy on the Air Pollution Control Advisory & Appeal Board.

Councilman Smith nominated Mr. Whiteford Blakney to fill the vacancy.

Mayor Brookshire stated the nominations will remain open for one week as is the usual custom.

TRANSFER OF CEMETERY LOTS.

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

- (a) Deed with Mrs Ruth M. Hayes, for Grave 6, Lot 120, Section 2, Evergreen Cemetery, at \$60.00.
- (b) Deed with Mr. B. Kermit Caldwell, for Graves 1 and 2, Lot 22, Section 3, Evergreen Cemetery, at \$120.00.
- (c) Deed with Mrs Elizabeth B. Blanton, for Lot 488, Section 6, Evergreen Cemetery, at \$240.00.
- (d) Deed with Mr and Mrs S. A. Hunter, Jr. for Lots 248 and 249, Section 2, Evergreen Cemetery, at \$720.00.
- (e) Deed with Mrs Madeline F. Knight, for Grave 4, Lot 13, Section 3, Evergreen Cemetery, at \$60.00.

CONTRACT AWARDED HOWIE CRANE SERVICE COMPANY FOR CONSTRUCTION OF SANITARY SEWER MAINS AND TRUNKS IN ROBINSON WOODS SUBDIVISION.

Councilman Albea moved the award of contract to the low bidder, Howie Crane Service Company, for the construction of Sanitary Sewer mains and trunks in Robinson Woods Subdivision, as specified, on a unit price basis, at their bid price of \$12,906.00. The motion was seconded by Councilman Thrower, and unanimously carried.

The following bids were received:

Howie Crane Service Company	\$ 12,906.00
C. D. Spangler Construction Co.	13,184.00
C. M. Allen & Company, Inc.	13,234.00
A. P. White & Associates	13,815.30

CONTRACT AWARDED TRAFFIC ENGINEERS SUPPLY CORP. FOR TRAFFIC DETECTORS.

Upon motion of Councilman Bryant, seconded by Councilman Albea, and unanimously carried, contract was awarded the only bidder, Traffic Engineers Supply Corporation, for eight Traffic Detectors, as specified, at their bid price of \$3,172.40.

November 18, 1963
Minute Book 43 - Page 386

CONTRACT AWARDED THE DINNER BELL SANDWICH COMPANY FOR SANDWICHES.

Motion was made by Councilman Thrower, seconded by Councilman Albea, and unanimously carried, awarding contract to the low bidder, The Dinner Bell Sandwich Company, for furnishing 33,000 sandwiches for feeding prisoners for one year, as specified, on a unit price basis, at their bid price of \$3,333.00.

The following bids were received:

The Dinner Bell Sandwich Company	\$ 3,333.00
Carolina Foods, Inc.	3,502.95

CONTRACT AWARDED SERVICE UNIFORM COMPANY FOR RAIN COATS WITH CAP COVERS.

Upon motion of Councilman Whittington, seconded by Councilman Bryant, and unanimously carried, contract was awarded Service Uniform Company for 158 Reversible Rain Coats with Cap Covers, as specified, at their bid price of \$4,310.98.

The following bids were received:

Service Uniform Company	\$ 4,310.98
The Hub Uniform Company	4,384.22

BIDS ON PREMIX MARKING COMPOUND REJECTED.

Councilman Bryant moved that all bids be rejected on 1,000 gallons of Premix Marking Compound for Reflective Pavement Marking, as recommended by the Traffic Engineer and Purchasing Agent, and new bids be taken. The motion was seconded by Councilman Jordan, and unanimously carried.

The following bids were received:

William Armstrong Smith Company	\$ 2,692.80
Prismo Safety Corporation	3,100.30

CONTRACT AWARDED A.Z. PRICE & ASSOCIATES FOR HEATING & AIR CONDITIONING NEW RECORDER'S COURT ROOM.

Upon motion of Councilman Albea, seconded by Councilman Bryant, and unanimously carried, contract was awarded the low bidder, A. Z. Price & Associates, for Heating and Air Conditioning the new Recorder's Court Room, as specified, at their bid price of \$7,630.00.

Councilman Whittington asked if any other contracts have been awarded on this renovation, and Mr. Veeder stated that none have but we have the Plumbing and Electrical contracts to be awarded today. Councilman Dellinger asked who has the general contract, and Mr. Veeder replied that we are doing it ourselves. Councilman Dellinger asked if Mr. Gene Williamson is still on the Fire Department payroll and Mr. Veeder stated that he is. Councilman Dellinger then asked how Mr. Veeder is compensating him for this work and Mr. Veeder replied that we are not, that this is part of his regular work. Councilman Dellinger asked who is filling in for him on the Fire Department as he thought they were short of firemen? Mr. Veeder stated he only does maintenance work for the Fire Department and not combat work, that he is qualified for this type work and has done similar jobs for us elsewhere to the advantage of the City. Councilman Dellinger stated that Mr. Williamson is listed as a Fireman, that

November 18, 1963
Minute Book 43 - Page 387

he is just bringing this out because he has had some complaints from some of the general contractors about this type work, not particularly about Mr. Williamson, but about the City doing their own contracting and sub-contracting under city employees, and they are not happy about this work. Councilman Albea stated he is going to have some complaints about this work too. Mr. Veeder stated it is to the City's best interest dollar wise. Councilman Dellinger stated he was just bringing this out for Mr. Veeder's consideration. Councilman Albea stated he would not vote against it if Mr. Veeder recommends it, but he is still not happy about it.

The following bids were received:

A. Z. Price & Associates	\$ 7,630.00
J. V. Andrews Company	8,560.00
Tompkins-Johnston Company	9,887.00
Embree-Reed, Inc.	10,418.00
P. C. Godfrey, Inc.	12,879.00

CONTRACT AWARDED A. Z. PRICE & ASSOCIATES FOR PLUMBING WORK IN CONNECTION WITH THE NEW RECORDER'S COURT ROOM.

Councilman Whittington moved the award of contract to the low bidder, A.Z. Price & Associates for the Plumbing work in connection with the new Recorder's Court Room, as specified, at their bid price of \$2,400.00. The motion was seconded by Councilman Albea, and unanimously carried.

The following bids were received:

A. Z. Price & Associates	\$ 2,400.00
P. C. Godfrey, Inc.	2,454.00
J. V. Andrews Company	3,175.00
Tompkins-Johnston Company	3,486.00

CONTRACT AWARDED REID ELECTRIC COMPANY FOR ELECTRICAL WORK IN CONNECTION WITH THE NEW RECORDER'S COURT ROOM.

Councilman Thrower moved the award of contract to the only bidder, Reid Electric Company, Inc., for the Electrical Work, as specified, in the new Recorder's Court Room, at their bid price of \$2,922.00. The motion was seconded by Councilman Jordan.

Councilman Whittington stated he is not questioning whether Mr. Veeder thinks this is right or not, but if we only ask eight local contractors to bid on this, there are many more electrical contractors than that in Charlotte. Mr. Veeder stated we also advertised for bids in the Newspaper, in fact through this device we are inviting all licensed electrical contractors in the State to bid on the work, and they apparently have plenty of work this time of the year.

Councilman Albea said that brings up a previous question, if it is all that important how can Mr. Williamson, who has been working in a wood-work shop, supervise a construction job? In other words, if he is just a maintenance man, how is he going to be able to judge the plumbing, heating, electrical work, all of these three trades; if he is able to do all that he is good. Mr. Veeder replied that he is good.

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

November 18, 1963
Minute Book 43 - Page 388

LEASE OF IBM 1620 COMPUTER SYSTEM.

Councilman Bryant moved approval of the lease of a IBM 1620 COMPUTER System, as recommended. The motion was seconded by Councilman Dellinger.

The City Manager explained that the monthly rental of the computer system is \$4,035.00, but it will replace about \$1,785.00 worth of rental equipment per month we are now leasing, plus engineering savings, and our net cost is conservatively estimated at \$19,000.00 per year. He stated further it will not replace any existing employees and over the long haul it will preclude our hiring additional employees.

The vote was taken on the motion and unanimously carried.

CONSTRUCTION OF TEMPORARY SIDEWALK ON RICHLAND AVENUE, BETWEEN MONROE ROAD AND CRAIG AVENUE.

Councilman Whittington moved approval of the construction of a temporary sidewalk on Richland Avenue, between Monroe Road and Craig Avenue, and that \$2,400.00 for the work be transferred from the Contingency Fund. The motion was seconded by Councilman Bryant, and unanimously carried.

DECISION ON PROPOSED MUNICIPAL PARKING LOT DEFERRED FOR ONE WEEK, AND CITY MANAGER REQUESTED TO FURNISH COUNCIL BREAKDOWN OF PRIVATELY OWNED CARS USED IN CITY BUSINESS AND ALSO WHAT OTHER CITIES ARE DOING REGARDING PARKING SPACE FOR NEWS MEDIA.

The further recommendations of the Traffic Engineer with regard to the proposed municipal parking lot, following a survey to determine employee parking needs, were considered.

Councilman Dellinger asked if we do not have sufficient parking spaces at the rear of City Hall for employees using cars on city business during the day, and Mr. Veeder replied that we do not, we do not really have enough space for city owned cars. Councilman Whittington asked if Council is going to take his recommendation that employees pay \$2.00 monthly parking fee, then what about the employees required to use their cars on city business for whom 50 spaces are designated? Aren't we paying them a car allowance? Mr. Veeder stated that we are. Councilman Whittington asked why they would be excluded from paying the \$2.00 parking fee, which isn't fair to other employees. Mr. Veeder stated the employees using their cars in city business are driving to and from City Hall for the convenience of the City, not for the convenience of themselves, and he does not think it is abnormal to provide parking for them; that no doubt, a number of them would not bring their cars if they did not need them in city business. Councilman Dellinger stated he thinks a more equitable thinking will have to be worked out on that. Councilman Smith stated he will go along with the City Manager on that, and the \$2.00 rental is cheap parking.

Councilman Dellinger moved that the matter be postponed for one week, which was seconded by Councilman Whittington, and unanimously carried.

Councilman Dellinger requested the City Manager to furnish Council a breakdown of personal cars of employees used for city business by departments; not who the individuals are but how many cars, whether they are getting mileage etc.

Councilman Whittington asked that he also advise Council what other cities similar to Charlotte are doing as far as space is concerned for the news media.

November 18, 1963
Minute Book 43 - Page 389

ACQUISITION OF RIGHT OF WAY FOR NORTHWEST EXPRESSWAY AND CONDEMNATION OF PROPERTY IN CLEAR ZONE OF NORTH-SOUTH RUNWAY.

Upon motion of Councilman Albea, seconded by Councilman Thrower, and un-animously carried, the acquisition of a house and lot (5,500 sq. ft) in West 11th Street, was authorized from C. W. Brady etux Mamie G. Brady at \$7,980.00, for right of way for the Northwest Expressway.

And condemnation proceedings were authorized started for the acquisition of 11.05 acres of property containing a house, barn and well house in Wilmont Road from Ellen Spratt, in the clear zone for the North-South Runway at the Airport.

ACTION ON PROPOSED ANNEXATION OF 4 1/2 SQUARE MILE AREA ADJACENT TO SOUTHERN CITY LIMITS POSTPONED INDEFINITELY.

Councilman Dellinger moved that a date be set for a public hearing on the annexation of the 4 1/2 square mile area recommended by the Planning Commission. The motion was seconded by Councilman Albea.

Councilman Jordan offered a substitute motion that action on the proposed annexation be postponed indefinitely. The motion was seconded by Councilman Whittington.

The vote was taken on the substitute motion and carried by the following recorded vote:

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

JAMES L. VARNADORE ADDED TO LIST OF APPRAISERS FOR THE EXPRESSWAYS.

Councilman Bryant moved that Mr. James L. Varnadore be placed on the list of appraisers for the work on the Expressways. He stated that Mr. Varnadore did some work for Mr. Owens, Right of way Agent, who says he is a good man. That he is a young man and very interested in appraisal work and intends making that his field in real estate and he believes he is well qualified for this work. The motion was seconded by Councilman Thrower, and unanimously carried.

COUNCIL ASKED TO SERIOUSLY CONSIDER PROPOSAL OF NATIONAL ORGANIC CORP. RELATIVE TO GARBAGE DISPOSAL.

Councilman Bryant asked that the members of Council give real close consideration to the information given them by Mr. Richard Thigpen concerning the National Organic Corporation; that he personally thinks it has real possibilities and there is quite a bit of detailed information in the folder given each of us that would be well worth considering as he thinks it could be a real savings to the city.

Also, wish Council would think of the possibility of sending Mr. Davis or Mr. Veeder to Kingston to check the plant down there, if they think well of the proposal.

Mayor Brookshire stated if Council seriously considers the proposition he thinks it would be a good idea for the plant to be visited and we will wait and see what future discussions reveal.

November 18, 1963
Minute Book 43 - Page 390

SUPPLEMENT TO AGREEMENT WITH TELE-TRIP COMPANY, INC. APPROVED.

Councilman Bryant moved approval of the Supplement to the Agreement with Tel-Trip Company, Inc. as recommended by the Airport Manager and Airport Advisory Committee, and City Manager. The motion was seconded by Councilman Jordan.

At the request of Councilman Smith for further information on the subject, the City Manager advised that in effect the return on the sale of air travel insurance business with Tel-Trip Company, Inc. at the Airport has not developed to the degree the company anticipated when it bid for our contract, nor in fact around the country, and it has been the subject of renegotiation at many airports we are familiar with. Mr. Raffety has renegotiated a better agreement than any we know of. In effect, in the renegotiation they have a concession from us in addition to deferring some of their payment for we will be giving them an extension on their agreement.

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

CITY MANAGER REQUESTED TO CHECK ALL SOURCES FOR FUNDS WITH WHICH CALDWELL STREET MAY BE WIDENED AND IMPROVED FROM THIRD STREET TO TRADE STREET.

Councilman Dellinger stated that some weeks ago he asked the City Manager for a report on the cost estimate of the widening and opening of South Caldwell Street, from Trade to Third Street; that he has the report he thinks and he hopes they can find some way to do this work. He asked the City Manager if there is any way in which he could find the money for this work before next budget time? Mr. Veeder stated in reply to the "any way" the answer would have to be "yes" but it would mean cancelling out something that is already scheduled. Councilman Dellinger asked if funds could not be borrowed from some project that will not be done right way, maybe in some other department or improvement program? Mr. Veeder stated the estimate is completed and the big cost is, of course, right of way, the total cost is estimated at \$137,000.00.

Councilman Smith remarked that for the street to be really effective, it should be taken on from Trade Street to Fifth Street, and then Fifth Street widened between Brevard and College Streets. The City Manager said this is a badly needed project, and it will become more apparent as the Brooklyn Project develops and we end up with a widened, improved street through Brooklyn terminating at a narrow street at 3rd Street.

Councilman Dellinger asked the City Manager to look into some of the Capital Improvement Projects and see if there is something that could be deferred until the next budget and use the funds for this purpose now.

HEARING SET FOR DECEMBER 9TH ON PETITION NO. 63-62 BY TAR HEEL THEATRES, INC FOR CONDITIONAL APPROVAL OF USE AS AUTOMOBILE PARKING FOR A THEATRE BUILDING ON PROPERTY ON NORTH SIDE OF HIDDENBROOK DRIVE, ON MOTION OF CITY COUNCIL.

Councilman Jordan advised that on November 4, 1963, the Council unanimously denied Petition No. 63-62 by Tar Heel Theatres, Inc. for Conditional Approval of Use as Automobile Parking for a Theatre Building, of property now zoned R-9MF, fronting approximately 180 feet on the north side of Hiddenbrook Drive, beginning about 100 feet east of Commonwealth Avenue. This action was in accord with the recommendation of the Planning Commission. He stated that his vote to deny the Petition was based on his understanding of information available at that time. Since then he has found that he misunderstood the conditions and circumstances concerning this proposal. That he believes other Council members share his views on this and he, therefore moved that this Council, on its own motion, set this matter down for a public hearing on December 9, 1963, at 3:00 p.m., in order to base their decision on a proper understanding of the facts. The motion was seconded by Councilman Bryant, and unanimously carried.

November 18, 1963
Minute Book 43 - Page 391

TRAFFIC ENGINEERING REQUESTED TO CHECK INTO REQUEST FOR PUBLIC PARKING IN 500 BLOCK OF EAST 4TH STREET IN AFTERNOON AFTER HOURS AND ON SATURDAY, AND MAKE REPORT TO COUNCIL.

Councilman Jordan advised the City Manager he has had quite a few people, and in particular Courtesy Motors inquire about letting them park in the 500 block of East 4th Street in the afternoon after hours and on Saturday; he asked that the City Manager have the Traffic Engineer check into this and give Council a report.

ANNUAL EMPLOYEE AWARDS PROGRAM SCHEDULED TO BE HELD ON THURSDAY EVENING, DECEMBER 12TH AT AUDITORIUM.

The City Manager reported that the Annual Employee Awards Program has been scheduled for Thursday, December 12th at 7:30 p.m. at the Auditorium. That as part of the program the Employee of the Year will be made known; also, there will be a Television Program over WBTV this coming Sunday, the 24th at 6:30 p.m. where the semi-finalist in the Employee of the Year Program will be made known and presented to the public. There will be three semi-finalists identified and introduced to the public on Sunday. He stated he thinks this is a fine program and gives a good opportunity to afford well deserved recognition to city employees and at the same time affords an opportunity to make the public better acquainted with things going on at City Hall.

CHRISTMAS HOLIDAY FOR CITY EMPLOYEES TO BE OBSERVED ON DECEMBER 24TH AND 25TH.

Mr. Veeder, City Manager, advised that he and Mr. Weatherly, County Manager, have discussed the Christmas Holiday. That our Schedule designates December 25th and January 1st as holidays; this year both of these days fall on Wednesday, which makes for a different situation than where a long week-end might be allowed. That he and Mr. Weatherly want to suggest in keeping with the custom that has been in effect for the last several years, at least, that December 24th be included. That Mr. Weatherly brought this to the attention of the County Commissioners this morning and it met with their approval.

Councilman Whittington moved that December 24th and 25th be designated as Christmas Holidays for city employees. The motion was seconded by Councilman Jordan, and unanimously carried.

CONFIRMATION OF APPOINTMENT OF PLATO DAVENPORT AS CITY-COUNTY COLLECTOR OF REVENUE.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, the appointment of Mr. Plato Davenport as City-County Collector of Revenue at a salary of \$9,500.00 per annum was confirmed.

CHANGE ORDER NO. 1 IN CONTRACT OF DAVIE CONTRACTORS, INC. FOR THE CONSTRUCTION OF THE NORTH-SOUTH RUNWAY IMPROVEMENT AT THE AIRPORT, APPROVED.

Councilman Smith moved approval of Change Order No. 1 in the Contract with Davie Contractors, Inc. for the construction of the North-South Runway Improvement at the Airport, in the amount of \$2,807.80; \$1,600.00 of this amount is for extra grading involved in widening New Dixie Road from a two lane into a four lane facility as the State Highway Commission has agreed to do, which is a fine addition to the project, and the remaining \$1,207.80 is for extra fill in the proposed runway. The motion was seconded by Councilman Bryant, and unanimously carried.

START OF IMPROVEMENTS TO EASTWAY DRIVE AND WOODLAWN AVENUE URGED.

The City Manager advised we have negotiated an agreement satisfactory to us and to the Consultant, on Eastway Drive whenever Council is ready to consider it. That Council will recall that the last time they gave him authority to go ahead and negotiate an agreement but did not act on the agreement at that time.

Mayor Brookshire stated he believes that Council at that time was not sure they wanted to authorize the expense for engineering until we had a connector link for the Belt line, as neither State nor Federal money will be available for that portion unless the link is completed.

Mr. Veeder stated we know, for all practical purposes, that the contract has been approved by the State. Councilman Smith asked if Mr. Veeder has anything in writing where the State says go ahead and do the engineering and include it in the cost? Mr. Veeder stated that he does not have. Councilman Smith asked why we do not have a contract, or written agreement with the State, if we are going to furnish the engineering, suppose the principals we are agreeing with were no longer there? Mr. Veeder stated it is in writing but not in the form to which he refers. Councilman Smith stated he thought it had all been worked out that we would do the work on Woodlawn and on Eastway and the State would do the paving on both; now, was there not an agreement entered into with the State to that effect for these two projects? Mr. Veeder stated there are no formal agreements in the context in which Mr. Smith is using the words; he thinks he is using the term in the fashion if we go ahead with the engineering then the State is bound to do the construction. Councilman Smith asked why isn't there an Agreement reached on that basis? Mr. Veeder stated we have not had formal agreements in the context that Mr. Smith is using the term on other projects until we are actually ready to proceed with them, and then the agreement is formalized. Mr. Veeder stated further we have had very fine working relationships with the State without these until we are actually ready to proceed. Councilman Smith stated, take Eastway for instance, we can do the engineering knowing full well if the State does not help us with # that we are going to have to do it ourselves anyway. Mr. Veeder said that is not correct, it is on a State System route and they are obligated to do that. Councilman Smith asked if it is not better to have Eastway linked with two highways, #74 and #29 in itself? Mr. Veeder stated this to him would stand the test of any scrutiny in terms of need that is known; it is his personal opinion that no matter if the Eastway Drive project did not go one foot past Independence Boulevard, the project is needed between Independence and #29, and he thinks this can be substantiated. Councilman Smith stated that is what we have considered for the last six years, and Woodlawn is the same way but not quite as much as the other. Mr. Veeder stated he recognizes the point that the State is making and certainly if he were with the Bureau of Public Roads, he would want some assurance that the loop system was completed, which adds immensely to the value of the system, before he put Uncle Sam's money in it.

Councilman Albea asked if we have given up the idea of the Belt Road? Councilman Smith stated no one has given up the idea but this part of it is new, and if we do not go ahead and decide on the middle route, which may take four or five months to decide, they will not participate in the other. That what he is trying to do is to firm up the agreement so we can go ahead with the engineering on Eastway Drive.

Mayor Brookshire stated the time table there might be in error, that we were told by the State that we have until January 1st to select the connector link location, otherwise the funds might not be available.

November 18, 1963
Minute Book 43 - Page 393

Councilman Smith stated that was contingent on these people hiring a golf engineer and coming up with a report sometime in the future, which was not specified. Mayor Brookshire stated we are waiting on them now. Councilman Smith stated while we are waiting on them he thinks that the work on Eastway should proceed and his contention is that the work should be done regardless of the other. He stated further that no one on the Council wants to be accused of losing State and Federal Funds because of a misunderstanding, and therefore, we want a definite understanding and get off the hearsay and have some agreements; that he does not want to assume any responsibility for taking money from Charlotte and giving it somewhere else, at the same time he does not like the way the thing is hinging now, and we have nothing cut and dried. He asked when we will hear whether they are going across the golf course or not? Are we going to hold up Eastway Drive until we do?

Mr. Veeder stated it appears to him that this is getting down to which comes first - the chicken or the egg - that some group has to take the initiative, whether it is the City Council or the Highway Department, and say this is it and go from there.

Councilman Dellinger asked Mr. Veeder why he does not contact General Younts and see what he says. Mr. Veeder said he will be pleased to do this. That he knows Council agrees that the State Highway Department has demonstrated at all levels their willingness to cooperate very closely with the City of Charlotte on an increased number of projects, to our mutual advantage, and he is sure everyone is aware of this.

Councilman Smith remarked that Mecklenburg County contributes a good bit to the State. Eastway could go from #74 to #29, and it is a good deal and should be kept on its own merit, and he thinks this is true of Woodlawn Road, and in the middle, yes that should be done, but he does not believe that we can resolve that until we get all the engineering, which the State has offered to provide, which means delaying the Eastway project for two or three months, and that delay should not be put on this Council, it should be put where the delay is actually taking place.

Councilman Whittington stated it is his understanding that we cannot do anything until we hear from the State Highway Department and they are trying to negotiate and get engineering studies along with a golf course architect on the feasibility of going through or under the golf course, and until they do that we just have to wait here, as he understands it.

Mr. Veeder stated he does not think this is necessarily a question that is left to the State; that General Younts has told us that the Bureau of Public Road has said there would not be any federal funds.

Councilman Bryant asked if Mr. Veeder means if this circular road were not involved it would be purely and simply a State financed road between Independence and North 29. Mr. Veeder stated he does not think that is quite the situation, as he understands it what the State has said to date is the Bureau of Public Roads had indicated a desire to have a decision made on where the road is going between Eastway and Independence and Woodlawn and Park, before it is willing to approve the use of Federal Funds on either of the two links.

Councilman Bryant stated then maybe we should contact the Bureau of Public Roads and ask them if they would participate in Eastway, between #29 and #74 if the rest is not forthcoming.

CITY MANAGER ADVISES CITY AND COUNTY BONDS HAVE BEEN RAISED TO AA RATING.

The City Manager advised we were notified this morning by telephone that the City Bonds have been boosted up to a AA rating; that this is real good news and reflects well on the City, and County Bonds, of course, have been raised as well.

November 18, 1963
Minute Book 43 - Page 394

RESIGNATION OF GEORGE S. GOODYEAR FROM REDEVELOPMENT COMMISSION.

Mayor Brookshire announced that Mr. George S. Goodyear has resigned because he moved outside the city from the Redevelopment Commission; that his term would have expired November 27, 1965.

ADJOURNMENT.

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



Lillian R. Hoffman, City Clerk