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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Monday, September 19, 1966, at 2 o'clock p.m., with Mayor Stan R. Brookshire presiding, and Councilmen Claude L. Albea, Fred D. Alexander, Sandy R. Jordan, Milton Short, John H. Thrower, Jerry Tuttle and James B. Whittington present.

ABSENT: None.

The Charlotte-Mecklenburg Planning Commission sat with the City Council, and as a separate body held its public hearings on Petitions for changes in zoning classifications concurrently with the City Council, with the following members present: Commissioners Gamble, Jones, Lakey, Olive, Stone, Tate, Toy and Turner.

ABSENT: Chairman Sibley and Commissioner Ashcraft.

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INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Jordan and unanimously carried, the minutes of the last meeting on September 12, 1966, were approved as submitted.

HEARING ON PETITION NO. 66-76 BY ANDREW G. GOBLE FOR A CHANGE IN ZONING FROM O-15 TO B-2 OF A 2.22 ACRE TRACT OF LAND FRONTING APPROXIMATELY 203 FEET ON THE EAST SIDE OF NATIONS FORD ROAD, BEGINNING APPROXIMATELY 135 FEET SOUTH OF THE RIGHT OF WAY OF GENERAL YOUNTS EXPRESSWAY.

The scheduled hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, advised this property is in the same general area of one that was rezoned just last week at the southeast corner of Nations Ford Road and the General Younts Expressway. The subject property is immediately adjacent to it and is located on the east side of Nations Ford Road; the property is vacant and is adjoined on the north by land that was recently zoned B-2 and is now occupied by a mobile home park; it is adjoined on the south by property that is used for a commercial purpose, and further south there is a grocery store and service station with several homes and the Woodlawn Volunteer Fire Department. Directly across Nations Ford Road from the property is combination residence and day-care center with one other house, and other than that it is vacant.

Mr. Bryant stated the zoning all the way around the interchange of the North-South Expressway and Nations Ford Road is zoned O-15 with the exception of the adjoining tract which is zoned B-2.

Mr. Mercer Blankenship, Attorney for the petitioner, stated this is a depleted area and does not seem to have any future unless zoning can take hold of it and promote this general clover-leaf section. That he believes the general community will be enhanced by such rezoning to B-2, and it will help the city as there will be some good tax money coming from such

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a development. That he does not see where it would be in any way harmful to any place in the entire neighborhood. That he knows of no objection to the request. That he believes the city would want to see this properly developed around the clover-leaf intersection. That they have nothing specific in mind, but they believe the B-2 development would fit like a glove right next to and adjoining a B-2 zone.

No objections were expressed to the proposed rezoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 66-78 BY UNION OIL COMPANY OF CALIFORNIA AND PRODEVCO, INC. FOR A CHANGE IN ZONING FROM O-6 TO B-1 OF A TRIANGULAR SHAPED PARCEL OF LAND FRONTING APPROXIMATELY 38.42 FEET ON THE NORTH SIDE OF WOODLAWN ROAD BEGINNING APPROXIMATELY 150 FEET WEST OF PARK ROAD AND HAVING A DEPTH OF 118 FEET.

The public hearing was held on the subject petition.

The Assistant Planning Director stated this is a triangular shaped piece of property located on the north side of Woodlawn Road just west of its intersection with Park Road. He pointed out the location of the Park Road Shopping Center, the Esso Service Station training center and the Esso Office Building located down Woodlawn. He stated there are single-family residential homes on the west side of Park Road, south of Woodlawn Road; the subject property has a service station on it which is being rebuilt; on the north side of the property, there is a series of office buildings across from the Park Road Shopping Center. Going out Woodlawn Road it is all single family on the south side and single family on the north side. Three corners of the Woodlawn - Park Road intersection is zoned B-1; the main property along Park Road is O-6 with office zoning immediately adjacent to the subject property on the west, and single-family zoning on the south side of Woodlawn with multi-family zoning on the north side of Woodlawn Road.

Mr. Ben Horack, Attorney for the petitioner, stated the strip on the northerly side of the station site is O-6 and is owned by the petitioner, and the portion to the west is also O-6. He stated the petitioners applied a year or two ago to have the other portion of their property zoned O-6, and that was done without objection from the adjoining owner, and he has conferred with him again with reference to the present petition, and he has no objection at this time. That the O-6 was done in anticipation of Pure using it as their local office as part of the reshuffling when their major office moved to Atlanta, but they did not actually use it for that purpose. That he can presume there was a two-fold reason: The shuffling precluded their plan to use the O-6 part for their local office because it created space on Morehead Street, plus the fact, which presents the problem now, that during that interval the Woodlawn widening has been done. That this request is simply for rezoning a 38.42-foot triangle fronting on Woodlawn Road and going back to nothingness. This was occasioned by the widening of Woodlawn Road. He pointed out their old pump island and stated Pure Oil figures that it was impracticable from a business standpoint and unsafe and a hazard to have traffic making a sharp turn to get out into the newly widened Woodlawn Road. That they are proposing to move their pump island so that the traffic can have a better and more even and safe way into Woodlawn Road. In doing this they want the subject property zoned B-1 so that they can have a curb cut; they have an arrangement with the State Highway people who are now putting in the curb cut to leave the curb cut there now, and if the petition is not approved, Pure Oil will plug it up at their own expense. The Pure Oil Company would like to have a better and more sensible arrangement of their pump islands which will be to their benefit and to the benefit and safety of the public using Woodlawn Road, both coming out of the Pure Oil Station, as well as the traffic which Woodlawn generates.

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Councilman Whittington asked how much buffer will be left when they move the station back and change the pump islands? Mr. Horack replied there will be around 78 or 79 feet.

Councilman Short stated since they are not putting a structure or equipment in this triangle, could not they do what they need with reference to the maneuvering of cars without any change of zoning? Mr. Horack replied he understands that you cannot use a piece of O-6 property as an access for the business on B-1 property; hence, they have to request that the small triangle be B-1 as is the other 160 feet square. Mr. Bryant, Assistant Planning Director, stated the driveway or the access to the property is considered a part of the use itself.

Mr. Horack stated the main thing is so there can be access with the flow of traffic and Pure thinks it will be very helpful on the garbage and trash disposal to come in off of Park Road and Woodlawn Road.

Mayor Brookshire asked if it is a move intended to meet the needs of that particular business operation caused by the widening of Woodlawn Road, and Mr. Horack replied that is correct.

No objections were expressed to the proposed change in zoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 66-79 BY STEVE FERGUSON TO GRANT CONDITIONAL APPROVAL FOR OFF-STREET PARKING FOR OFFICE PURPOSES ON A LOT NOW ZONED R-6MF AT 2051 SHENANDOAH AVENUE.

The scheduled hearing was held on the subject petition on which a protest petition had been filed and found to be sufficient to invoke the 20 percent rule requiring the affirmative vote of six Councilmen in order to grant the conditional approval.

Mr. Fred Bryant, Assistant Planning Director, stated the subject property is located on Shenandoah Avenue, one lot removed from The Plaza as you come from Independence Boulevard. That there is a Catholic Church and School on The Plaza between Shenandoah Avenue and Independence Boulevard; that the subject property is at present being used for parking and has a paved parking lot on it. There is a single-family residential structure on either side of the parking lot and residential structures all along Shenandoah Avenue with the exception of one vacant lot. On Independence Boulevard there is a mixture of primarily office type uses and at the corner of The Plaza is the Killo Exterminating Company, then a beauty shop and a number of other office type uses down Independence.

Mr. Bryant stated the subject property is zoned R-6 as is all the property on both sides of Shenandoah Avenue, with B-2 zoning backing up to the property coming from Independence and both sides of Independence zoned B-2; then along Pecan Avenue is a combination of B-2 and B-1 zoning and a transitional area of office zoning immediately adjacent to it along Shenandoah.

Councilman Tuttle asked if this is a non-conforming situation? Mr. Bryant replied it is not a non-conforming situation, but there is a questionable situation as to how the lot did get to be used for parking.

Mr. Veeder, City Manager, advised when the construction plans were reviewed initially by the Zoning Inspector of the Inspection Department, he did not catch the fact that the zoning was incorrect for this use, and it did not end up on the permit application indicating that it would be part of

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the project. That the Inspector did catch it in the field. That there is no question but an error was made on the part of the Building Inspection Department in terms of its initial checking of the plans, and it should have been caught, but was not. That the parking lot has been completed about three months; the building permit is all right - it was the use of the additional property for parking in connection with the building which should have been caught when the inspector went over the construction plan.

Councilman Tuttle asked what happens if Council says no to this petition? Mr. Kiser replied if the answer is no, then they do not have the right to use it for parking; it would have to be used for whatever uses are permitted by the present zoning.

Mr. Steve Ferguson, the petitioner, stated back in June of 1965 they had plans drawn up for an office building on Independence Boulevard. The plans were submitted for approval by their architects, and the parking area was shown on the plot plan. That the plan showed the parking area and how it was to be used. Sometime prior to January 1966, they received permits to move the house off the lot, and then permits were issued to grade the lot and a secondary permit was issued to break the street, plus a permit to pave the alley way into the Plaza. That, up until the time the City notified them that they were in error, they did not know it; that they were in operation and used the parking lot for a six-month's period before this came up. That they can obtain a copy of the original plot plan where the parking was shown on it. Mr. Ferguson stated they need the parking area badly; they have a 5,000 square foot office building with tenants in it. That the church and school is 100 feet from that area, and on Sunday it relieves the pastor of that church from having two church services, because of the problem of blocking driveways, and this has corrected something that has turned out to be a lot of good. That the area does look much better and much cleaner.

Councilman Thrower asked if Mr. Ferguson has to have access to Shenandoah, or if he has access to Shenandoah? Mr. Ferguson replied they do have access, and it would create a bottleneck at times if there was not an access. Councilman Thrower asked if it is possible that he might also have an access to Independence, and Mr. Ferguson replied they do have such access, and also an access to The Plaza.

Councilman Short asked if parking is required in order to meet zoning requirements with reference to the office building? Mr. Ferguson replied it is. Councilman Short asked the City Attorney what would be Mr. Ferguson's position with reference to continuing to use the building if he did not have the parking required by the ordinance? Mr. Kiser replied that is a very good question. Councilman Short asked what the value of the building is, and Mr. Ferguson replied in the neighborhood of \$100,000 not counting the parking lot.

Councilman Whittington asked if the people on the side next to the Church object to the petition, and Mr. Bryant replied we have not heard from them; that he believes the house has a "for rent" sign on it.

Mr. Bryant stated in reference to whether or not parking would be required on the basis of the zoning ordinance, the Traffic Engineering Department checked into this at their request last week, and the answer from that is that they would be seven spaces short of the required amount if this lot were not used, so apparently the entire lot would not be necessary to meet the zoning ordinance requirements for parking.

Council decision was deferred for one week.

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HEARING ON PETITION NO. 66-80 BY GIBSON L. SMITH AND JOE FRANK WHITLOW FOR A CHANGE IN ZONING FROM O-6 TO B-1 OF TWO LOTS FRONTING 100 FEET ON THE SOUTHEAST SIDE OF SHAMROCK DRIVE, BEGINNING APPROXIMATELY 120 FEET SOUTH-EAST OF EASTWAY DRIVE; AND CHANGE FROM R-9MF TO O-6 AND FROM O-6 TO B-1 TWO LOTS FRONTING 166 FEET ON THE EAST SIDE OF EASTWAY DRIVE BEGINNING APPROXIMATELY 120 FEET SOUTH OF SHAMROCK DRIVE.

The public hearing was held on the subject petition on which a protest petition had been filed and found to be sufficient to invoke the 20 percent rule requiring the affirmative vote of six Councilmen in order to rezone the property.

The Assistant Planning Director advised the property is in the vicinity of the Eastway Drive-Shamrock Drive intersection. That it is adjoined immediately on the west by the present ESSO service station in the intersection of Shamrock and Eastway; there is a house on the property on Shamrock and two houses on Eastway Drive; to the east of the property is all single-family residential structures out Shamrock and down Eastway Drive. The remaining corners of the intersection are all used for business purposes. As you go down Eastway Drive, there is a vacant area beside the service station leading down to Springway Drive, then houses from Springway on down Eastway.

The zoning of the entire intersection is B-1 with almost the entire area encircled by a band of O-6 zoning; then the area along Shamrock and along Eastway Drive is all zoned R-9MF; the subject property is zoned a combination of O-6, and R-9MF, and the request is to change a portion of the property now zoned O-6 to B-1 and then change another portion of property that is zoned R-9MF to O-6.

Mr. Beverly Webb, Attorney for the petitioner and also representing Humble Oil Company, stated Humble Oil presently owns the three lots that are zoned business and has an option to purchase four lots on Shamrock Drive and one lot on Eastway Drive, and an option to purchase an additional lot on Eastway Drive. That the property on which Humble has the option from Mr. Smith is in part zoned office and in part residential and this petition is to have that half of the property adjoining Humble property rezoned Business, and the property on Eastway adjoining it rezoned business, then to create a buffer area of O-6.

Mr. Webb stated on the corner is an existing Humble Oil station which has been there for a number of years, and until recently there were no plans to advance it. In the summer of 1965 Humble entered into an extensive beautification of the station which cost over \$5,000. That at that time they were told by the City there would be no ill effects on this property resulting from the Eastway Belt Road improvement. Subsequently, they were informed because of the need for a turning lane from Eastway into Shamrock a great deal of the Humble property would be taken. Mr. Webb presented a survey of the property and pointed out the curb line, the existing Humble Oil tract and the station and the pump house. He stated there are presently two openings from Eastway and two openings from Shamrock into the station, each serving the pump islands with suitable access. That the City proposes to take property for the turn lane and Humble will lose both of the current means of access and that the only access into the property along Eastway would be into the pumps and back up to get back out into the flow of traffic. That along Shamrock you would have to enter, back up and back into the flow of traffic. That Humble acquired an option to purchase these four tracts on Shamrock and one tract on Eastway with the idea being that the station would be expanded to replace the area being taken; they would own a lot which is an existing O-6 Buffer along with a residential lot.

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Mr. Webb stated they found there was a great deal of concern about strip zoning along Eastway, and so Humble went back and acquired an option from Mr. and Mrs. Whitlow to petition for an O-6 zoning as a buffer so they can control the entire corner and petition for what is necessary to replace what the city has taken and then create its own buffer zone to protect the residential. That because they added the area to create a buffer zone they suddenly found themselves with the 3/4 Rule, and if they had not petitioned for that, they would not have been under the 3/4 Rule. But they think that the entire petition with the office area is good planning.

Mr. Webb passed around pictures of the property as it exists now and explained each one.

Councilman Short asked Mr. Webb if he would have wanted to amend his petition if it were not for the recently adopted zoning hearing procedural rules, because he has said they could have done whatever Humble Oil Company wants with just the business zoning? Mr. Webb replied if he had been able to separate the two in the interest of his clients, he would have asked for that to have been done, so that they could have had a consideration of the business part which is the primary concern of Humble separate and apart from the petition as presented for a buffer zone.

Mr. Webb stated they are asking that Humble be restored to its present position of having two pump islands with two accesses to both streets; that the additions they are planning - the relocation of the station, land acquisition and the other will cost the company in excess of \$100,000, not counting the loss of business; they are asking for the minimum amount of land to relocate their business. If the petition is granted, there will be an almost contiguous line of business across the street.

Councilman Whittington asked if the Esso Station was the first station erected at this intersection, and he was advised Crown Oil was; he asked how much right of way owned by Humble is the Eastway Drive-Shamrock Drive Widening taking? Mr. Webb replied it is taking approximately 20 feet along Eastway at the point which is 42 feet across, and the actual amount on Shamrock is about 10 feet, and in doing so it takes both entrance ways which would prevent a back in and out type of action.

Mr. Bryant asked if the question of the right of way on Eastway depends on whether or not they accept the 100 feet of claimed right of way which the State has always had, so that the additional land which they say is being taken is really that part they have always claimed?

Mr. W. Stegall with the Humble Oil Company stated they do respect this right of way but that is not their problem because they set back for that when they initially constructed the station. The real problem comes when they granted for the turning lane which eliminates their driveways; when they gave up that 10 feet, it eliminated the possibility of doing business at the pump island, as they must be at least 15 feet off the right of way; when they gave up the turning lane all the way around that eliminated their two driveways. That Humble Oil Company always thinks of the people involved and that is their reason for going through this elaborate program of trying to acquire this land and to provide their own buffer because they want to get out of the way of the progress of the City, and all they ask is that they be allowed to get back to where they are right now.

Mr. D. L. Seymour, 3030 Shamrock Drive, stated his objection to the zoning is the fact that a service station is now on the corner and the way his house is built, that two bedrooms and the dining room is on that side of the house and the lights on the service station shine right into the edge of his yard and covers almost the entire lot; also, the water being discharged from the service station flows out on the street. That he wrote the city about this several years ago, but it seems there is no law to

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make them put the water underground. Mr. Seymour stated there is other business there, with two or three spots that might be used, which is already zoned business. About two months ago, Council turned down a petition on property just above and said they did not feel that the belt road should be zoned with business, and this is a part of the belt road. He stated there is one lot between his property and the zoning which will be in the widening as well, and he thinks the Council should also count that as part of the belt road. He asked the Council to reject this zoning request because it does work a difficulty on his property and the property of Mrs. Newton just behind him.

Councilman Thrower asked how long Mr. Seymour has lived in his present house, and he replied twelve years.

Mr. George Harris, 1600 block of Eastway Drive, stated they feel if business is allowed to begin, it will creep down and affect all of them. That he objects to it and feels the station has enough area; they do not object to the service station, but they do object to homes being torn down to extend business into the area.

Councilman Whittington asked Mr. Harris if he is saying if Humble had this one lot more that he would not be opposed to the zoning? Mr. Harris stated they object to taking the homes and tearing them down.

Mayor Brookshire asked if they propose to move the residential home, and Mr. Stegall replied Humble would be happy to let anyone have this residence and, also, the other two lots, as their purpose for acquiring this is to be a good neighbor and to provide their own buffer rather than asking someone else to provide it for them. Mr. Stegall stated they have no plans for it, and they would be happy to let the residents in the area have it.

Mrs. Dot Newton, 1609 Eastway Drive, stated she has small children and does not feel that next door to her should be anything but residential. When they bought the house ten years ago, there were deed restrictions on the property which said they would never have to worry about a business or anything being next door to them.

Councilman Thrower asked when the service station was built, and Mr. Stegall replied about four years ago. Councilman Tuttle asked Mr. Kiser how many names are on the protest petition, and Mr. Kiser replied there are 24 names which probably represents about twelve or thirteen properties.

Mrs. Richard Wooten, 1632 Eastway Drive, stated she would like to add her support to Mrs. Newton and the rest of the women in the neighborhood, as they think they have enough business along that area. That there is one service station which is closed, and the Esso Station has been closed at least once in the past five years. On the opposite corner there is a pool hall which no one knew was going in and has just opened in the last week, and they feel with small children they would like to stay there and raise their children, and they do not want any more business coming closer to them. That it is now a lovely neighborhood with the park on the other end; but if business keeps creeping down, they will not be able to enjoy it like they should.

Mr. Frank G. Gale, stated he lives at the corner of Shamrock and Finchley Place and built the house in 1955. He stated there is a "Go-Go" place on one corner, and the pool room on the other and two stations which are closed - the Crown station and the Amoco station. They they have too many businesses there now. That they talk about beautifying the city and here they are trying to mix one area with these little out of the way places.

Council decision was deferred for one week.

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HEARING ON PETITION NO. 66-81 BY O. M. GULLEDGE FOR A CHANGE IN ZONING FROM R-9 TO R-6MF OF A 5.046 ACRE TRACT OF LAND LOCATED AT THE DEAD END OF LANTANA AVENUE, WHICH IS APPROXIMATELY 1,800 FEET EAST OF SHARON-AMITY ROAD.

The scheduled hearing was held on the subject petition. The Clerk advised that a general protest had been filed containing 50 signatures protesting the change in zoning of property at the end of Yardley Place.

Mr. Fred Bryant, Assistant Planning Director, stated Lantana Avenue is a street that crosses Sharon Amity Road just one block removed from Monroe Road and runs parallel to Monroe Road and dead ends reasonably close to the subject property. He advised that the property is vacant and is surrounded primarily by single-family residential use with homes backing up from Glendora Drive, Charleston and Yardley Place with one big house located at the end of Harcourt Lane and a lake at the end of Lantana. That there is a vacant area along Lantana and a house and an area fronting on Monroe Road which is used as a storage yard for the sale of sand and gravel. The zoning of the area is all R-9, with business zoning along Independence and some office zoning and some multi-family zoning on Sharon Amity; other than that, the area is zoned entirely single family.

Councilman Whittington asked if the property is landlocked, and Mr. Bryant replied it is possible to get to the property from Yardley Place, but what access they have from Lantana he is not sure.

Councilman Tuttle asked Mr. Bryant to point out on the map where the Petition signs are located, and Mr. Bryant replied there is a sign immediately at the end of Yardley Place and a sign in the corner beyond the lake. Councilman Tuttle stated he went out there and had a little difficulty finding the place because he was looking for a sign, and it seems the real access to this property is down Lantana; he ran across Mr. Gullledge and found that he was in the right place. After walking down by Mr. Gullledge's place and looking it over and coming out, he questioned a couple of people, and they did not even know anything about this petition, which might account for the late petition. That there is no sign to the main entrance of this. Mr. Bryant stated the lake itself is not included in the area to be rezoned, and they always put the sign on the property itself.

Mr. Parker Whedon, Attorney for the petitioner, stated this is a five acre tract at the end of Lantana which is not suitable for any sort of single-family use; that there is a large, ever increasing traffic flow on the arteries that are built and being constructed and widened around the general area of Sharon Amity Road and Monroe Road and Independence Boulevard which makes this area unattractive and undesirable for future single-family residential use; that there are too many nice subdivisions hidden away from such streets and thoroughfares as this one; that the nearby business along Monroe Road, the cemetery and other uses make it unattractive for single-family residential use. That they have obtained from a realtor a use appraisal of the property which reads as follows:

"Dear Mr. Whedon:

In response to your recent request, I have inspected the tract of land of approximately five (5) acres located at the end of Lantana Avenue owned by Mr. O. M. Gullledge. I made this inspection to determine the highest and best use for said property.

After careful consideration of the surrounding properties, I have concluded that the highest and best use of this property would be for multi-family development. I do not think that there is a material difference in the effect on the surrounding property between R-6MF or R-9MF zoning classification.

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I hereby certify that I have no financial interest in this property and that the above statement of highest and best economic use is based solely on my experience in the real estate business.

I will be happy to make an appraisal of value upon request.

Your very truly,

A. P. Perkinson, Jr."

Mr. Whedon stated they have asked for R-6MF zoning, and they think it is more appropriate than what might be an alternative, R-9MF, because of the way the property is separated with somewhat natural buffers. That they are adjoined on the north by a piece of land which he thinks belongs to the City and has a sewer pumping station on it, and at another point by land belonging to Mr. George McManus which runs on out to Independence Boulevard. That there is a 68-foot right of way Duke Power transmission line which provides a natural buffer. On the southerly portion it is adjoined by the property of Mr. Pope which runs out to Monroe Road and is used for a sand and gravel business, and the remainder is vacant and low-lying, and, at present, being filled with dirt from the widening of Sharon Amity Road. That Lantana Avenue is not actually opened and maintained all the way to the property line, but it is there and available for that purpose; it is owned by Mr. Gullledge, and it can be extended either as a public street or as a private street or drive, whatever is required by the Planning Commission. Mr. Whedon stated the large lake is Mr. Gullledge's own lake, and the large house which was referred to is Mr. Gullledge's own house where he lives.

He stated as for access through Yardley Place, they did at one time have in mind the possible use of Yardley Place as an auxiliary entrance to this property; Lantana is the main entrance of access proposed; they do not intend to use Yardley Place.

Mr. O. M. Gullledge, petitioner, stated he is down there in a hole and he is having a hard time getting out of the hole; that he went in there twelve years ago and bought that piece of property which is a swamp and spent twice as much money as he anticipated; then Ervin came in in back of him and developed and with all his grading, filled up half his lake with mud, and so he spent another \$5,000 trying to clean it out.

Councilman Thrower asked if Mr. Gullledge plans to develop the property himself, and Mr. Gullledge replied he does.

Councilman Whittington asked if there were any objections from the people on Lantana Avenue? Councilman Tuttle stated he does not think the people on Lantana know anything about the petition.

Mr. Gullledge stated he contacted everyone on the other side of the power line at the back side and the people said they would be glad to see the placed cleaned up. Councilman Tuttle asked if he questioned the people on Lantana, and Mr. Gullledge replied he did not, and Councilman Tuttle stated this is the street that would hear the brunt of this.

Mr. Whedon stated they understand the protest has been filed largely by the residents of Yardley Place, but they do not know what the nature of their objection is, and they may think they intend to use this street as an entrance but he understands that an entrance through an entirely single-family area is against a policy of the Planning Commission. That Mr. Gullledge has gone out of his way to notify and question anybody about this.

Council decision was deferred for one week.

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MASTER PLAN FOR DOWNTOWN CHARLOTTE AND RECOMMENDATIONS FOR IMPLEMENTATION ADOPTED.

Mr. John A. Tate, Jr., Chairman of the Master Plan Committee for the Central City Planning Committee, stated he is present as spokesman for the Master Plan group. That last May they presented to the City Council the basic parts of the Master Plan. Subsequently, Council approved in principle the fundamental features of this plan as it was presented. On Thursday, September 8, the Master Plan group at a formal presentation which was designed to present the leaders of the community including the City Council the plan itself, together with a specific plan for implementation. Today, they come to the City Council with specific recommendations for action by Council as official leaders of the City government.

Mr. Tate stated this is their formal request for action:

- (1) That Council will immediately approve the Downtown Urban Renewal Area and urge the Redevelopment Commission to proceed with all possible haste on this project.
- (2) That Council will immediately approve the outstanding \$3.5 million in street work in accordance with the recommendation.

Mayor Brookshire asked if he is talking about the \$3.5 million in Bonds which have been voted, and Mr. Tate replied this is the \$3.5 million that has already been approved.

- (3) That Council will include the following items in the forthcoming bond issue and will call that bond issue during 1966.
  - (a) Downtown Urban Renewal Area, 12 blocks; local participation - \$2.2 million. Mr. Tate stated this is in the \$5.5 million which Council has already given consideration.
  - (b) Land and Plan for the Civic Center and its parking - \$2.5 million, Total \$4.7 million.
- (4) That Council will include the implementation of the future street needs program in the forthcoming bond issue to the extend of \$1.0 million dollars to be spent within the Central City. Mr. Tate stated this is an additional \$1.0 million dollars in addition to the \$3.5 million.
- (5) That Council will make provisions in its future capital budgets for the completion of the Civic Center with parking and the street program by 1971 as outlined in the implementation program.
- (6) That Council will immediately begin formal negotiations with the railroads to the end of a complete and early removal of the railroad tracks between College and Brevard Streets, from Morehead to 12th Streets.

Mr. Tate stated that companion to this action, there will be forthcoming expressions of development on behalf of private enterprise; that these expressions are expected to take the form of the program as outlined at the presentation, and they expect \$100 million dollars on private development in a relatively short span of time. The Committee of 100 for Greater Charlotte, including the Master Plan group will continue to pursue the problems and to exercise their efforts towards seeing this important work completed. That it is to our mutual benefit that an enlightened business community is joining with a progressive City Council to move our City forward. This alliance for progress is destined to have true and lasting benefits to every man, woman and child in our city on this and future generations.

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Mr. Tate stated this is their report. For three and a half years they have researched, studied, planned, discussed, talked, etcetera. Now is the time, they think, for decision, and the time for action.

Councilman Whittington stated he has been asked by Council to make a statement. First of all, they thank Mr. Tate and the Master Plan Committee of the Charlotte Area Plan Committee for the work that has been put into this Plan which began in October, 1964. That he thinks all would agree with this Plan and to quote Mr. Odell - "perhaps, it is a dream;" it is certainly one of great vision as far as the future is concerned, but he believes it is realistic; it is something we must do if we are to meet the challenge of a city, a struggling downtown trying to move forward; that it is without saying that the architects who put this plan together are experts in their field; Mr. Hammer is an expert in economics as far as downtowns or cities are concerned, and Mr. Tate and the non-professionals who have served on this committee are some of our most dedicated citizens and have made a great contribution to this city.

Councilman Whittington moved that the City Council adopt the Master Plan as presented in this report today and at the previous presentation when it was presented to some 200 or 300 people; and, secondly, they adopt the request for action and that they include the recommendations for money in our bond election which will be held in December.

The motion was seconded individually by Councilman Tuttle, Councilman Albea, Councilman Alexander, Councilman Jordan, Councilman Short and Councilman Thrower.

Mayor Brookshire stated he and the Council are grateful to Mr. Tate and the other members of the Committee and to those professionals who have been employed to develop this long range master plan for the City of Charlotte; they are grateful for the work that has been done, for the enthusiasm with which they are promoting the plan; that he is sure the City itself will work with them 100 per cent. Mayor Brookshire stated in conversations with Mr. Fennell, the Director of Finance, they have been told that the City's credit would not be placed in jeopardy if this next bond issue was anywhere between \$10 million and \$15 million dollars. That while Council wants to meet all the essential needs for progress, at the same time, it does want to protect the city's credit.

The vote was taken on the motion and carried unanimously.

Mr. Tate stated it is truly a thrilling experience for him to stand here and get such enthusiastic, conclusive and unanimous vote of support. That this is an indication that the city government is progressive and is being responsible, and though they all recognize the many critical problems the government faces in terms of the revenue setup, and bonded indebtedness that they have the courage and faith to move forward; it is a challenge to free enterprise units of this City, and the Council is certainly setting them an example. If the business leaders and the civic leaders and other leaders in this community do not follow Council's example, he will be greatly surprised. That it is a thrilling thing to be a part of this, and he would like to congratulate each of them and that he will do everything that he possibly can to work towards the successful goal they are all looking forward to. Mr. Tate stated he is just a spokesman for a group of very dedicated people, of a group of experts who have been assembled to work on this problem.

Mr. A. G. Odell, Architect, stated he would like to endorse Mr. Tate's pride and pleasure in Council's action, and he assured them that his professional staff will continue to devote their best efforts toward the realization of this project.

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Mr. Paul Younts stated they are delighted to have the opportunity of supporting in every way this program as it comes partly under the governmental task force which the Mayor set up. That they shall do everything they can to implement this program to see that it is properly carried out to the best of their ability. Although they know this is a great responsibility, and the responsibility must rest upon the citizens of this community and private enterprise if the job is to be done, he feels sure they will fully cooperate with it. That they had a meeting a few minutes ago with some of the leaders, and they gave their full support that they are right behind this movement to implement this program and to back it up with their money.

Mayor Brookshire asked if he would agree with him that the entire community will support these progressive measures by approving a bond issue this fall; that the community has always responded when the need can be shown, when the benefits can be shown, and they are challenged to keep Charlotte on the high road.

Mr. Younts replied they took this up at the meeting and are sure the people of this community, if they want this program, and they believe they do, will get behind it and put it across. They do think that the normal man on the street will have to be sold on each of these programs - the programs that have been presented here as well as the other programs of the school, etc. That he is sure the people, when they realize the necessity and what the real problems are, will meet the challenge and will come forth and give to this Council a great gratitude of thanks for the progressive step which has been taken. That he would say the action here today is one that is bold and progressive - it is not child's play, it is real action and is necessary and one that needs to be done, and it needs to be accomplished by the action that Council has just taken.

Mayor Brookshire stated the sequel to a successful bond referendum this fall will be a united effort on the part of our community, joining hands with other communities across the State through the North Carolina League of Cities and the North Carolina Association of County Commissioners to get some broader sources for revenues.

Mr. Younts replied they discussed this matter also and will do their best to do what they can to support this in every way and every form to come up with something that might help.

Mr. Sidney Levin stated he is retired now; that he put 42 years on East Trade Street where his son is now operating Lebo's Shoe Store. That while Mr. Tate, Mr. Odell and Mr. Younts are present he would like to ask a question in the interest of 50 or 75 merchants who have probably 500, 600 or 700 people employed. Mr. Levin stated he would like for the City Council to find out where they are going to put these 50 or 75 merchants; not do like they did in Brooklyn, just tear the property down and let the land stay. These people have been merchants in town for many years. He asked if it is right to take their property and not tell them in advance where they will be located. They did not ask for urban renewal, they built it themselves, and they spent their life time building it. He is not against the improvement in the city; but first come up with a plan - tell them. They say downtown is deteriorating - it is not deteriorating because of them. That the tax records will show every year they have had an increase of a minimum of \$50 thousand dollars a year in business; they just paid an inventory tax of \$1,827.00. That he and his son have a tax bill of some \$12 or \$14 thousand dollars a year - mostly in property that is going to be taken away from them. That he is not so much interested in that; he is interested in what they are going to do to replace these people. They asked Mr. Tate to come over and meet with them, but Mr. Tate refused and said he could not do it. That they have not been afforded any little bit of encouragement.

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Mayor Brookshire stated if he is speaking of the merchants who will be dislocated or remove in the clearance of the 10 block-commercial area under consideration that the Federal government through its urban renewal procedure requires that assistance be given to merchants in relocating desirable quarters and will pay up to \$25,000 for moving a business from one location to another.

Mr. Levin replied he is not talking about urban renewal paying for their moving; he is talking about the fact that they have been on East Trade Street for forty some years; and so have some of the others. According to the plans, some of the property on East Trade Street will be for redevelopment. If they tear down a building of his that is only three years old, then show him where they are going to put him; show him where he can build back for his son before it is torn down, and let him move in. That all the merchants have an inventory and owe money on it. You cannot just take and push them out. That he has no objection to the plan, but he does say show him a spot on East Trade Street where he wants to be, where he has been for forty some years; show him a spot so that he can build back; that he does not want any urban renewal, he will build back himself. If you take his building, give him a spot and let him build back.

Mr. Levin stated there are others in the same position; they own their property and they have no objections to tearing down the property that is obsolete and worn out, but if they are going to take a building like Kress Stores on the corner - it is a brand new building and according to the plan they will pay \$1,200,000 for the building and tear it down and put a park bench on the corner. Kress has been there a long time, then show him a spot where he can come back in, and show the other merchants.

Mayor Brookshire stated he can assure them there will be a place for them to rebuild. Mr. Levin stated he has been told they will be given consideration! Consideration to a businessman is not definite. What he wants is something definite.

Mr. Albert Pearson stated it is a sad day in the City of Charlotte when a man like Mr. Levin is not given the opportunity to speak before you vote on a matter of this type; especially, when it is said "you don't have to sell it." Mr. Pearson stated he is a small businessman in downtown Charlotte, and sixty days notice to him and he can be gone. He said not to consider him at all; as an American, he will take care of himself. But when a man comes up here like Mr. Tate and infers to the Mayor and Council that the federal pie has been given assurance to be split up and that certain people will utilize that plan without it being made public is not the American way. That he hates to be put in the position of being a critic while all they are trying to do is help the City; they are no more a critic than Council is. That it has been pointed out by Mr. Levin that he has a successful business and he has helped improve downtown Charlotte; it has been stated by the Charlotte Observer that Belk Department Store has had an increase every year. Mr. Pearson stated he thinks it is time they admit that the federal pie is in the air, and they want to get it because after all other people are getting it.

Mr. Tate stated he thinks every man in the room is concerned about Mr. Levin's problem and the problem of everybody in that urban renewal area about relocation where they will be subjected to hardships, financial, business, personal or otherwise. Mr. Tate stated Mr. Levin has his strong personal concern, and he thinks the concern of every man in this room. That to this date he does not believe that anything has been formal enough, or legal enough, or certain enough to have taken any concrete action to have gotten any specific program to work towards a solution to the problem that Mr. Levin has raised. That

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he thinks the least they can do is to firm up a schedule for action involving when and what will happen in this urban renewal area. That urban renewal has a formal program, and he knows this body will go on record requesting that they go into a formalized program of working with these people and doing everything they can to help these people and to help them in their problems and to help keep them downtown. Speaking for the Master Plan group, they certainly want to do anything they can to work with them and to put any influence they have to working out a logical and intelligent program to help the people get relocated and to keep them downtown temporarily during the period and then to come back in there.

Mayor Brookshire stated he is sure none want to see any of Charlotte's citizens hurt financially in any respect, and they will try to see that this does not happen. That they want and expect this program to benefit all of Charlotte.

Mr. Jim McDuffie stated the recent school bond that was voted down would indicate there is a possibility that the people might oppose at least a part of this program, and he would encourage the City Council and the Master Plan group to do what is necessary to sell this to the public; and he would like to be sold himself. That when the airport and coliseum were built; some people opposed them, but it has been proved these were good. Everyone agrees that something should be done for downtown, and they want to know now who is to do it. That because downtown relocates does not mean the city is being depleted.

COUNCIL MEETING RECESSED AT 4:00 P.M. AND RECONVENED AT 4:10 P.M.

Mayor Brookshire called a ten-minute recess at 4:00 p.m. and reconvened the meeting at 4:10 p.m.

COUNCILMAN JORDAN LEFT THE MEETING AT THE RECESS AND WAS ABSENT FOR THE REMAINDER OF THE MEETING.

Councilman Jordan left the meeting at the recess and was absent for the remainder of the meeting.

PETITION NO. 66-60 BY AMERICAN LEGION, WOODLAWN POST 68, INC. FOR CHANGE IN ZONING FROM R-6MF TO O-6 OF PROPERTY FRONTING 100 FEET ON THE SOUTH SIDE OF YORKWOOD DRIVE, BEGINNING ABOUT 122 FEET WEST OF THE RIGHT OF WAY OF GENERAL YOUNTS EXPRESSWAY, AND EXTENDING SOUTHWARD TO THE CENTER LINE OF THE SOUTHERN RAILROAD, DENIED.

Councilman Thrower moved approval of the subject petition and did not receive a second to his motion.

Councilman Albea moved that the subject petition be denied as recommended by the Planning Board. The motion was seconded by Councilman Whittington, and carried by the following recorded vote:

YEAS: Councilmen Albea, Whittington, Alexander, Short and Tuttle.

NAYS: Councilman Thrower.

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RESOLUTION FIXING THE DATE OF PUBLIC HEARING ON MONDAY, OCTOBER 10, ON PETITION FOR LOCAL IMPROVEMENTS ON SHENANDOAH AVENUE, FROM WESTOVER STREET TO BASCOM STREET.

Upon motion of Councilman Albea, seconded by Councilman Tuttle and unanimously carried, the subject resolution was adopted.

The resolution is recorded in full in Resolutions Book 5, at Page 327.

RESOLUTION FIXING THE DATE OF PUBLIC HEARING ON MONDAY, OCTOBER 10, ON PETITION FOR LOCAL IMPROVEMENTS ON SHENANDOAH AVENUE, FROM ST. JULIAN STREET TO WESTOVER STREET.

Councilman Albea moved the adoption of the subject resolution, which was seconded by Councilman Alexander and carried unanimously.

The resolution is recorded in full in Resolutions Book 5, at Page 328.

CONTRACTS FOR THE INSTALLATION OF WATER MAINS AUTHORIZED.

Upon motion of Councilman Short, seconded by Councilman Whittington and unanimously carried, the following contracts for the installation of water mains were authorized:

- (a) Supplementary Contract to contract dated November 4, 1963, with Idlewild Utilities, Inc. for the installation of 3,202 feet of mains and three (3) fire hydrants, in the Idlewild Subdivision No. 5, outside the city limits, at an estimated cost of \$15,200. The applicant will finance all pipe lines and system and own, operate and maintain same, and retain all revenues derived from their individual customers until such time as any part or all of the mains or systems are incorporated into the City, at which time it will become the property of the City without cost or further agreement.
- (b) Contract with The Windsor Company for the installation of 3,950 feet of mains and three (3) fire hydrants, in the Robinhood Woods Subdivision No. 4, inside the city, at an estimated cost of \$13,900, with the City to finance all construction costs, and the applicant to guarantee an annual gross water revenue equal to 10 per cent of the total construction cost.

CONSTRUCTION OF SANITARY SEWER MAIN IN LARKFIELD LANE, AUTHORIZED.

Councilman Whittington moved approval of the construction of 300 feet of 8-inch main in Larkfield Lane, inside the city, at the request of Ervin Construction Company, at an estimated cost of \$2,145, with all cost to be borne by the Applicant whose deposit of the full amount has been received and will be refunded as per terms of the agreement. The motion was seconded by Councilman Alexander and carried unanimously.

REQUEST OF SEABOARD AIR LINE RAILROAD COMPANY FOR CONNECTION PRIVATE SANITARY SEWER LINES TO THE CITY'S SANITARY SEWERAGE APPROVED.

Motion was made by Councilman Alexander approving the request of Seaboard Air Line Railroad Company to connect private sanitary sewer lines to the City's sanitary sewerage system in Hoskins area north of Lawton Road and west of Chesapeake Drive, outside the city limits. The motion was seconded by Councilman Tuttle and carried unanimously.

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CONTRACTS FOR THE APPRAISAL OF PROPERTY APPROVED.

Upon motion of Councilman Tuttle, seconded by Councilman Short and unanimously carried, contracts for the appraisal of property were authorized as follows:

- (a) Contract with Wallace Gibbs for the appraisal of tract of land in Berryhill Township, approximately 2,720 feet from south end of the North-South Runway of Douglas Municipal Airport.
- (b) Contract with T. R. Lawing for the appraisal of two parcels of land at 2840 Eastway Drive, in connection with the Eastway Drive Widening Project.

APPLICATION OF T.O. IRBY FOR CITY PRIVILEGE LICENSE APPROVED.

Councilman Whittington moved approval of application of T. O. Irby for a City privilege license covering the classification of "Detective Agency." The motion was seconded by Councilman Thrower and carried unanimously.

RENEWAL OF SPECIAL OFFICER PERMIT TO HANK D. SELF AUTHORIZED.

Motion was made by Councilman Albea, seconded by Councilman Whittington and unanimously carried approving the renewal of special officer permit to Mr. Hank D. Self for use on the premises of the Charlotte Park and Recreation Commission, 310 North Kings Drive.

STREETS TAKEN OVER FOR CITY MAINTENANCE.

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

STREET	FROM	TO
Merrill Place	Griers Grove Road	south end of cul-de-sac
Crawford Drive	335' west of Merrill Place	east end of cul-de-sac
McAllister Dr.	150' west of Merrill Place	south end of cul-de-sac
Snow White Lane	158' east of Echo Glen	80' east of Friendly Place
Briargrove Dr.	Mendham Drive	258' south of Colby Place
Folkston Dr.	East end of cul-de-sac	560' west of cul-de-sac
Rosehedge Lane	Maureen Drive south	end of cul-de-sac
Maureen Drive	Kilborne Drive	854' west of Kilborne Dr.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON OCTOBER 17 ON PETITIONS NUMBERED 66-82 THROUGH 66-85 FOR ZONING CHANGES.

Councilman Whittington moved adoption of the subject resolution, which was seconded by Councilman Alexander and carried unanimously.

The resolution is recorded in full in Resolutions Book 5, at Page 329.

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CHANGE ORDER NO. 1 IN CONTRACT WITH F. N. THOMPSON, INC. AUTHORIZED.

Upon motion of Councilman Thrower, seconded by Councilman Alexander and unanimously carried, Change Order No. 1 in contract with F. N. Thompson, Inc. for the general construction on the West Concourse at the Airport, increasing the contract price by \$8,345.00, was authorized contingent upon receipt of funds in this amount from Eastern Airlines.

CHANGE ORDER NO. 1 IN CONTRACT WITH INDUSTRIAL ELECTRIC COMPANY AUTHORIZED.

Councilman Alexander moved approval of Change Order No. 1 in contract with Industrial Electric Company for the electrical work on the West Concourse at the Airport, increasing the contract cost by \$2,924.00, contingent upon receipt of funds in this amount from Eastern Airlines. The motion was seconded by Councilman Tuttle and carried unanimously.

CHANGE ORDER NO. 1 IN CONTRACT WITH AIR MASTERS HEATING AND AIR CONDITIONING COMPANY AUTHORIZED.

Motion was made by Councilman Whittington approving Change Order No. 1 to the contract of Air Masters Heating and Air Conditioning Company for the mechanical work on the West Concourse at the Airport, increasing the contract cost by \$175.00, contingent upon receipt of funds in this amount from Eastern Airlines. The motion was seconded by Councilman Albea and carried unanimously.

TRANSFER OF CEMETERY LOTS.

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

- (a) Deed with John W. Elms for Lot No. 81, Section U, Elmwood Cemetery, transferred from Mrs. Margaret Elms and husband, at \$3.00 for transfer deed.
- (b) Deed with Clyde B. Hopkins, for Grave No. 1, Lot No. 155, Section 2, Evergreen Cemetery, at \$60.00.
- (c) Deed with Mrs. Mattie B. Plyler, for Graves 7 and 8, Lot No. 279, Section 7, Oaklawn Cemetery, at \$120.00.

CONTRACT AWARDED CROWDER CONSTRUCTION COMPANY FOR STREET IMPROVEMENTS ON SHERIDAN DRIVE AND LANGHORNE DRIVE.

Councilman Albea moved award of contract to the low bidder, Crowder Construction Company, in the amount of \$69,888.00, on a unit price basis for street improvements on Sheridan Drive and Langhorne Drive. The motion was seconded by Councilman Thrower and carried unanimously.

The following bids were received:

Crowder Construction Co.	\$ 69,888.00
Boyd & Goforth, Inc.	70,310.00
Blythe Bros. Company	72,300.00
Rea Construction Co.	72,888.89

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CONTRACT AWARDED A. V. BLANKENSHIP COMPANY FOR CONSTRUCTION OF SANITARY SEWER FACILITIES IN LAKE PLAZA AND VIRGINIA MANOR.

Motion was made by Councilman Albea awarding contract to A. V. Blankenship Company, the low bidder, in the amount of \$46,215.50, on a unit price basis, for the construction of sanitary sewer facilities in Lake Plaza and Virginia Manor. The motion was seconded by Councilman Thrower.

Councilman Whittington asked if this is the same contractor who is doing the work on Woodlawn Road, and Mr. Veeder replied this is for sanitary sewer construction work and not road work. Mr. Veeder stated our experience with this firm on sanitary sewer construction work has been satisfactory, and this firm has been helpful in the sense that its bids have been in good shape, and he recommends it on the basis of the sanitary sewer experience only; if it were street work, he would have a lot more to say about it.

Councilman Thrower asked if there is a penalty involved? Mr. Birmingham, Assistant City Engineer, replied there is a \$10.00 a day penalty which is the normal penalty for subdivision work. They do not have any problems with the sewer subdivision work. Councilman Thrower asked if the penalty could not be made more realistic so there will be some incentive? Mr. Birmingham replied the City is paying for this in the long run; these are subdivision extensions in which the developer puts up the money, and the City in turns refunds it. That this is a place where they are building new houses and where 10, 15 or 20 days would not matter. If it were a capital improvement sewer job where a trunk line was being laid that depended on some real tight scheduling they would go up to maybe \$50 or \$100 a day.

Councilman Tuttle stated \$10 would be an ample penalty if you were talking about a two or three thousand job, but on a job that is bid as high as \$83,000, \$10 a day sounds like chicken feed.

Councilman Thrower asked Mr. Birmingham if he thinks \$10 a day is a realistic figure, and Mr. Birmingham replied in a case like this he does not see why a penalty is needed; they have not experienced any difficulty with the contractor finishing on time - the only reason for the \$10 penalty is as an incentive to make him complete the work in a reasonable time.

Mr. Birmingham stated they have had higher penalties on sewer jobs and have had to pay through the nose because the contractor would bid 100 days and see the real extreme penalty and would send four or five crews in there, and the City would be stuck with a \$4 or \$5 thousand dollar bonus overtime.

Councilman Short stated he has the impression that Courts tend to look rather warily at such agreements, and they have to be rather realistic. Mr. Kiser replied this is true.

The vote was taken on the motion and carried unanimously.

The following bids were received:

A. V. Blankenship Co.	\$ 46,215.50
Sanders Brothers	54,407.50
O. L. Nixon	58,477.70
Boyd & Goforth, Inc.	65,480.90
Weco, Inc.	66,640.75
C. W. Gallant, Inc.	68,946.50
L. O. Chapman	77,890.90
Blythe Brothers Co.	83,900.00

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CONTRACT AWARDED CROWDER CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF BRIDGE FOR LANDFILL SITE.

Upon motion of Councilman Thrower, seconded by Councilman Short and unanimously carried, contract was awarded the low bidder, Crowder Construction Company for the construction of a bridge for the Landfill site near Statesville Avenue, in the amount of \$13,100.00.

The following bids were received:

Crowder Construction Co.	\$ 13,100.00
Blythe Brothers Co.	14,184.60
C. W. Gallant	15,600.00
Boyd & Goforth	16,155.00
F. A. Triplett	17,500.00
Sanders Brothers	19,200.00

CONTRACT AWARDED METAL PRODUCTS DIVISION, ARMCO STEEL CORPORATION FOR CORRUGATED METAL PIPE.

Councilman Whittington moved award of contract to the low bidder, Metal Products Division, Armco Steel Corporation, for 187 feet of corrugated sectional plate pipe arch of various sizes in the amount of \$4,652.49 on a unit price basis. The motion was seconded by Councilman Tuttle and carried unanimously.

The following bids were received:

Metal Products Division, Armco Steel Corporation	\$ 4,652.49
Republic Steel Corporation	4,898.12
Florida Steel Corporation	5,821.25

CONTRACT AWARDED SOUTHEASTERN SAFETY SUPPLIES, INC. FOR TRAFFIC CONTROLLER.

Upon motion of Councilman Alexander, seconded by Councilman Albea and unanimously carried, contract was awarded the low bidder, Southeastern Safety Supplies, Inc., in the amount of \$1,286.99, for one semi-actuated traffic controller in ground mounted cabinet.

The following bids were received:

Southeastern Safety Supplies, Inc.	\$ 1,286.99
Thomas B. Combs Co.	1,503.85
Traffic Engineers Supply Corp.	1,690.09

CONTRACT AWARDED MARBELITE COMPANY, INC. FOR TRAFFIC SIGNALS.

Councilman Thrower moved award of contract to the low bidder, Marbelite Company, Inc., in the amount of \$4,290.31, on a unit price basis, for 105 one-way three-section traffic signals. The motion was seconded by Councilman Albea and carried unanimously.

The following bids were received:

The Marbelite Co., Inc.	\$ 4,290.31
Traffic Engineers Supply Corp.	4,974.90
Southeastern Safety Supplies, Inc.	5,053.85
Eagle Signal Division, E. W. Bliss Co.	5,612.98

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PROPERTY TRANSACTIONS AUTHORIZED.

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

- (a) Acquisition of 50 square feet of property at The Plaza and Blackwood Avenue, from Jack D. Farr, in the amount of \$325.00, for the Plaza Road Widening Project.
- (b) Acquisition of right of way 10' x 118' at 3514 Marvin Drive, from Henrietta Wesley, in the amount of \$118.00 as easement for the Benfield Court sanitary sewer.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR ACQUISITION OF PROPERTY OF NOEL ABROSE LECLAIR AND WIFE, LOCATED AT 4201 THE PLAZA FOR THE PLAZA ROAD WIDENING PROJECT.

Councilman Thrower moved the adoption of a resolution entitled: Resolution Authorizing Condemnation Proceedings for Acquisition of Property of Noel Abrose Leclair and Wife, Located at 4201 The Plaza for the Plaza Road Widening Project, which was seconded by Councilman Albea and carried unanimously.

The resolution is recorded in full in Resolutions Book 5, at Page 330.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR ACQUISITION OF PROPERTY OF H. M. HOUCK AND WIFE, VERTIE HOUCK, LOCATED AT 2918 EASTWAY DRIVE FOR THE EASTWAY DRIVE WIDENING PROJECT.

Motion was made by Councilman Thrower, seconded by Councilman Albea and unanimously carried, approving a resolution entitled: Resolution Authorizing Condemnation Proceedings for Acquisition of Property of H. M. Houck and Wife, Vertie Houck, Located at 2918 Eastway Drive for the Eastway Drive Widening Project.

The resolution is recorded in full in Resolutions Book 5, at Page 331.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR ACQUISITION OF PROPERTY OF MARTIN TAFT MORGAN AND WIFE AND HUMBLE OIL COMPANY, LOCATED AT NORTHWEST QUADRANT OF CENTRAL AVENUE AND EASTWAY DRIVE, FOR THE EASTWAY DRIVE WIDENING PROJECT.

Councilman Thrower moved the adoption of a resolution entitled: Resolution Authorizing Condemnation Proceedings for Acquisition of property of Martin Taft Morgan and Wife and Humble Oil Company, Located at Northwest Quadrant of Central Avenue and Eastway Drive, for the Eastway Drive Widening Project, which was seconded by Councilman Albea and carried unanimously.

The resolution is recorded in full in Resolutions Book 5, at Page 332.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR ACQUISITION OF PROPERTY OF P. M. BEALER (CHARBURG CORPORATION), LOCATED AT 3801 CENTRAL AVENUE, FOR THE EASTWAY DRIVE WIDENING PROJECT.

Upon motion of Councilman Thrower, seconded by Councilman Albea and unanimously carried, a resolution entitled: Resolution Authorizing Condemnation Proceedings for Acquisition of Property of P. M. Bealer (Charburg Corporation), Located at 3801 Central Avenue, for the Eastway Drive Widening Project.

The resolution is recorded in full in Resolutions Book 5, at Page 333.

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RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR ACQUISITION OF PROPERTY OF EDITH L. GRUBER, LOCATED AT 2925 EASTWAY DRIVE, FOR THE EASTWAY DRIVE WIDENING PROJECT.

Councilman Thrower moved the adoption of a resolution entitled: Resolution Authorizing Condemnation Proceedings for Acquisition of Property of Edith L. Gruber, Located at 2925 Eastway Drive, for the Eastway Drive Widening Project, which was seconded by Councilman Alba and unanimously carried.

The resolution is recorded in full in Resolutions Book 5, at Page 334.

WIDENING OF PLAZA ROAD, FROM EASTWAY DRIVE TO ITS INTERSECTION WITH MILTON ROAD TO BE INCLUDED IN THE 1967-68 CAPITAL IMPROVEMENT BUDGET.

Councilman Whittington moved that the widening of Plaza Road, from Eastway Drive to its intersection with Milton Road be put in the 1967-68 Capital Improvement Budget; that he does not think this can be delayed any longer. The motion was seconded by Councilman Short and carried unanimously.

CITY MANAGER TO CONFER WITH STATE HIGHWAY DEPARTMENT REQUESTING COOPERATION WITH THE CITY IN PROVIDING LEFT TURN LANES AT INTERSECTION OF CRAIGHEAD ROAD AND SUGAR CREEK ROAD, AT NORTH TRYON STREET.

Councilman Whittington requested the City Manager to confer with the State Highway Department to see if they will cooperate with the City and put in left turn lanes at the intersections of Craighead Road and Sugar Creek Road at North Tryon Street, going both north and south. With the new apartment village on Craighead Road behind the Heart of Charlotte and the other traffic that must use Sugar Creek Road, the traffic on Tryon Street only has one lane going both north and south at the peak hours; that this could be done by just adding one lane against the curb giving two turn lanes so there will be two going and one turning left.

Councilman Short stated he could not agree with this more, and he is sure no one is in a better position than he to realize this; the impression given from the property owners along there and his own people is that the State is not far away from rebuilding the entire road along there.

REPORT ON BONDING OF LOCKSMITHS.

Mr. Veeder, City Manager, stated that Mr. Thrower brought up the possibility of requiring some type of bonding operation for locksmiths, and he asked the Police Department to express some views on this. That he has a preliminary report suggesting that this is something that would be desirable, although they cannot point to any specific problems that have occurred recently; they do think it would be desirable if we had some way of reviewing the background of individuals who would like to get into this business. That he and Mr. Kiser have talked about this a little, and they hope to have something for formal consideration shortly.

APPOINTMENT OF THREE MEMBERS OF THE BUILDING STANDARDS BOARD BY THE CITY MANAGER CONFIRMED BY COUNCIL.

Upon motion of Councilman Alba, seconded by Councilman Short and unanimously carried, the City Manager's appointment of the following three members to the Building Standards Board, for three-year terms ending August, 1969, was confirmed:

John Crosland, Jr., Home Builder  
T. H. Hobbs, Plumber  
R. V. Wasdell, Engineer

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USE OF POWELL BILL FUND RESIDUE APPROVED FOR PURCHASE OF EQUIPMENT FOR  
ENGINEERING DEPARTMENT.

The City Manager stated last year in order to equip the street division with the mobile equipment it needed to carry on its maintenance and improvement program, it was necessary and desirable to utilize Powell Bill money. That they now request approval to do something similar this year, as it was necessary to cut back on the street division's request for funds in the operating budget; this does not reduce their need for equipment relating to maintenance of streets. That the Powell Bill fund is in such shape that they will be able to do this out of last year's residue. That they are requesting that a portion of the residue be used for the purchase of a backhoe loader, two trucks, force-feed loader and asphalt spreader box and a material spreader in the amount of about \$39,000.00.

Councilman Thrower moved approval of the City Manager's recommendation, which was seconded by Councilman Albea and carried unanimously.

ADJOURNMENT.

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

  
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Ruth Armstrong, City Clerk