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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, May 28, 1962, at 2 o'clock p.m., with Mayor Brookshire presiding, and Councilmen Albea, Bryant, Dellinger, Jordan, Smith, Thrower and Whittington present.

ABSENT: None.

Charlotte-Mecklenburg Planning Board members Mr Sibley, Chairman, Mr. Hanks, Mr. Toy, Mr. Turner and Mr. Ward were present during the hearings on petitions for changes in zoning classifications.

ABSENT: Mr. Craig, Mr. Delaney, Mr. Ervin, Mr. Jones and Mr. Lakey.

* * * * *

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, the minutes of the last meeting on May 22nd were approved as submitted.

HEARING ON PETITION NO. 62-9 FOR CHANGE IN ZONING OF 3.09 ACRE TRACT OF LAND AT THE NORTHWEST CORNER OF MILTON ROAD AND NEWELL-HICKORY GROVE ROAD.

The public hearing was held on Petition No. 62-9 by Frances M. Grigg for change in zoning, from R-9MF to B-1, of a 3.09 acre tract of land at the northwest corner of Milton Road and Newell-Hickory Grove Road.

The Planning Director advised the petition covers a piece of property triangular in shape at the intersection of Milton and Hickory Grove Roads and is vacant; that directly across Hickory Grove Road there is a church and the other adjoining property is generally vacant, with one home-site and a large tract of land on Milton Road immediately to the west of the property; up Hickory-Grove Road it is generally residential and there is some residential developments on Milton Road at a farther distance away, and the property is generally surrounded by multi-family zoning. Across Milton Road the property is zoned for Office usage and behind that there is an Industrial area which extends back to the Norfolk & Southern Railroad.

Mr. John A. McRae, Jr., Attorney for the Petitioner, stated the fact that the property is located at the intersection of the two Roads where the traffic is heavy makes it unsuitable for residential usage; also, the fact that adjoining property is zoned for Office use and at the rear of that there are 32 acres used Industrially makes it even less attractive for residential usage. He stated the Norfolk & Southern Railroad has a big "Industrial Park" sign erected on Milton Road; that on the adjoining lot Duke Power Company has their transmitters just 700 feet from Miss Grigg's property, which are quite ugly in appearance, and Marko Steel Company is located only one-fourth mile up Milton Road. He advised that Miss Grigg wishes to erect a Grocery Store or Service Station on her property, and the Grocery Store is especially badly needed in the area.

No objections were expressed to the proposed change.

Council action was deferred for a recommendation from the Planning Board.

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HEARING ON PETITION NO. 62-13 FOR CHANGE IN ZONING OF LOT AT 1314 DOWNS AVENUE.

The scheduled hearing was held on Petition No. 62-13 by Ralph J. Blalock, for a change in zoning from R-6MF to O-6 of lot at 1314 Downs Avenue.

Mr. McIntyre, Planning Director, stated the lot has a residential structure on it and lies immediately behind the Plaza Road frontage which is developed for business; between the property in question and Plaza Road there are several business developments, a Drive-In Restaurant, Service Station and similar types of business; immediately behind the property the land is developed along Shamrock Road for residential purposes; to the east and across from the property residential developments extend along Downs Avenue, and Plaza Road generally in this area is developed for business.

Mr. James Caldwell, Attorney for the petitioner, stated the property was zoned for Business prior to the adoption of the new Zoning Ordinance and Map; that the property in question has on it a 5-room house and was in a dilapidated condition when purchased by Mr. Blalock, who renovated it for rental purposes; however, tenants find it highly undesirable because of the adjacent business development and a parking lot some 10 feet from the house, therefore, his client cannot keep it rented. If their petition for rezoning to O-6 is approved, his client will make no structural changes in the property but will lease it to Carolina Cook Ware Company as an office and storage place, and they will have no signs on the house designating the business, and the remainder of the house will be used as living quarters. Mr. Caldwell stated further that the residents next door to the house have no objections to the change in zoning to O-6, and there are some non-conforming uses down Downs Avenue.

No objections were expressed to the proposed change in zoning.

Council action was deferred for recommendation from the Planning Board.

HEARING ON PETITION NO. 62-15 FOR CHANGE IN ZONING OF PROPERTY BOUNDED BY NORTH DAVIDSON STREET, EAST 36TH STREET AND THE NORFOLK & SOUTHERN RAILROAD.

The public hearing was held on Petition No. 62-15 by Frank O. Ratcliffe, H. T. Davis and Lawrence L. Simpson and wife, for a change in zoning from B-1 to I-2 of property bounded by North Davidson Street, East 36th Street and the Norfolk & Southern Railroad.

The Planning Director stated this is a triangular section of property bounded on one side by the Norfolk & Southern Railroad, on another side by Davidson Street and on the other by 36th Street in the North Charlotte business area; that there are several business establishments on the property at the present time and a factory producing furnace parts; that the property is adjoined across Davidson Street by businesses and across 36th Street is the Norfolk & Southern Freight Station and other businesses, and across the Norfolk & Southern right-of-way is Johnston Manufacturing Company.

Councilman Dellinger asked if the property was not zoned Industrial before the new zoning was adopted, and Mr. McIntyre stated it was.

Colonel Lawrence Simpson, one of the petitioners, stated when he purchased the building on the property it has been used by the Automatic Sprinkler Company since 1935; that he rented the property but they moved to larger quarters; that the building has now been empty for one and a half years and it does not lend itself to any type of retail business; that across the railroad is Johnston Manufacturing Company; that the Norfolk-Southern Railroad Real Estate Agent has assured him that a spur track can be put in to serve the building along the 205 feet bordering the railroad. He stated that another petitioner,

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Mr. Ratcliffe, owns the abutting land and he is interested in the zoning of the property for industrial use as he hopes that he can dispose of the land to some manufacturing company; that Mr. Davis, the other petitioner, has a small grocery store on the corner and has no objections to the Industrial zoning and he has entered into the petition with them. Colonel Simpson urged that the Industrial zoning be permitted so that they may make use of their property, which cannot be done under the present business zoning.

No objections were expressed to the change in zoning.

Council action was deferred for a recommendation from the Planning Board.

HEARING ON PETITION NO. 62-16 FOR CHANGE IN ZONING OF TRACT OF LAND AT THE SOUTHWEST CORNER OF BEATTIES FORD ROAD AND INTERSTATE HIGHWAY #85.

The scheduled hearing was held on Petition No. 62-16 by C. D. Spangler Construction Company for change in zoning from R-6 to B-1 of a tract of land at the southwest corner of Beatties Ford Road and Interstate Highway #85, fronting 285-feet on Beatties Ford Road and 616-ft. on Interstate #85.

Mr. McIntyre, Planning Director, advised the property is vacant except for a temporary building used by the petitioner in connection with the subdivision he is developing immediately behind the property. That the property fronts on Interstate 85 and Beatties Ford Road and extends back 600 feet from Beatties Ford Road where residential subdivision is now in the process of being developed by the petitioner. He advised that with the request for this zoning change, the petitioner filed a plan with the Planning Office under the conditional use of business district procedure of the zoning ordinance, and the plan proposed that three types of business usage be made of the property; one, a motel located to the rear of the property, two, a service station near the intersection of Interstate 85 and Beatties Ford Road, and third, a restaurant. That across Beatties Ford Road the property is generally zoned for business and farther down the street there is the large new shopping center.

No objections were expressed to the proposed zoning change.

Council action was deferred for a recommendation from the Planning Board.

HEARING ON PETITION NO. 62-17 FOR CHANGE IN ZONING OF PROPERTY NORTH OF FREELAND LANE, BETWEEN BULLARD LANE AND THE REAR OF PROPERTY ON ELLENWOOD PLACE.

The public hearing was held on Petition No. 62-17 by W. J. McArthur, for a change in zoning from R-6MF to I-1 and I-2 of property north of Freeland Lane, between Bullard Lane and the rear of property on Ellenwood Place.

The Planning Director advised the property is long and narrow lying immediately behind residential property on Ellenwood Place and is presently vacant; that the property to the east is vacant and a part of a subdivision that has not yet been developed; immediately to the south of the property there are residential structures that front on Bullard Lane and an industrial development exists in the area to the northeast of the property occupied by Jacobs Manufacturing Company and the Southern Railroad extends through the area. He stated the portion of the property that is requested for Industrial-2 zoning is triangular in shape and the balance of the property is requested for I-1 zoning. That the property is adjoined on its easterly side by industrial zoning and otherwise is adjoined on all sides by multi-family zoning.

Mr. Ray Rankin, Attorney for the petitioner, stated Mr. McArthur is in the hospital and could not be present. That his client bought the property two

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years ago, at which time it was all one tract along with Jacobs Manufacturing Company property, and it was all zoned Industrial including the four residences which were originally built for employees of the Jacobs Company, and which were sold to the occupants by Mr. McArthur. That when Mr. McArthur purchased the property it was in the plans that the road to the south of Pineville would run through the westerly edge of the property, which plan has been changed and will not affect the property. That nothing has been done during the two years ownership to put anyone in a worse position in the area than before Mr. McArthur purchased it. If the property is zoned as requested there is a prospective purchaser who would make a substantial investment and as it now stands it is a loss under the R-6MF zoning and can produce no revenue.

Objections to the proposed change were expressed by Mr. Walter Batchelor, representing the residents of the area, who filed a petition signed by the owners of the 37 residential properties on Ellenwood Place, Freeland Lane and Yorkshire Drive, in which it was stated their primary protest is the devaluation of their property but equally important would be the undesirability of having industrial establishments immediately adjacent to their residential neighborhood as the currently zoned R-6MF area is the last buffer zone to protect their property.

Mr. Batchelor stated they have been led to believe that City Hall will not listen and you can't fight City Hall they will ride over you, but they in the neighborhood do not believe this and the fact that a hearing is held, they believe they will have a fair chance to show Council their side. He presented a map or drawing of the area, and photographs of the neighborhood taken in a series from different locations viewed from South Boulevard, showing their homes and also the industrial portion of the area. He pointed out that the pictures show that the neighborhood consists of well-kept homes, nice grounds and an area where some privacy is enjoyed. He pointed out that the property in question is the only buffer area they have between their homes and the existing industrial development. He called attention that there is quite an area already zoned industrial, which could be put to that use rather than extending it and adversely affecting their home-sites, and devaluating their property.

Mr. Batchelor stated they do not feel this rezoning is necessary, and urged that consideration be given their side as well as that of the petitioner.

Mr. Dennis Ledford, resident of Ellenwood Place, stated he is present on behalf of the Minister and Deacons of Clanton Memorial Presbyterian Church, located in the area in question; that they have gotten word that Mr. McArthur plans to put a Drive-In Theatre on the property and as stated by Mr. McArthur's attorney when the property was purchased Mr. McArthur thought the highway was going through it and he would have made a good deal of money on it, but now that the highway has been changed, it is a different proposition. That if the property is rezoned and the Drive-In Theatre erected, it will materially affect the church. He stated further that Miss Clanton sold the property to Mr. McArthur and it was understood it would be used only for residential purposes; that her family donated the church property plus the property for the parsonage. He presented a petition signed by the Officers of the Church, strongly protesting the rezoning of the property.

Council action was deferred for a recommendation from the Planning Board.

The two petitions have been referred to the Planning Board Director for checking as to their sufficiency.

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HEARING ON PETITION NO. 62-18 FOR CHANGE IN ZONING OF LOT ON THE SOUTH SIDE OF STATE STREET, BEGINNING 124-FEET EAST OF WHITEHAVEN STREET.

The scheduled hearing was held on Petition No. 62-18 by Furr Realty Company for a change in zoning from R-6MF to B-2 of a 40-ft. lot on the south side of State Street, beginning 124-feet east of Whitehaven Street.

Mr. McIntyre, the Planning Director, advised this is a single lot, is vacant and lies a short distance from the intersection of West 5th Street, West Trade Street and Beatties Ford Road, fronting on State Street and is 140-ft. deep; it is adjoined on the easterly side by vacant property and some residential structures; across State Street there is a church and diagonally across State Street there are business establishments to the corner of Beatties Ford Road and Trade Street; otherwise the development is generally residential with multi-family houses.

Mr. Louis Carter, Attorney for the petitioner, advised they wish to erect a small office to carry on his real estate business and the present zoning line splits the property with one side being B-2 and the other R-6MF, he stated they will be satisfied with O-6 zoning instead of B-2, which was requested in error.

No objections were expressed to the proposed change in zoning.

Council action was deferred for the recommendation of the Planning Board.

HEARING ON PETITION NO. 62-19 FOR CHANGE IN ZONING OF PROPERTY ON BOTH SIDES OF WYANOKE AVENUE, BEGINNING 835-FT SOUTHEAST OF BASCOM STREET AND EXTENDING TO BRIAR CREEK.

The scheduled hearing was held on Petition No. 62-19 by Virgil E. Williams for change in zoning from R-6 to R6MF of property on both sides of Wyanoke Avenue, beginning 835-ft. southeast of Bascom Street and extending to Briar Creek.

The Planning Director advised that the property consists of several lots covering about half of Wyanoke Avenue, from Bascom Street to the point it turns north toward Independence Boulevard; that this portion of Wyanoke Avenue is not open but part of an approved subdivision; that one lot to the west, the street is open and developed with single-family houses; to the north is the rear line of single-family houses and the property on one side is bordered by Briar Creek and on the other side by the right-of-way of the Seaboard Railway and adjoining on the north and west is single-family houses, and across Briar Creek there is an Industrial area fronting on Monroe Road, and across the Seaboard Railway the area is zoned multifamily residential.

Mr. John James, Jr., attorney representing the petitioner, stated no part of the property has been laid out into lots, as understood and stated by Mr. McIntyre, but the upper end of it was cut into lots but not yet sold. That the main reason for the petition is the desire to put the property to its best and most attractive use, and if Mr. Williams is compelled to continue to develop it with single-family residences, there will, of course, be widely different ideas among the ownership as to what is the most and best way to keep the property up. That houses such as are in this immediate area and towards the northwesterly end of the tract are inexpensive and are being sold with little or no down payment so the purchaser goes in having no incentive to keep the property in good condition. Therefore, they think if multiple units may be erected there, the man who builds them will have some money in them and will be interested in keeping the area up to date. They feel it would be of benefit not only to Mr Williams but to the neighborhood as a whole.

No objections were expressed to the proposed change in zoning.

Council decision was deferred for the recommendation of the Planning Board.

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HEARING ON PETITION NO. 62-20 FOR CHANGE IN ZONING OF PROPERTY ON THE SOUTHWEST SIDE OF MEACHAM STREET AND PROPERTY ON THE NORTHEAST SIDE OF IVERSON WAY.

The public hearing was held on Petition No. 62-20 by G. P. Hunter for a change in zoning from O-6 to I-1 of property on the southwest side of Meacham Street, beginning 267.5 ft. from South Boulevard and extending 232.5 feet along Meacham Street, and property on the northeast side of Iverson Way, beginning 240-ft. from South Boulevard and extending 250-ft. along Iverson Way.

The Planning Director advised that the petition covers several properties and lots extending from Iverson Way back through to Meacham Street, both of these streets being streets that run from South Boulevard, and the property lies only a short distance from South Boulevard. Along Iverson Way some of the properties are developed residentially and some are vacant lots. Along Meacham Street, including the area in the petition some of the property is developed residentially, the majority being developed commercially. That the property across Meacham Street consist of the rear line of residential lots that front on Magnolia Avenue and across Iverson Way there are some business developments, and immediately to the east the property is partially vacant and residentially developed in the direction of the ball park. The adjoining property to the west toward South Boulevard is zoned Light Industrial.

Mr. Pat Hunter, one of the petitioners, presented pictures of the area and stated they purchased the property last August with the express intention of building a warehouse for sporting goods business, and at that time they checked with the City Inspection Department to see that it was properly zoned for this purpose. That by the time their plans were complete in February and requested a building permit they found the property had been rezoned O-6 and they would like to have the present zoning changed from O-6 to I-1 as heretofore. He stated they will build a very nice warehouse. That so far the area has developed industrially and they feel it is not suitable for office use, as there are a total of nine businesses in the immediate area with trucks coming and going, and there are only three lots left to be developed for business use. He advised there is an Industrial-1 zone nearby, therefore they request that it be changed back to Industrial-1, which is in keeping with the area. That they have canvassed the area and have found no one who objects to the Industrial zone.

Mrs Clara Simpson stated she lived on Iverson Place until recently and they moved as business was all around them and they believe it will be much easier to sell their property if it is zoned Industrial, as it is not suitable for either a residence or office.

Mr. Norman Black advised that he is a real estate agent, and Mrs Simpson asked him to speak as she has listed her property with him for sale, thinking it could be sold for industrial or warehouse use, and he has found that under the present zoning there are no prospects for the property for office purposes and they would like to see the zoning changed to Industrial, and he does not think it would hurt any other property in the community.

Mr. L. A. Ritch, resident of 300 Magnolia Avenue, stated he has no objections to the change in zoning.

No objections were expressed to the proposed change in zoning.

Council decision was deferred for a recommendation from the Planning Board.

MEETING RECESSED.

Mayor Brookshire declared a five minute recess at 3:15 p.m.

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MEETING RECONVENED.

The meeting was reconvened at 3:20 p.m. and called to order by the Mayor.

REQUEST FOR TRAFFIC SIGNAL AT INTERSECTION OF PLAZA ROAD AND ANDERSON STREET OR PUSH-BUTTON ON EITHER SIDE OF ANDERSON STREET, FOR PROTECTION OF CHILDREN ATTENDING PLAZA ROAD ELEMENTARY SCHOOL, DEFERRED ONE WEEK.

Mr. Dan Brooks, representing a group from Plaza Road School, presented a petition signed by 718 patrons residing on the east side of Plaza Road, requesting the installation of a traffic control device at the intersection of Anderson Street and The Plaza to regulate traffic for the safety of children attending Plaza Road Elementary School, stating they do not believe the caution light affords the desired traffic control because of the recent opening of a larger Drive-In Restaurant business and the present construction of another Drive-In Restaurant adjacent to the intersection.

Councilman Dellinger stated he had a request for this traffic control last week, and sent the residents a report from the Traffic Engineers office. Mr. Brooks stated he has a copy of the report and agrees with it only in part; that Mr. Hoose says the traffic volume count in a 12-hour period at this location is 9,165 vehicles and 355 of these vehicles entered from Anderson Street and the traffic does not warrant a Signal. Mr. Brooks advised it is not the cars getting in and out they are interested in - it is the children getting across the street in safety that concerns them. He stated the through traffic is the main problem and the School Traffic Guard says she takes her life in her hands getting out in the street to stop traffic for the children to cross. That the intersection is two and one-half blocks north of the traffic signal at 36th Street and the next signal is seven blocks farther out Plaza Road. He advised the speed limit sign and blinker light are not easily visible and you are on the signs before you see them. He stated what they want is a push-button traffic control that the School Guard could operate. He read a letter from the School Guard, Mrs Mary McGuirt advising them the present controls are not sufficient.

Mr. Hoose was present and advised this is a standard school crossing and the same controls are used all over the city, with the School Guard on duty. He stated Sergeant Hill took the survey along with the Traffic Engineering Department and the School Guard told him she had no problems in getting the children across the street. He advised that the count showed at 2 p.m. 42 children crossed, at 3 p.m. 132 and in the morning 150 children.

Mr. Brooks stated there are 428 children in this school and 246 live on the east side, many of whom are small children who do not realize the danger.

Councilman Whittington expressed the opinion that the push-light should be installed on either side of Anderson to provide maximum protection to these children.

Councilman Smith called attention that this is a very fast growing area, every day 10 or 15 houses are built out that way and all this traffic comes into Charlotte. He suggested that the matter be postponed until next meeting and each Council member go out and look at it during crossing hours, and Mr. Hoose bring in some figures as to the cost of installing the signals.

Councilman Bryant suggested that during this last week of school that special protection be given to make sure that the 20 m.p.h. speed limit is being observed.

Mr. Brooks stated they want to be sure that something is worked out by the opening of school next fall.

Mayor Brookshire stated the matter will then be deferred until next week, as suggested.

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RIGHT-OF-WAY AGREEMENTS AUTHORIZED WITH STATE HIGHWAY DEPARTMENT.

Upon motion of Councilman Dellinger, seconded by Councilman Jordan, and unanimously carried, the following right-of-way agreements were authorized:

- (a) Joint agreement between the American Investment Company, City of Charlotte and State Highway Commission for right-of-way for the installation of an 8-inch water main on the west side of Old Providence Road, outside the city limits.
- (b) Joint agreement between Ervin Construction Company, the City of Charlotte and State Highway Commission, for right-of-way for the extension of a 6-inch water main in the west side of N. C. Highway 21, between Edgewater Drive and Wicker Drive, outside the city limits.

CONTRACTS FOR THE INSTALLATION OF WATER MAINS AUTHORIZED.

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

- (a) Contract with Ervin Construction Company for the installation of 2,458-ft of water mains and 2 hydrants in N. C. Highway 21, between Edgewater Drive and Wicker Drive, outside the city limits, at an estimated cost of \$8,000.00. All costs to be borne by the applicant, who will dedicate same to the City without cost upon acceptance by the City for operation and maintenance.
- (b) Contract with American Investment Company for the installation of 5,442-ft. of water mains and 3 hydrants in Old Providence Road, outside the city limits, at an estimated cost of \$19,100.00. All costs to be borne by the applicant, who will own the same until the area is taken into the city limits, at which time the mains will become the property of the city without further agreement.

LEASES OF AIRPORT BUILDINGS AUTHORIZED.

Upon motion of Councilman Albea, seconded by Councilman Bryant, and unanimously carried, lease of the following buildings at Douglas Municipal Airport was authorized:

- (a) Lease with Air Associates, Inc. for Airport Building No. 31, comprising 1,900 sq. ft. for a term of one year beginning May 1, 1962, at a monthly rental of \$47.50.
- (b) Lease with R. H. Wiggins Co., Inc. for Airport Building No. 48, comprising 1,300 sq. ft. for a term of one year, beginning May 16, 1962, at a monthly rental of \$75.00.

Councilman Smith asked that in the future the monthly rental under the prior lease be shown as well as the new rate.

TRANSFER OF CEMETERY LOTS.

Motion was made by Councilman Dellinger, seconded by Councilman Albea, and unanimously carried, authorizing the Mayor and City Clerk to execute deeds for the transfer of the following cemetery lots:

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- (a) Deed with C. Murray Eastwood, for Lot 361, Section 4-A, Evergreen Cemetery, at \$189.00.
- (b) Deed with Florence Boatwright, for Perpetual Care on the north half of Lot 34, Section U, Elmwood Cemetery, at \$70.00.
- (c) Deed with James A. Anderson, for Lot N, Section U, Elmwood Cemetery, transferred from Z. A. Hovis & Son, at \$3.00 for transfer deed.

CONTRACT AWARDED AVRETT & LEDBETTER ROOFING & HEATING COMPANY FOR REPLACING ROOF ON THE NORTHERN PUMP ROOM AT VEST STATION.

Councilman Dellinger moved the award of contract to Avrett & Ledbetter Roofing & Heating Company, the low bidder, for replacing the roof over the northern pump room at Vest Station, at their bid price of \$1,226.00. The motion was seconded by Councilman Bryant, and unanimously carried.

The following bids were received:

Avrett & Ledbetter Roofing & Htg. Co.	\$ 1,226.00
G. G. Ray Company	1,312.62
Interstate Roofing & Htg. Co.	1,496.66

CONTRACT AWARDED CAROLINA COATINGS, INC. FOR WHITE TRAFFIC PAINT.

Upon motion of Councilman Albea, seconded by Councilman Thrower, and unanimously carried, contract was awarded Carolina Coatings, Inc., the low bidder, for 6,000 gallons of White Traffic Paint, on a unit price basis, at their bid price of \$2.70 per gallon, representing a total price of \$16,524.00.

The following bids were received:

Carolina Coatings, Inc.	\$16,524.00
Prismo Safety Corporation	18,540.00

The following bids did not meet the specifications:

Sherwin-Williams Company	\$10,567.80
William Armstrong Smith Co.	17,625.60
N. C. League of Municipalities	17,983.80
Cataphote Corp.	18,045.60
The Garland Company	19,281.60

CONTRACTS AWARDED BINGHAM LUMBER COMPANY AND ABERNETHY LUMBER COMPANY FOR SALE OF TIMBER ON IRWIN CREEK DISPOSAL PLANT PROPERTY.

Councilman Dellinger moved the award of contract to the high bidder, Bingham Lumber Company, for 801,000 feet of timber in Block #1 of the Irwin Creek Disposal Plant property located south of Yorkmont Road, at their bid price of \$30,140.00. The motion was seconded by Councilman Whittington, and unanimously carried.

The following bids were received:

Bingham Lumber Co.	\$30,140.00
F. S. Childers & Son Lumber Co.	28,060.00
J. S. Dean	19,225.00

Councilman Dellinger moved the award of contract to the only bidder, Abernethy Lumber Company, for 664,500 feet of timber in Block #3 of the Irwin Creek Disposal Plant property, located north of Yorkmont Road and west of Irwin Creek at their bid price of \$22,527.50. The motion was seconded by Councilman Whittington, and unanimously carried.

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CONTRACT AWARDED ALLISON FENCE COMPANY FOR CHAIN LINK FENCE FOR STREET DEPARTMENT SERVICE YARD.

Upon motion of Councilman Thrower, seconded by Councilman Jordan, and un-animously carried, contract was awarded the low bidder, Allison Fence Company, for a chain link fence for the Street Department service yard, at their bid price of \$2,723.80.

The following bids were received:

Allison Fence Company	\$	2,723.80
Allied Chain Link Fence Co., Inc.		2,894.83
Cyclone Fence Dept. U. S. Steel Co.		3,033.08
Anchor Post Products, Inc.		3,467.60

REMOVAL OF DOGWOOD TREES FROM KENILWORTH AVENUE RIGHT-OF-WAY TO CEMETERY.

Councilman Dellinger advised that a lady called him last night and suggested that the city save the dogwood trees in the Kenilworth Avenue widening right-of-way and plant them in the cemetery. The matter was discussed and it was suggested that a nursery handle the trees if and when they might be moved.

REQUEST THAT CARDIFF AVENUE BE PAVED IF QUALIFIES AS A COLLECTOR STREET, AND IF NOT THAT SIGNS BE ERECTED AT THE CORNER OF PALM AVENUE AND CARDIFF STREET AND AT HILLIARD STREET AND CARDIFF STREET READING "NO THROUGH TRAFFIC".

Councilman Dellinger presented a letter from Mr. Charles Smith, 2835 Palm Avenue, stating the Council instructed the City Manager to see if Connecticut Avenue qualified as a collector street. That it does not as the street is not used for one thing and there are no houses facing the street; however, Cardiff Street, one block east of Connecticut has four houses facing it and is a collector street, and he asked that it be paved as it connects Hilliard Drive and Shamrock Drive, and residents of Harrow Place and Brixton Court also use Cardiff Street going to and from the Shopping Center at Shamrock and Eastway Drive. That in case Cardiff does not qualify as a collector street, then that signs be placed at the corner of Palm and Cardiff and at the corner of Hilliard and Cardiff reading "No Through Traffic", as the ruts in the road are a foot deep and the street is not safe and the dust is terrific.

The request was referred to the City Manager for investigation and report.

CONSIDERATION OF MAYOR'S APPEAL FOR THE CUBAN REFUGEE PROGRAM.

Councilman Jordan stated he would like for the Council to endorse or give consideration to the Mayor's appeal for the Cuban Refugee Program, which appeal was made to the Mayors of the United States by Secretary Ribicoff, who stated there are already 50,000 refugees in Miami and coming in at the rate of 1,800 per week and he specifically asked that other cities share in the burden.

Mayor Brookshire stated his suggestion was that if there are individuals and organizations in Charlotte interested that they get in touch with his office if they wish to help with the program and he has had one call from a Church group who wishes to help. He stated the appeal by the President, through Mr. Ribicoff was very strong that the burden of refugee resettlement might be

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shared; that he also stated that no refugee would become a charge of a community. Also, that it was not suggested that such program be sponsored by the local city governments but by interested citizens.

Councilman Smith stated he would prefer, personally, that the Council not take any action on it other than what the Mayor has done.

LOCAL GOVERNMENTAL RETIREMENT SYSTEM REQUESTED TO CONTINUE IN SERVICE CERTAIN EMPLOYEES 65 YEARS OF AGE OR OLDER.

Councilman Whittington moved that the Local Governmental Retirement System be requested to continue in service the following employees through the dates specified:

<u>Employee</u>	<u>Date</u>
W. B. Young	4-30-63
L. L. Ledbetter	9-30-62
A. L. Grier	6-30-63
W. R. Jones	6-30-63
W. E. Munson	6-30-63
A. H. Williamson	6-30-63
L. Y. Workman	6-30-63
R. W. Livingstone	6-30-63
W. F. Cooke	6-30-63
S. W. Puckett	6-30-63
A. Ratterree	6-30-63
W. W. Welch	6-30-63
G. B. Livingston, Sr.	6-30-63
G. Evans	6-30-63
A. J. Knight	6-30-63

The motion was seconded by Councilman Bryant, and unanimously carried.

PARKING OF CARS OF PROJECT EMPLOYEES AT GREEN OAKS APARTMENTS DISCUSSED.

Councilman Whittington reported he had a call on last Friday from the people constructing Green Oaks Apartments stating they had been restricted from parking on both sides of Wimberly Drive, and one side of the street is vacant and there are six duplexes on the other side, and they felt it was unfair to restrict all of the parking because of the large number of employees working on the project, and felt it should be restricted only on one side.

Mr. Hoose stated there were some 200 cars parking on the street and the residents on Wimberly requested that something be done as they were blocking driveways, etc; therefore, parking was restricted at the request of the residents. He stated further he was out there this morning and agreed to let them park off the pavement on a strip that is cleared between the curb and the woods, which would take them off the street proper. That the contractor stated when they get further along with the project the employees will park within the project.

Councilman Whittington stated his only thought was that we advocate bringing new development and new industry into Charlotte and we should cooperate as much as possible. Now if they have been gotten off the street and they are satisfied, then everything is fine.

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THREE LOTS FRONTING ON GREENWOOD CLIFF AUTHORIZED ADVERTISED FOR SALE.

Councilman Albea moved that the three city owned lots fronting on Greenwood Cliff be advertised for sale and that the starting bids be fixed at \$1,500.00 per lot, being the price offered by Cornerstone Realty Company. The motion was seconded by Councilman Thrower, and unanimously carried.

L. A. TOMLINSON APPOINTED TO AUDITORIUM-COLISEUM AUTHORITY.

Councilman Bryant nominated Mr. L. A. Tomlinson to fill the vacancy on the Auditorium-Coliseum Authority.

Councilman Albea nominated Mr. Everett Suddreth.

Councilman Smith nominated Mr. Bobo Langston.

Councilman Bryant moved that the nominations be closed, which was seconded by Councilman Thrower, and unanimously carried.

The vote was taken on the appointment of Mr. Tomlinson, with the following vote recorded:

YEAS: Councilman Bryant.

The vote was taken on the appointment of Mr. Suddreth, with the following vote recorded:

YEAS: Councilmen Albea, Jordan and Thrower.

The vote was taken on the appointment of Mr. Langston, with the following vote recorded:

YEAS: Councilmen Smith, Dellinger and Whittington.

Councilman Bryant moved that another vote be taken on the same nominees. The motion was seconded by Councilman Dellinger, and unanimously carried.

The vote was taken on the appointment of Mr. Tomlinson, and carried by the following recorded vote:

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

The vote was taken on the appointment of Mr. Suddreth with the following vote recorded:

YEAS: Councilman Albea.

Councilman Albea stated he does not know Mr. Tomlinson, and he was not against him, he just had his own candidate and was for him and is still for him but since Mr. Tomlinson has been elected and he is satisfied he is OK, he would like to make it unanimous.

COUNCIL ADVISED THAT RETURNED PREMIUM BY LIFE INSURANCE COMPANY OF VIRGINIA RECEIVED ON YEAR'S INSURANCE COVERAGE.

The City Manager advised that in connection with the agreement entered into with the Life Insurance Company of Virginia about a year ago for certain types of insurance, we have completed the year's coverage and a check in the amount

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of \$35,184.00 has been received as the returned premium . That this is approximately the amount anticipated and it was figured in when the cost was estimated.

Mayor Brookshire stated this would be received as information.

ADJOURNMENT.

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



Lillian R. Hoffman, City Clerk