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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, August 19, 1963, at 2 o'clock p.m., with Mayor Brookshire presiding and Councilmen Albea, Bryant, Dellinger, Jordan, Smith, Thrower and Whittington present.

ABSENT: None.

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

ABSENT: Mr. Ervin, Mr. Jones and Mr. Suddreth.

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#### INVOCATION.

The invocation was given by the Reverend Frank R. Koger, Pastor of Enderly Park Baptist Church.

#### MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Thrower, and un-animously carried, the Minutes of the last meeting of the Council on August 5th were approved as submitted.

#### HEARING ON PETITION NO. 63-45 FOR CHANGE IN ZONING OF 10-ACRE TRACT OF LAND AT NORTHEAST CORNER OF SHARON ROAD AND SHARON VIEW ROAD.

The scheduled hearing was held on Petition No. 63-45 by James M. Herlocker, W. O. Sullivan and Thomas A. Lockhart, for a change in zoning from R-15 to O-6 of a 10-acre tract of land at the northeast corner of Sharon Road and Sharon View Road, fronting 740-ft. on Sharon Road and 805-ft. on Sharon View Road.

The Planning Director advised the petition covers property under several ownerships extending from Sharon Road south to Sharon View Road and along Sharon View Road for some distance. The property is used for residential purposes with one exception, adjacent to the Sharon Elementary School there is a small stand at which miscellaneous articles are sold. The property adjoins other residential property along Sharon View Road extending in an easterly direction; directly across Sharon View Road the property is adjoined by large parcels of vacant land and homes on large tracts of land. Directly across Sharon Road are residences and a subdivision known as Laurel Woods; diagonally across are Apartments under construction, and a new Shopping Center at Fairview and Sharon Roads. The property is adjoined on all sides by R-16 zoning with one exception; directly across Sharon Road a portion of the adjoining frontage is zoned R-12MF.

Mr. Thomas A. Lockhart, attorney, stated he appears on behalf of the petitioners of whom he is one, therefore he has a personal interest in the outcome of their petition for rezoning, about which he was first approached by Mr. J. M. Herlocker, who lives on the corner of the 10 acre tract, who asked that he join with him to obtain the rezoning of the property. He

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presented a map of the area, showing that the 10 acre tract is almost a square, which is adjoined on the north by the School property and on the west by Sharon Road and on south by Sharon View Road; the 10 acres is comprised of 8 parcels of land, three of which is owned by himself, three by Mr. Herlocker and the other four acres divided among six property owners, three of whom were present and introduced by Mr. Lockhart, who advised the other two property owners are two ladies who did not come today and Mr. Hedrick who owns the little fruit stand. Mr. Lockhart called the attention of Council to the very unfortunate development or division of the property, which had no planning and is badly cut up. That in January, Mr. Herlocker approached him with the idea that the property could be upgraded, for the benefit of the entire neighborhood. He advised that two of the lots have no direct entrance from the street and the only way the residents have of getting in and out of their property is by using the School driveway.

Mr. Lockhart stated theirs is not a request for Business 1, 2 or 3 zoning but for O-6, which is for office type use, and they believe if the property is allowed to develop in this way it will benefit not only the property owners but the entire neighborhood, which the Council can see if they will ride out Sharon Road is unfortunately developed and needs to be planned, as the land is too valuable to be used for single-family residences and he does not believe in view of the development of the area - the Crosland Shopping Center, Crosland Apartments, the O-6 zoning on the opposite side of the School, the B-1 zoning adjacent to that and the Office zoning on Sharon Road north of Fairview Road and the O-6, O-16, B-1, R-12MF and R-15 zoning in the neighborhood, that the Office Institutional use could help but benefit the neighborhood and be in keeping with other zoning. What they are trying to do is to bring the property together for a planned, intelligent use, which will upgrade the neighborhood and not harm anybody, although some may think it will do so. He stated further that Mr. Herlocker lives in a modern house but says he cannot continue to live there and he would not be justified in spending the amount of money it would require to build the type of house that his 4-acre tract of land would require; that he, personally, lives in a house 50 years old, of limited value and the usability of it is limited but he does not believe he could justify building a house on his 3 acre tract in view of the business uses already in the area and particularly the Shopping Center diagonally across the street.

Mr. Frank Snapp, representing Mr. Harold Couch, 2933 Sharon View Road, stated this property adjoins that of Mr. Lockhart, and he appears in protest of the rezoning and he filed with the Clerk a Petition signed by Mr. Couch and adjoining property owners, stating as owners of at least 20% of the property adjacent or opposite to the property in question, they protest its rezoning from R-15 to O-6.

Mr. Snapp stated he agrees with Mr. Lockhart that the property is not well planned. That the only possible thing that tract could be economically utilized for would be a rather large office building of some type; that that property adjoins an Elementary School, is already a congested area, many of the children walk to that School, it would change the character of the land up Sharon View Road, which is now exclusively residential, and there are adequate office buildings in the vicinity of Fairview Road, and Sharon Road is a residential neighborhood; that the petitioners moved there knowing the situation and while it is true that the property is chopped up and not well developed, they have lived with it and can continue to do so. That they think the tract should be left as residential property and the nature of Sharon View Road should not be changed.

Mr. Stuart Childs, Attorney, and also a resident of Laurel Wood adjoining the property in question, stated he is speaking for the residents of Laurel Wood, a large number of whom are present. That there is already a Petition

signed by residents of Laurel Wood opposing the rezoning, on file with the Clerk and he filed another one stating they purchased their homes in good faith and invested considerable money in them and protest the change in zoning, which he stated will represent 100% of Laurel Wood residents.

Mr. Childs stated the property in question is situated exactly in front of the entrance to Laurel Wood. That Sharon Road, from Queens Road to Pineville Road, is residential except at the corner of Fairview Road and Sharon Road, where there is a new Shopping Center, which serve the community, and they do not feel the requested change in zoning of the 10 acre tract for Office use is necessary nor of any benefit to the community. He referred to Mr. Lockhart's statement that the 10 acre tract is not the type of property on which he would like to build a home, while they feel it is well suited for that and there are many very fine homes in the neighborhood. That they feel the possibility of a large office building, or institution being built on the property would multiply the congestion and they do not want it and want the area to remain residential and a place to rear their children.

Mr. Ted Williams, resident of Laurel Wood, protested the rezoning, stating that the use of the property for Offices would not benefit the neighborhood nor Charlotte; that the greatest benefit to Charlotte would be realized by erecting homes in which children could be reared as future citizens of Charlotte. That the people of Laurel Wood do not want the area more congested, they purchased their homes there because it was a residential area, a safe place for children. Mr. Williams called attention that he told Council when they rezoned the property on Sharon Road for the Shopping Center that there would be more and more request to eat into this nice, residential area and this is an example of what he meant. It does not seem fair that they have to fight the same battle over and over to protect their homes.

Mr. Tom Snyder, resident of Laurel Wood, stated he is a traveling salesman with Californiz Chemical Company and at times they transfer their men with a two weeks notice, and he understands it is very hard to sell a house in Charlotte in a commercial area right now, and he cannot afford to hold a house for any considerable time, therefore, he is very much against the requested rezoning which will bring more business into the area and make residential property less desirable.

Mr. Lockhart, stated in view of the statements made and opposition to the petition, he would like to suggest for Council's consideration a possible solution to the situation. First, with regard to the opposition of his neighbor, Mr. Couch, with whom he has enjoyed the very best relations, it is a fact that Mr. Couch has in his front yard and adjoining Mr. Lockhart's property a tenant house without the spirit of the R-15 zoning of his property. That when he moved into the area 5 1/2 years ago, Mr. Couch told him that when the tenant house was vacated it would be either removed or moved into a wooded area where it would not be so prominent; that his tenant moved and contrary to doing what he had said, Mr. Couch had the house repaired and a room added to it. Mr. Lockhart stated further that while they believe an O-6 zoning of the property is not going to decrease the value of any homes in the area, as Mr. Crosland's Shopping Center did not do so, that if there should be some compromise to the situation, one solution might be that a line be drawn through the center of the property, dividing it into two 5-acre tracts, that portion on Sharon Road being zoned for O-6 purposes and the second half being zoned for R-12MF on Sharon View Road, which would be principally the property owned by himself. That he believes the O-6 zoning will be beneficial to the area and will not depreciate the values in any way, but if the residents and the Council feel there should be a buffer zone, then he would suggest dividing the property as he said.

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Mr. Ted Williams stated if the Council lets Mr. Lockhart get one foot in the area, it will go all the way down the road. If they will mow their lawns, clean up and paint their houses, then the property will be suitable for homes.

Council decision was deferred for one week.

HEARING ON PETITION NO. 63-46 FOR CHANGE IN ZONING OF PROPERTY AT 2901 DUNN STREET.

The public hearing was held on Petition No. 63-46 by Mr. L. P. Mayhew for a change in zoning from B-1 to B-2 of property at 2901 Dunn Street, bounded by Monroe Road, Dunn Street and Seaboard Railway.

Mr. McIntyre, Planning Director, advised the property is adjacent to the Underpass on Monroe Road beneath the SAL Railway, at the corner of Monroe Road and Dunn Street; the property consists of a long sliver of land between Dunn Street and the Railroad, with a maximum width at the Monroe Road end of 60' tapering back to a point a distance of 500 ft. The property is bordered on one side by the Railroad, across Dunn Street there are commercial and business uses. The property has on it a Lunch Stand otherwise it is vacant.

Mr. Mayhew stated he wishes to add Drive-In service to his present Restaurant now on the property, which is not permitted under B-1 zoning but is under the requested B-2 zoning. That two lots directly in front of his property have been changed by the Council to B-2 zoning.

No objections were expressed to the proposed rezoning.

Council decision was deferred one week.

HEARING ON PETITION NO. 63-47 FOR CONDITIONAL APPROVAL OF PETROLEUM PRODUCTS STORAGE IN EXISTING I-2 ZONED AREA ON SOUTHWESTERLY SIDE OF SADLER ROAD.

The scheduled hearing was held on Petition No. 63-47 by W. C. Rozzell Heirs, for Conditional Approval of Petroleum Products Storage in an existing I-2 zoned area on the southwesterly side of Sadler Road, beginning 1,426-ft. northwest of Mt. Holly Road and extending 366-ft. along Sadler Road.

The Planning Director stated this is not a change in zoning but a request for approval of Conditional Use under the Zoning Ordinance, approval for the storage of Petroleum Products. The property is on Sadler Road and the area is generally used for storage of Oil Tanks. A similar request was recently granted the Texaco Company in the vicinity.

Mr. Ray Bradley, Attorney representing Carolina Terminal who propose to put these petroleum storage tanks on this property, stated one unusual feature about the request is they wrote a letter at the time they filed the petition asking if possible to have this matter determined today, because the fall is approaching and there will be a need for the distribution of oil immediately and these people cannot start their tanks until the matter is determined and they can buy their material. He stated further that the only persons having residential property adjoining I-2 property have sent a petition along with their request, stating they do not have an objections to the use of the property for petroleum storage. Mr. Bradley asked if possible that Council make their decision today.

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Mayor Brookshire advised that Mr. Sibley, Chairman of the Charlotte-Mecklenburg Planning Commission, states the Commission will consider this request as soon as they meet following the Hearings, and will send their recommendation in to Council today, so that Council may consider the request today.

No objections were expressed to the proposed rezoning.

HEARING ON PETITION NO. 63-48 FOR CHANGE IN ZONING OF TWO LOTS ON WEST SIDE OF WOODLAND DRIVE, NEAR CHARLES STREET.

The public hearing was held on Petition No. 63-48 by Mrs Joe W. Yandle, for change in zoning from O-6 and R-9 to B-1 of two 100-ft. lots on the west side of Woodland Drive, near Charles Street.

Mr. McIntyre, Planning Director, stated the property is described as being on Woodland Drive in the Petition, he will call attention that the name Woodland Drive was changed in the Street Renaming Program to Norland Drive and runs off Central Avenue, and is near Evergreen Cemetery property. He stated the property consists of two lots, one of which is occupied by a Construction Company, and the other vacant. He advised that diagonally across from the property there is additional business and storage warehouses and at Central Avenue and Norland Drive there is a Restaurant and a Service Station. The property is generally adjoined by B-1 zoning on Central Avenue.

Mr. Charles Bundy, Attorney for the petitioner, stated Mrs Yandle owns the property, which is Lot 4 which is zoned R-9, Lot 3 on which the Office Building is located is also owned by Mrs Yandle. These properties were bought by Mr. Yandle before the property was brought into the city, and it is leased by Mrs Yandle to the Marsh Realty Company and is zoned O-6. Mr. Yandle died in 1960 and left it to Mrs Yandle. This property across the street is also owned by Mrs Yandle and houses the Southern Piping Company and is zoned B-1. Mrs Yandle feels that Lot 4 zoned R-9 is absolutely worthless to her under the present zoning, and she requests that it be zoned B-1 and that Lot 3 be zoned B-1, so that all of her property in this location will be under B-1 and she can utilize it for the same purpose.

No objections were expressed to the proposed rezoning.

Council decision was deferred one week.

HEARING ON PETITION NO. 63-49 FOR CHANGE IN ZONING OF AREA BOUNDED BY WEDDINGTON AVENUE, BASCOM STREET AND SEABOARD RAILWAY.

The scheduled hearing was held on Petition No. 63-49 by Queen City Lumber and Supply Company, for change in zoning from R-6MF to I-2 of the area bounded by Weddington Avenue, Bascom Street and the Seaboard Railway.

The Planning Director advised the property consists of a triangular piece of property, fronting on Bascom Street, Weddington Avenue and adjoining the SAL Railroad. The property is presently used as a site for a lumber company. It is adjoined on Weddington Avenue by single-family and multi-family residences; across Bascom Street the property is adjoined by a residential use and some vacant land near the Railway. The property is zoned R-6MF, as is all adjoining property in the area, except Wyanoke Street which is zoned for single-family purposes.

Mr. Thomas Lockhart, Attorney representing the petitioners, stated the Queen City Lumber Company has been at this location since 1946 and is operated by

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Mr. Hatley and his two sons, who are present today. They actually had this business at this location before there was zoning in Charlotte. Consequently this has been a non-conforming use ever since zoning became effective. In 1961 the Queen City Lumber Company constructed a very nice looking warehouse within the right of way of the SAL Railway, which Railroad had acquired a right of way 100' on either side of the center line of their main line tracks, and in 1961 the Queen City Lumber Company applied for and got a permit to build their warehouse within this right of way. In the 1962 general rezoning all railroad right of way land was given an Industrial Zoning Classification and therefore he got what he was entitled to have in 1961. He did not know that in 1962 in the general rezoning that all right of way land was given the same general classification as the adjacent land - which in this case was residential. The first part of this year the Lumber Company went to the SAL Railway Company and asked them to construct a side track on the right of way so they could erect another warehouse within the right of way and stop having to load and unload at the Pecan Street Crossing, which is eleven blocks away. The Railway Company was glad to do so, and then it is found that under the 1962 zoning the property was given the same classification as the adjoining residential property. Therefore, he is asking for the rezoning to I-2 of the entire tract of land to conform with the use of the property for the past 17 years. He stated he has discussed this matter with several members of the Planning Commission and they have raised the question as to what will happen in case Queen City Lumber Company goes out of business or something of that nature, then what about having rezoned the property for industrial purposes. Of course, they cannot answer that, as no one knows what might happen, but it is a family business with the sons of Mr. Hatley just getting into the business and they plan to carry on the business. Therefore, their appearing before Council for this rezoning is not a subterfuge to obtain Industrial Zoning so they can continue to operate now. Therefore, they believe the request is just and know it is justified and ask as a minimum that Council kindly zone the right of way back to Industrial, because the Lumber Company contemplates putting up a building entirely within the right of way, but they would like to have the entire property rezoned Industrial, or as an additional possible alternative, if Council would leave a 100' or 150' buffer zone along Weddington Avenue and rezone the remainder they can operate under that.

No objections to the rezoning were expressed by the public.

Council decision was deferred one week.

HEARING ON PETITION NO. 63-50 FOR CHANGE IN ZONING OF TRACT OF LAND ON THE NORTHEAST SIDE OF ROZZELLS FERRY ROAD, BEGINNING SOUTHEAST OF MANLEY STREET.

The public hearing was held on Petition No. 63-50 by Mr. R. S. Cook, for change in zoning from R-6MF to I-2 of a tract of land 144-ft. by 210-ft. on the northeast side of Rozzells Ferry Road, beginning 230-ft. southeast of Manley Street.

Mr. McIntyre, Planning Director, advised the property consists of two lots used for one residence, fronting 124-ft. on Rozzells Ferry Road and 210 feet back from the Road; it is adjoined by vacant property, and business establishments on Rozzells Ferry Road and further up the Road there are light industrial establishments. Coming down Rozzells Ferry Road to the property in question the land is used for residential purposes for several blocks.

No objections were expressed to the proposed rezoning.

Council decision was deferred for one week.

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MEETING RECESSED AT 3:10 P.M. AND RECONVENED AT 3:20 P.M.

Mayor Brookshire announced at 3:10 p.m. that the meeting would recess for ten minutes, which was done and reconvened at 3:20 p.m.

RESOLUTION ORDERING THE MAKING OF CERTAIN LOCAL IMPROVEMENTS ON OLINDA STREET, FROM KILDARE DRIVE TO ILFORD STREET, ADOPTED.

The public hearing was held on the Petition of 71% of the owners of property abutting on Olinda Street, from Kildare Drive to Ilford Street, representing 84% of the lineal feet of frontage, for improvements by installing storm drainage facilities and paving with base course and surface course for a distance of approximately 1,400 front feet, at a total estimated cost of \$5,119.00, of which the City's share is estimated at \$1,619.00, and the total amount to be assessed against the owners of the abutting properties is estimated at \$3,500.00, at an estimated \$2.50 per front foot.

No objections were expressed to the improvements being made.

Thereupon, Councilman Bryant moved the adoption of a Resolution Ordering the Making of the Improvements on Olinda Street, from Kildare Drive to Ilford Street, which was seconded by Councilman Thrower, and carried by the following recorded vote:

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

The resolution is recorded in full in Resolutions Book 4, at Page 324.

RESOLUTION ORDERING THE MAKING OF CERTAIN LOCAL IMPROVEMENTS ON HOLLY STREET, FROM NEWLAND ROAD TO DEADEND, ADOPTED.

The public hearing was held on the Petition of 59% of the owners of property abutting on Holly Street, from Newland Road to Deadend, representing 65% of the lineal feet of frontage, for improvements by installing storm drainage facilities and paving with base course and surface course for a distance of approximately 2,069.5 front feet, at a total estimated cost of \$6,904.00, of which the City's share is estimated at \$1,738.00 and the total amount to be assessed against the owners of the abutting properties is estimated at \$5,166.00, at an estimated \$2.50 per front foot.

Mr. Johnny McKenzie, a petitioner, asked that the consideration be given paving the street so that it will be usable.

Mr. Douglas Morgan, a petitioner, stated he has five lots on the street and he would be very happy if the Council would see fit to pave it from Newland Road to the deadend, because it is very necessary in making the property valuable and at the same time usable for all concerned.

No objections were expressed to the improvements.

Councilman Smith moved the adoption of a Resolution Ordering the Making of Local Improvements on Holly Street, from Newland Road to the deadend, which was seconded by Councilman Bryant, and carried by the following recorded vote:

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

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Councilman Smith asked if Mr. McKenzie and Mr. Morgan understand there will be an assessment for the improvement, and they stated that is understood.

Councilman Dellinger stated he would vote in favor of these improvements when the petition is 100 percent. Councilman Albea said he feels the same way that Mr. Dellinger does but when these people who own the property come up and ask for it, he cannot vote against it.

Mr. William Rufus Worthey, 1901 Holly Street, advised he is the one who got up the petition for the improvement and he has been a resident of the street for the past nine years, and he is very glad to know that it is going to be fixed up, because it has been so hazardous and also lots of damage done because the street is dark, and they have lots of trouble and even the Police do not like to come down to the deadend it is so dark and the street in such bad condition. That he has just built a new house on the street and been unable to get it financed because it was not city maintained, and now that it will be he can go to the bank and get the money and pay off the loan, and this is one great moment in his life and he thanks the Council very much, some of the folks disagreed about having it fixed but you can't stop progress, and he wants to say thank you for all the people on the street.

Councilman Bryant asked if the street is dark, can it not be put on the list for street lights in the future.

The resolution is recorded in full in Resolutions Book 4, at Page 325.

RESOLUTION CONFIRMING THE ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS COMPLETED ON ROSEMONT AVENUE, FROM WILKINSON BOULEVARD TO HARGROVE AVENUE, ADOPTED.

The public hearing was held on the Preliminary Assessment Roll for Improvements Completed on Rosemont Avenue, from Wilkinson Boulevard to Hargrove Avenue, by installing storm drainage facilities and paving for a distance of 1,036.8 front feet, at a total cost of \$1,333.13, of which the City's share is \$6.03 and the share to be assessed against the owners of property abutting the improvement is \$1,327.10, at an assessment rate of \$1.28 per front foot.

Councilman Thrower asked why the city's portion is just \$6.03. Mr. Veeder asked Mr. Josh Birmingham of the Engineering Department to reply, who stated it is just to round off the figure, so that the amount would be even for everyone.

Councilman Dellinger asked if Rosemont Avenue has an entrance to Wilkinson Boulevard? Mr. Birmingham stated it does, that the entrance has been made by the State Highway.

No objections were expressed to the improvements or assessments.

Councilman Bryant moved the adoption of the Resolution Confirming the Preliminary Assessment Roll for the Improvements Completed on Rosemont Avenue, from Wilkinson Boulevard to Hargrove Avenue, as the Final Assessment Roll, at 3:30 p.m. The motion was seconded by Councilman Dellinger, and unanimously carried.

The resolution is recorded in full in Resolutions Book 4, at Page 326.



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RESOLUTION CONFIRMING THE ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS COMPLETED ON TRANQUIL AVENUE, FROM CHELSEA DRIVE TO WESTFIELD ROAD, ADOPTED WITH THE UNDERSTANDING THAT THE NECESSARY CORRECTIONS BE MADE.

The public hearing was held on the Preliminary Assessment Roll for Improvements Completed on Tranquil Avenue, from Chelsea Drive to Westfield Road, by installing standard curb and gutter for a distance of 1,668.31 front feet, at a total cost of \$9,476.22, of which the city's share is \$4,431.97 and the share to be assessed against the owners of the properties abutting the improvements is \$5,044.25, the assessment rate being \$2.95 per front foot.

Mr. David Silvers, 340 Tranquil Avenue, stated it was their understanding when they signed the petition that the cost of the project would be approximately \$3.00 per front foot and the letter he received advising him the amount of his assessment included \$51.20 for reworking his driveway. That he had a concrete driveway in fine condition and when the contractor reworked it, he tore out the muffler on his car coming in the driveway, and they had to tear out the driveway and work it again. That he sees no reason why he should be charged with the driveway, as it was not mentioned in the cost of construction.

At the request of the City Manager, Mr. Cheek, City Engineer, advised this involves the necessity of having to rework a portion of the driveway in part of the street right of way, and the Act which permits this type of assessment also permits the cost of driveway changes within the street right of way to be assessed uniformly throughout the project. However, when changes have to be made outside the street right of way it requires the cost of this to be assessed directly against the property. In the case of Mr. Silvers, it was attempted to revamp the driveway wholly within the street right of way to avoid the necessity of this extra expense but because the contractor was unable to do so, the assessment was charged against the property.

Mr. W. R. Taylor, 336 Tranquil Avenue, stated when the contractors came out to start work on the street, he asked one of them not to cut his bank away; that he lives at the highest peak in the 300 block, and he did not want it cut away as he was at least a foot and a half away from where the curbing would be. When he got home from work one day his whole bank was bulldozed away and the dirt had been carried off. He asked the workmen why it was done after his request, and they said they were trying to cut the bank down the same way the length of the block and for him not to worry about it, they would fix it back to his entire satisfaction. He tried to be nice about it and took them at their word; that he and his wife went out of town and when they came back the bank had been completely cut down on the left-hand side, which is Mr. Silver's side, right against his property line, leaving an exposed red clay bank which is eroding off every day and red clay and mud going down into Mr. Silver's driveway, and unless something is done the bank will be over in Mr. Silver's driveway. Mr. Taylor stated further that he had a hedge there and the contractor cut it down and trimmed it to the extent the roots were exposed and threw the roots over into his yard. Then he asked the Engineering Department to check with the contractor about the condition of the work and was told it was no concern of theirs; then he talked with Mr. Birmingham and Mr. Hoffman and they said they would do something but did not. So it came time to work the banks and they toured up and down the street and came over to his street and raked over his bank, leaving rocks, paper they had used in the construction and curbing trash in his bank. Then he got hold of Mr. Sherrill (the contractor) and asked him if he was through with the work and he said he was, and he asked him if he was going to leave the bank in that condition and he said "that is it". Mr. Taylor stated he then asked Mr. Sherrill to bring him some dirt and he found a little load of dirt dumped on the corner of his lot and it stayed there

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for two days and then they moved that, and when he called Mr. Sherrill again about the dirt, he said they did not have any. About two weeks later when he was coming to work, he saw a truck of dirt standing up on Hillside Avenue waiting for him to leave so they could haul it in to the other people on the street but not to him, as he did not get any of it. Therefore, he had his bank fixed himself and he thinks a legitimate charge for that would be around \$35.00, as he had to have the bank cleaned up, all the rock and trash taken out and hauled off and dirt brought in and he would like to present this to Council for payment.

The City Manager asked Mr. Cheek or Mr. Birmingham to make a statement. Mr. Cheek stated he has never discussed this problem with Mr. Taylor and was unaware of his complaint, and he does not think that Mr. Birmingham knows about it. The inspection should have been made of the property and they will be glad to do it, and he wishes Mr. Taylor had called it to his attention before now.

Mr. Taylor stated that both Mr. Birmingham and Mr. Hoffman came out there and he told them he was not accepting the work and the contractor said he didn't care whether he accepted it or not, this is the way it is and the way he was leaving it.

Councilman Dellinger asked Mr. Taylor if he did not call him about it, and Mr. Taylor replied that he did. Councilman Dellinger advised Council that he reported it to the Engineering Department and he talked with them twice about it.

Mr. Veeder stated he certainly thinks it is encumbrant upon us to take a look at the condition Mr. Taylor has reported and do whatever is necessary.

Councilman Dellinger stated that some years ago the City had a policy that when a street was widened the property owner had to make his street again conform to the street grade. He believes that this or some Council had the law or policy changed, whereby when the City cuts a street or bank for widening a street and goes back on private property, the City must put it back in the condition it was prior to that. That he is not sure it has been changed but a prior Council said it was to be done, and why it is not done now that we have lots of these complaints he does not know. He would like to know, for his own edification, if this policy has been changed.

Mayor Brookshire told the City Manager he thinks Council would like to know what the law provides and in what manner these regulations may have been disregarded in this instance?

Mr. Veeder replied that he will have to look into that and advise Council; that he thinks the main point here is that whatever it takes to make Mr. Taylor whole, as it was before, has got to be done.

Mr. Taylor stated he has had the front bank finished off; that they cut down the bank on Mr. Silver's side on the driveway which is about 2 feet deep and his hedge is sitting right on the edge.

Councilman Thrower asked the City Attorney if we can go on private property and do this work at no charge to the property owner, and Mr. Morrissey replied that they cannot do so.

Mr. Silvers stated the reason he did not make a complaint about the bank was that he was so sick of the whole job he went ahead and repaired his own bank because he knew he would have another heart attack if he didn't do it, for he had had trouble enough getting the driveway fixed not to bother with the contractor about the bank.

Councilman Smith suggested that the matter be turned over to the City Manager to see that it is rectified.

Mr. Taylor stated he would like Council to consider his complaint on fixing his bank at that amount and then also to take steps to correct the eroding of the red bank on the side next to the Silver's driveway.

Councilman Whittington asked if it would not be good business in the future before the City released the contractor in similar cases, to have the Engineering Department make a thorough inspection of the property affected and the completed work? Mr. Veeder replied that of course it should and would be done, and Councilman Whittington stated it apparently was not done in this case or the Council would not be embarrassed by these two property owners down here today having to make these complaints. That this is nothing new, we have had this type complaint on other streets before this.

Mr. Taylor stated further that he made definite mention to Mr. Birmingham and Mr. Hoffman, and the contractor also when he was throwing his shovels in his truck leaving, that he was not accepting the work, and either Mr. Birmingham or Mr. Hoffman said "well you will have time to discuss this when it comes up for payment before it is finished" and he said he hoped that he would because he was going on record right then that he was not accepting the job, so they were aware of the fact that it was not accepted at that time.

Councilman Whittington asked the City Attorney if it would not be better to postpone this. Mr. Morrisey replied he does not think it is necessary to postpone it, the Assessment Roll could be confirmed and the adjustments then made.

Councilman Whittington then moved the adoption of the Resolution Confirming the Preliminary Assessment Roll on Tranquil Avenue, from Chelsea Drive to Westfield Road, as the final Assessment Roll, at 3:45 p.m., with the understanding that the property is going to be fixed satisfactorily. The motion was seconded by Councilman Jordan, and unanimously carried.

The resolution is recorded in full in Resolutions Book 4, at Page 327.

RESOLUTION CONFIRMING THE ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS COMPLETED ON WOODLARK LANE, FROM RANDOLPH ROAD NORTH 1200 FEET, ADOPTED.

The public hearing was held on the Preliminary Assessment Roll for Improvements Completed on Woodlark Lane, from Randolph Road north 1200 feet, by installing storm drainage facilities for a distance of 2,065 front feet, at a total cost of \$23,878.24, of which the City's share is \$13,284.79, and the share to be assessed against the owners of property abutting the improvement is \$10,593.45, at an assessment rate of \$5.13 per front foot.

No objections were expressed to the improvements or assessments.

Thereupon, Councilman Bryant moved the adoption of a Resolution Confirming the Preliminary Assessment Roll on Woodlark Lane, from Randolph Road north 1200 feet, as the final Assessment Roll, at 3:50 p.m. The motion was seconded by Councilman Whittington, and unanimously carried.

The resolution is recorded in full in Resolutions Book 4, at Page 328.

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RESOLUTION ORDERING THE MAKING OF CERTAIN LOCAL IMPROVEMENTS TO CHESTERFIELD AVENUE, FROM ST. JULIEN STREET TO WESTOVER STREET, ADOPTED.

The Petition for Improvements to Chesterfield Avenue, from St. Julien Street to Westover Street, was presented for Council consideration, the public hearing having been held on August 5th and all property owners within the affected area having been advised by letter on August 6th that Council decision was deferred until today and they or their representatives were requested to be present today to express their wishes in the matter.

No one expressed any objections to the proposed improvements.

Councilman Whittington asked as a matter of information, if several years ago a group of residents on Chesterfield did not petition for roll type curb and gutter, that he has been so informed since the last Council Meeting? Councilman Albea replied he remembers there was a lot of talk out there about sidewalks, curb and gutter but he does not remember about this particular block, in fact it has been talked in Chantilly for the last twenty-five years.

Councilman Dellinger asked if the street will be widened or just roll gutter? That he thinks this money can be used to a better advantage somewhere else.

Mr. Cheek, City Engineer, advised that the present width is 22 feet and it will be widened to 26 feet.

Councilman Bryant stated that as long as this is operating within our policy agreed to in the past, and as long as there have not been, in his opinion, any reasons there should be an exception to it, and as long as 70% of the owners signed the petition for the improvements, he moved that the Resolution Ordering the Making of the Improvements be adopted. The motion was seconded by Councilman Smith, and carried by the following recorded vote:

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

The resolution is recorded in full in Resolutions Book 4, at Page 329.

RESOLUTION ORDERING THE MAKING OF CERTAIN LOCAL IMPROVEMENTS TO CHESTERFIELD AVENUE, FROM BASCOM AVENUE TO WESTOVER AVENUE, ADOPTED.

The petition for Improvements to Chesterfield Avenue, from Bascom Avenue to Westover Avenue, was presented for Council consideration, the public hearing having been held on August 5th and all property owners within the affected area having been advised by letter on August 6th that Council decision was deferred until today and they or their representatives were requested to be present today and express their wishes in the matter.

No one expressed any objections to the proposed improvements.

Whereupon, Councilman Bryant moved the adoption of a Resolution Ordering the Making of the Improvements, which was seconded by Councilman Whittington, and unanimously carried.

The resolution is recorded in full in Resolutions Book 4, at Page 330.

ALBERT PEARSON DISCUSSES DOWNTOWN PARKING.

Mr. Albert Pearson asked if the parking situation in Downtown Charlotte is to be discussed today?

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Mayor Brookshire advised that nothing has been resolved on it, and if other matters are finished before six o'clock Council may get around to that subject this afternoon.

Mr. Pearson, addressing his remarks to Councilman Smith, said he has accepted his invitation to go out of business in the downtown area; that he has three little places down there and it will be the easiest way for him; however, he does not believe this within itself will particularly help Downtown Charlotte or help these other merchants. That what he is saying is that this is one of the citizens that Mr. Smith says he is representing. That he believes that these people have a little different situation than a Shopping Center, which is new and they had the opportunity to purchase parking areas. These people Downtown are stuck with what they have, and as Wilbur Smith said in his Survey "parking is just as important as the traffic". That he would suggest before any decision is made on the Downtown Parking that all these people be considered equally, not have Mr. Hoose running down to various meetings and have this particular point of the discussion so that everybody will know what it is all about.

Mayor Brookshire stated to Mr. Pearson that in Mr. Smith's defense, he thinks he can say because of personal business reasons he is just as much interested in our downtown as he is in outlying shopping areas.

Mr. Pearson stated he agrees with Mr. Smith, in fact, sometimes it would seem to people who did not have the benefit of these various meetings that certain people are interested for various reasons other than what came out at the meetings.

Councilman Smith stated he would have to answer, otherwise Mr. Pearson would think he is agreeing with him. Economics have always developed whether you stay downtown or go out in the suburbs or go back in an alley or wherever you want to go. Economics are going to continue to do that.

Mr. Pearson stated he believes in economics, that the only part he is trying to bring out is that when a man takes a lease on a building for 10 years he does it with some assumption that the authorities will consider his lease and the way he accepted it and he is not speaking for himself but for all the people affected.

PETITION NO. 63-42 FOR CHANGE IN ZONING OF TRACT OF LAND ON SOUTHEAST SIDE OF SHARON-AMITY ROAD BEGINNING 165 FEET SOUTHWEST OF RANDOLPH ROAD, DENIED.

Petition No. 63-42 by Mr. E. S. Lynn, Mr. W. R. Barrier, et al for change in zoning from O-15 to B-1 of a tract of land fronting about 859-feet on the southeast side of Sharon-Amity Road, beginning about 165-feet southwest of Randolph Road, on which the public hearing was held, and action deferred at the request of Mr. John D. Shaw, Attorney, to consider changing their request for B-1 zoning to B-1 Shopping Center, was presented for Council decision.

Mr. Shaw stated they looked over the situation and had a discussion and with so many varied interests and the requirement of bringing in additional property, and in addition to that not having the necessary money, they cannot present to Council a B-1 Shopping Center Plan, so they will have to let it stand on its original petition.

Councilman Bryant moved that the Petition for change in zoning from O-15 to B-1 be denied, which was seconded by Councilman Whittington, and unanimously carried.

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Mr. Shaw stated further they were told by the Planning Commission that they are asking for strip zoning, therefore, they should not be granted the petition. That they asked for exactly what the Cotswold Shopping Center has. Now, the strip between Greenwich and Sharon, east of Randolph Road back on Goldwick is without the confines of the Cotswold Shopping Center, and he is wondering now that Council has turned them down if Council would consider on its own motion rezoning from B-1 to O-15 this property to the east of Randolph Road to Cotswold Shopping Center?

Mr. Irwin Boyle, Attorney representing the property owners, stated if Mr. Shaw will go back into the history of the Zoning and Planning Board, he will find it was set down and worked out for these gentlemen when they started the original zoning on the property to which he has just alluded, and he would ask Council not to follow the vindictive suggestion made by him, that the property be rezoned.

RESOLUTION FIXING DATE OF PUBLIC HEARING ON SEPTEMBER 9TH ON PETITION FOR LOCAL IMPROVEMENTS ON REMBRANDT CIRCLE, FROM RANDOLPH ROAD TO MEADWOOD LANE.

Councilman Bryant moved the adoption of a Resolution Fixing the Date of Public Hearing on September 9th on Petition for Local Improvements on Rembrandt Circle, from Randolph Road to Meadowood Lane. The motion was seconded by Councilman Thrower, and unanimously carried. The resolution is recorded in full in Resolutions Book 4, at Page 331.

LEASE OF OFFICE SPACE IN B.S.R. BUILDING FOR CHARLOTTE MENTAL HEALTH CLINIC.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, Lease with the B.S. R. Corporation was authorized for 1,050 square feet of office space in the B.S. R. Building at 316 East Morehead Street for occupancy by the Charlotte Mental Health Clinic, for a period of one year, at a monthly rental of \$319.38.

APPLICANT OF LEWIS L. COOKE FOR RENEWAL OF PRIVATE DETECTIVE LICENSE APPROVED.

Motion was made by Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, approving the application of Mr. Lewis L. Cooke, 2644 Arnold Drive, for renewal of his Private Detective license.

AGREEMENT AUTHORIZED WITH SAL RAILWAY COMPANY FOR ENCROACHMENT OF THEIR RIGHT OF WAY FOR SANITARY SEWER LINE.

Upon motion of Councilman Thrower, seconded by Councilman Smith, and unanimously carried, an Agreement was authorized with the Seaboard Airline Railroad Company for encroachment on their right of way near the intersection of their tracks and Rama Road, for the construction of a sanitary sewer line to serve East Mecklenburg High School.

CONSTRUCTION OF SANITARY SEWER TRUNKS AND MAINS, AUTHORIZED.

Motion was made by Councilman Dellinger, seconded by Councilman Jordan, and unanimously carried, authorizing the construction of sanitary sewer trunks

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and mains, inside the city limits, as follows:

- (a) Construction of 120-ft. of sewer main in Bonwood Drive, at the request of Mr. J. E. Burnside, at an estimated cost of \$485.00. All cost to be borne by the applicant, whose deposit of the entire amount of the cost will be refunded as per terms of the contract.
- (b) Construction of 1,005 ft. of sewer main in Briarhill Drive, at the request of Tiece Construction Company, at an estimated cost of \$2,770.00. All cost to be borne by the applicant, whose deposit of the entire amount of the cost will be refunded as per terms of the contract.
- (c) Construction of 100-ft. of sewer main in Arbor Way, at the request of W. P. Cherry & Son, at an estimated cost of \$370.00. All cost to be borne by the applicant, whose deposit of the entire amount of the cost will be refunded as per terms of the contract.
- (d) Construction of 220-ft. of sewer trunks and mains in Greenbriar Subdivision, at the request of Evans Construction Company, at an estimated cost of \$5,215.00. All cost to be borne by the applicant, whose deposit of the entire amount of the cost will be refunded as per terms of the contract.
- (e) Construction of 50-ft. of sewer main in Ruth Drive, at the request of Adams Construction Company, at an estimated cost of \$205.00. All cost to be borne by the applicant, whose deposit of the entire amount of the cost will be refunded as per terms of the contract.

**CONTRACT AUTHORIZED WITH PHILLIPS PETROLEUM COMPANY TO CONNECT PRIVATE SANITARY SEWER LINES TO CITY'S SANITARY SEWERAGE SYSTEM IN PINEVILLE ROAD AT STARBROOK DRIVE.**

Councilman Jordan moved approval of contract with Phillips Petroleum Company to connect private sanitary sewer lines to the City's Sanitary Sewerage System in Pineville Road at Starbrook Drive, outside the city limits, to serve one lot, size 160' x 160', for domestic sewage; said lines to become the property of the City of Charlotte if and when the area is annexed to the city. The motion was seconded by Councilman Albea, and unanimously carried.

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

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

- (a) Contract with Albright Distributing Company for the installation of 440-ft. of main in South Tryon Street, at an estimated cost of \$1,350.00. The City to finance all costs and applicant to guarantee an annual gross water revenue equal to 10% of the total cost.
- (b) Contract with Nance-Trotter Realty, Inc. for the installation of 590-ft. of main in Farmcrest Subdivision, inside the city limits, at an estimated cost of \$1,000.00. The City to finance all costs and the applicant to guarantee an annual gross water revenue equal to 10% of the total cost.

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- (c) Contract with Jackson Engineering Company for the installation of 2,000-ft. of water mains in Fairview Road, outside the city limits, at an estimated cost of \$8,400.00. The applicant will pay the entire cost of the main and own same until the area is incorporated into the city, when the main will become the property of the city without further agreement.

RESOLUTION PROVIDING FOR PUBLIC HEARINGS ON SEPTEMBER 16, 1963 ON PETITIONS NOS. 63-51 THRU 63-60 FOR CHANGES IN ZONING CLASSIFICATIONS, ADOPTED.

Upon motion of Councilman Albea, seconded by Councilman Thrower, and un-animously carried, a Resolution Providing for Public Hearings on September 16, 1963, on Petitions Nos 63-51 through 63-60, and the Publication of Notice thereof, was unanimously adopted. The resolution is recorded in full in Resolutions Book 4, at Page 332.

CONTRACTS AUTHORIZED FOR APPRAISAL OF 77 TRACTS OF LAND FOR RIGHT OF WAY FOR THE NORTHWEST EXPRESSWAY.

Motion was made by Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, authorizing contracts with the following persons for appraisal of 77 tracts of land for right of way for the Northwest Expressway:

- |                           |   |
|---------------------------|---|
| (a) J. Henry Cromartie    | 10 tracts of land on Jackson Ave, Presser St, Central Ave and Sunnyside Avenue.                             |
| (b) Vane D. Mingle        | 10 tracts of land on E. 8th St, Seigle Ave., E. 9th St & Stephens Street.                                   |
| (c) Harry G. Brown        | 10 tracts of land on E. 8th St, Stephens and E. 9th Streets.  |
| (d) Robert H. Percival    | 4 tracts of land on Jackson Ave, Presser Street and Central Avenue.   |
| (e) B. Brevard Brookshire | 9 tracts of land on N. Myers, N. McDowell, E. 11th, N. Alexander and E. 12th Streets.                       |
| (f) D. A. Stout           | 12 tracts of land on E. 10th, N. McDowell E. 12th, N. Alexander and E. 11th. Streets.                       |
| (g) Wallace D. Gibbs      | 14 tracts of land on Central Avenue, Sunnyside Ave, Independence Boulevard, Beaumont Ave and Louise Avenue. |
| (h) L. H. Griffith        | 8 tracts of land on Independence Blvd., Beaumont Avenue and Louise Avenue.                                  |

CONSTRUCTION OF SANITARY SEWER TRUNKS AND MAIN IN FARMCREST SUBDIVISION.

Councilman Jordan moved approval of the construction of 225-feet of sanitary sewer trunk and mains in Farmcrest Subdivision, inside the city limits, at the request of Nance-Trotter Realty, Inc., at an estimated cost of \$5,200.00. All costs to be borne by the applicant, whose deposit of the entire amount will be refunded as per terms of the contract. The motion was seconded by Councilman Whittington, and unanimously carried.



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TRANSFER OF CEMETERY LOTS.

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

- (a) Deed with Mrs Frank M. Mauney, for Graves 7 and 8, Lot 15-A, Section 3, Evergreen Cemetery, at \$120.00.
- (b) Deed with Mr. Ernest Spratt, for Graves 1 and 2, Lot 281, Section 4-A, Evergreen Cemetery, at \$94.50.
- (c) Deed with Mrs Cecil J. Spratt, for Graves 3 and 4, Lot 281, Section 4-A, Evergreen Cemetery, at \$94.50.
- (d) Deed with Mr. Max K. Moyle, for Graves 1 and 2, Lot 14, Section 3, Evergreen Cemetery, at \$120.00.
- (e) Deed with Mr and Mrs Allen B. Lambdin, for Lot 7, Section F-Annex, Elmwood Cemetery, transferred from Mr. Lucian H. Harris, Jr. and wife, at \$3.00 for transfer deed.

CONTRACT AWARDED DEWEY BROS. INC. FOR CAST IRON CATCH BASIN FRAMES & GRATES.

Upon motion of Councilman Jordan, seconded by Councilman Albea, and unanimously carried, contract was awarded the low bidder, Dewey Bros. Inc., for 200 Cast Iron Catch Basin Frames and Grates, as specified, on a unit price basis, at their bid price of \$6,517.80.

The following bids were received:

Dewey Bros., Inc.	\$ 6,517.80
Southern Foundry Company	6,625.60
Sumter Machinery Company	6,901.00

CONTRACT AWARDED DEWEY BROS. INC. FOR MANHOLE RINGS AND COVERS.

Councilman Whittington moved the award of contract to the low bidder, Dewey Bros. Inc., for 480 Manhole Rings and Covers, as specified, at their bid price of \$12,546.00, on a unit price basis. The motion was seconded by Councilman Bryant, and unanimously carried.

The following bids were received:

Dewey Bros., Inc.	\$12,546.00
Sumter Machinery Company	14,029.84

BIDS REJECTED ON VITRIFIED CLAY PIPE.

Motion was made by Councilman Albea, seconded by Councilman Bryant, and unanimously carried, rejecting all bids on Vitrified Clay Pipe, as recommended by the City Manager, City Engineer and Purchasing Agent, and permission granted to revise the specifications and readvertise for new bids.

CONTRACT AWARDED DOMINION SIGNAL COMPANY FOR U POSTS.

Upon motion of Councilman Bryant, seconded by Councilman Jordan, and unanimously carried, contract was awarded the low bidder, Dominion Signal Company, for 800 U Posts, as specified, at their bid price of \$1,760.06.

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The following bids were received:

Dominion Signal Company	\$ 1,760.06
Stello Products, Inc.	1,771.60
Hall Sign & Post Company	1,827.06
Brighton Steel Company	1,829.28
Traffic Engineering Supply Co.	1,845.76

CONTRACT AWARDED SOUTHERN BUSINESS SYSTEMS, INC. FOR ELEVATOR FILE.

Councilman Bryant moved the award of contract to the low bidder, based on filing inches, Southern Business System, Inc., for one Elevator File for the Police Record Division, as specified, at their bid price of \$4,410.00. The motion was seconded by Councilman Albea, and unanimously carried.

The following bids were received:

Remington Rand Office Systems	
Kard-Veyer	\$ 4,380.08
Alternate Bid: Lektrakard	6,030.00
Southern Business Systems, Inc.	
Diebold	4,410.00

CONTRACT AWARDED HILL-ROM COMPANY, INC., FOR BEDS, TABLES, AND CHAIRS FOR GOOD SAMARITAN HOSPITAL.

Motion was made by Councilman Albea, seconded by Councilman Whittington, and unanimously carried, awarding contract to Hill-Rom, Inc. the low bidder meeting the specifications on 7 items of Room Furniture for Good Samaritan Hospital, at their bid price of \$50,530.05.

The following bids were received:

Hill-Rom Company, Inc.	\$50,530.05
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Bids which did not meet specifications:

American Hospital Supply Co.	\$44,016.71
Wachtel's, Inc.	
Alternate No. 1	47,488.17
Alternate No. 2	43,372.21

CONTRACT AWARDED HILL-ROM COMPANY, INC. FOR OVERBED TABLES FOR GOOD SAMARITAN HOSPITAL.

Upon motion of Councilman Dellinger, seconded by Councilman Albea, and unanimously carried, contract was awarded Hill-Rom, Inc., the low bidder meeting the specifications on 14 Overbed Tables for Good Samaritan Hospital, at their bid price of \$859.43.

The following bids were received:

Hill-Rom, Inc.	\$ 859.43
A. S. Aloe	861.45

Bids which did not meet specifications:

Wachtel's, Inc.	\$ 816.02
American Hospital Supply Co.	832.18

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CONTRACT AWARDED SEALY OF THE CAROLINAS, INC. FOR MATTRESSES FOR GOOD SAMARITAN HOSPITAL.

Councilman Thrower moved the award of contract to the low bidder, Sealy of the Carolinas, Inc. for 146 Mattresses for Good Samaritan Hospital, as specified, at their bid price of \$2,721.17. The motion was seconded by Councilman Dellinger, and unanimously carried.

The following bids were received:

Sealy of the Carolinas, Inc.	\$ 2,721.17
Wachtel's, Inc.	3,865.87
Comfort Mattress Company	4,116.70
American Hospital Supply Co.	4,441.23

CONTRACT AWARDED AMERICAN HOSPITAL SUPPLY COMPANY FOR MEDICAL AND SURGICAL EQUIPMENT FOR GOOD SAMARITAN HOSPITAL.

Motion was made by Councilman Albea, seconded by Councilman Thrower, and unanimously carried, awarding contract to the low bidder, American Hospital Supply Company, for Medical and Surgical Equipment as specified, for Good Samaritan Hospital, on their alternate bid in the amount of \$27,749.77.

The following bids were received:

American Hospital Supply Co.	
Alternate Bid	\$27,749.77
Base Bid	29,284.95
A. S. Aloe	29,870.00
Wachtel's, Inc.	35,892.67

CONTRACT AWARDED IRWIN & COMPANY, INC. FOR LINENS FOR GOOD SAMARITAN HOSPITAL.

Upon motion of Councilman Dellinger, seconded by Councilman Jordan, and unanimously carried, contract was awarded the low bidder, Irwin & Company, Inc. for 16,680 items of linens, as specified, for Good Samaritan Hospital, at their bid price of \$6,159.08.

The following bids were received:

Irwin & Company, Inc.	\$ 6,159.08
Standard Textile Company, Inc.	6,753.57
Carolina Absorbent Cotton Co.	7,054.39
Will-Ross & Company, Inc.	7,273.03

CONTRACT AWARDED JIFFY JOIN, INC. FOR CUBICLE CURTAINS FOR GOOD SAMARITAN HOSPITAL.

Councilman Albea moved the award of contract to the only bidder, Jiffy Join, Inc. for 117 panels of cubicle curtains, as specified for Good Samaritan Hospital, at their bid price of \$2,543.30. The motion was seconded by Councilman Dellinger, and unanimously carried.

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CONTRACT AWARDED WILMONT CASTLE COMPANY FOR LIGHTS AND STERILIZERS FOR GOOD SAMARITAN HOSPITAL.

Motion was made by Councilman Jordan, seconded by Councilman Albea, and unanimously carried, awarding contract to the low bidder, Wilmont Castle Company on their alternate bid of \$17,457.47, for 10 items of lights, sterilizers and warming cabinets, as specified, for Good Samaritan Hospital.

The following bids were received:

Wilmont Castle Company		
Alternate Bid	\$17,457.47	
Base Bid	22,675.45	
American Sterlizer Company		
Alternate Bid	18,909.77	
Base Bid	22,624.98	

BIDS ON REPAIRS TO WATER STILL AT GOOD SAMARITAN HOSPITAL REJECTED.

Upon motion of Councilman Bryant, seconded by Councilman Albea, and un-animously carried, the one bid received for Repairs to Water Still at Good Samaritan Hospital, was rejected, as recommended by the City Manager, Executive Director and Purchasing Agent.

CONTRACT AWARDED AMERICAN HOSPITAL SUPPLY COMPANY FOR OPERATING TABLES FOR GOOD SAMARITAN HOSPITAL.

Councilman Jordan moved that contract be awarded the low bidder, American Hospital Supply Company, for Four Operating Tables, as specified, for Good Samaritan Hospital, at their bid price of \$9,285.04. The motion was seconded by Councilman Whittington, and unanimously carried.

The following bids were received:

American Hospital Supply Co.	\$ 9,285.04
Wachtel's, Inc.	9,316.75
American Sterilizer Company	9,598.42

ACQUISITION OF RIGHTS OF WAY FOR NORTHWEST EXPRESSWAY, KENILWORTH AVENUE EXTENSION PROJECT, WEST SIDE GRADE CROSSING ELIMINATION PROJECT AND IN CLEAR ZONE OF NORTH-SOUTH AIRPORT RUNWAY EXTENSION.

Upon motion of Councilman Smith, seconded by Councilman Bryant, and unani-mously carried, the acquisition of the following rights of way was authorized:

TWO TRACTS FOR NORTHWEST EXPRESSWAY.

- (a) Acquisition of 3,861 sq. feet of property at 308 West 11th Street from Eva L. Kidd Chadwick and Thomas H. Chadwick, Sr. at a total price of \$9,450.00.
- (b) Acquisition of 3,550 sq. feet of property at 416, 416½ West 11th Street, from Clyde R. Mitchell and Jessie C. Mitchell, at a total price of \$17,350.00.

STRIP OF LAND FOR KENILWORTH AVENUE EXTENSION PROJECT

- (a) Strip of land 2' wide x 50' long at 2213 Charlotte Drive, from J. C. Davis, Jr. and wife, Violet S. Davis, at a total price of \$65.00.

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TRACT OF LAND FOR WEST SIDE GRADE CROSSING ELIMINATION PROGRAM

- (a) 770 sq. ft. of property on West 5th Street, from Southern Electric Service Company, at a total price of \$1,349.00.

TRACT IN CLEAR ZONE FOR NORTH-SOUTH AIRPORT RUNWAY EXTENSION.

- (a) 23,349 sq. ft. of land in Berryhill Township, on south side of New Dixie Road, from Frank Gathings, Gathings Motor Company, at a total price of \$3,500.00.

NORTH CAROLINA LEAGUE OF MUNICIPALITIES ANNUAL MEETING.

Mayor Brookshire called attention that the North Carolina League of Municipalities will hold its annual meeting in Asheville on October 27-29th, and asked that those who know at this time they will attend the meeting to so state so that the City Manager may have reservations made. Councilmen Whittington and Albea advised they will attend and so did Mayor Brookshire.

ACTION ON DOWNTOWN PARKING REGULATIONS POSTPONED AND CITY MANAGER AND TRAFFIC ENGINEER REQUESTED TO MEET WITH PARKING LOT OWNERS RELATIVE TO RESTRICTIONS AS THEY APPLY TO THEM.

Councilman Dellinger moved that Council postpone action on the Downtown Parking Regulations and the City Manager and Traffic Engineer confer with the Parking Lot Owners and see what they can work out as to restrictions on the streets as they apply to them. Councilman Jordan seconded the motion.

Councilman Smith stated he hopes this is not a maneuver to indefinitely postpone the plan as he would like to see it carried through. That at the Conference today a compromise was offered reducing the time and he thought that would be sufficient. So he would like to know how long it is to be postponed.

Councilman Dellinger stated he did not make the motion to kill the program but rather to try to do something constructive for it.

The vote was taken on the motion and unanimously carried.

COUNCIL MEETING TO BE HELD ON AUGUST 26TH AND NOT ON MONDAY, LABOR DAY.

Upon motion of Councilman Albea, seconded by Councilman Whittington, and unanimously carried, the Council voted to meet on Monday, August 26th, and not to meet on Monday, September 2nd, which is Labor Day.

ORDINANCE NO. 193-Z AMENDING CHAPTER 23, SECTION 23-40 OF THE CITY CODE CHANGING ZONING OF PROPERTY ON THE SOUTHWESTERLY SIDE OF SADLER ROAD BEGINNING 1,426 FEET NORTHWEST OF MT. HOLLY ROAD AND EXTENDING 366 FEET ALONG SADLER ROAD, ADOPTED.

The City Manager advised that the Planning Commission has met and considered and unanimously recommends approving the request of the W. C. Rozzell Heirs for Conditional Approval of Petroleum Products Storage in the I-2 zoned area on the southwesterly side of Sadler Road, beginning 1,426 feet northwest of Mt. Holly Road and Extending 366 feet along Sadler Road, as requested by


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Mr. Ray Bradley, Attorney for the Petitioner. Councilman Thrower moved the adoption of Ordinance No. 193-Z Amending Chapter 23, Section 23-40 of the City Code affecting the change in zoning, as recommended. The motion was seconded by Councilman Bryant, and unanimously carried.

The ordinance is recorded in full in Ordinance Book 13, at Page 442.

ADJOURNMENT.

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

  
Lillian R. Hoffman, City Clerk