

An Adjourned meeting of the City Council of the City of Charlotte, North Carolina, from the meeting on January 7, 1963, was held in the Council Chamber in the City Hall on Monday, January 14, 1963, at 2 o'clock p.m., with Mayor Brookshire presiding and Councilmen Albea, Bryant, Dellinger, Jordan, Thrower and Whittington present.

ABSENT: Councilman Smith.

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INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Thrower, and un-animously carried, the Minutes of the last meeting on January 7, 1963 were approved as submitted.

HEARING ON PROPOSED CHANGES IN DUPLICATE STREET NAMES.

The advertised hearing was held on proposed changes in duplicate street names, and Mr. McIntyre, Planning Director, stated that in the comprehensive renaming of streets a few years ago ground rules were established and became a guide for Council action on all of the streets handled at that time; that the first name of the street governed regardless of whether the last name was a street, boulevard, place or otherwise. Councilman Dellinger called attention that Council has set no ground rules on these street names and can do so at any time. Councilman Bryant asked that the hearing be held and vote be taken on the names after Council has had an opportunity to assimilate what is said.

ALBERTA STREET, from Monroe Road to Washburn Avenue.

No one appeared in opposition to the proposed change in the name of Alberta Street, from Monroe Road to Washburn Avenue, nor was a new name for the street proposed by the residents of the street.

Council decision was deferred until a later date.

ARBOR LANE, from Reece Road to the end of the street.

Mr. Bill Scarborough, resident of Arbor Lane, from Reece Road to the end of the street, appeared in protest of a change in the name of the street, stating the name has been changed once from Ashe Street to Arbor Lane. That Arbor Lane and Arbor Way do not appear to them to be too similar; they are in different postal designations and both were incorporated into the city in 1960, and they do not feel the change is necessary. He advised that the street is only one block long.

Mr. McIntyre, Planning Director, advised that Arbor Way is a longer street, running off Sharon Lane, and in a different section of the City from Arbor Lane, but is regarded as duplicate in name.

Mayor Brookshire stated it seems to him there is a great deal more dissimilarity in the names of Arbor Lane and Arbor Way than if they were Arbor

Street and Arbor Avenue, that the two words make the name of the street instead of just the first name. Mr. McIntyre stated it is a matter of how one looks at it, and they were simply following the former ground rules.

Council decision was deferred until a later date.

BROWNS AVENUE, from Tuckaseegee Road to the end of the street.

Mr. W. R. Capel, resident of 1603 Browns Avenue, stated since the street was rezoned they have had trouble with the mail. That Browns Avenue now is a thoroughfare with 5 school busses each way every day together with trucks and cars. That they do not want the name changed. Mr. Capel presented a petition, which he stated was signed by 100% of the residents of Browns Avenue, protesting the change in name. He stated that the other street - Brown Street - is located in Brooklyn, is about three blocks long with nothing but shacks on it and he understands is going to be torn down. That their street has been named Browns Avenue for years, all of the homes are owned and occupied by the owners and they feel that the name should not be changed.

At the question of Councilman Bryant if Brown Street is not in the urban redevelopment section, the Planning Director advised that it is but it will probably be a number of years before the redevelopment is in that particular area.

Councilman Albea asked on what basis the Planning Commission recommends that one street name be changed and another retained as it is? Mr. McIntyre advised that it was done on a point basis; each street was assigned points on certain criteria, being whether it was a major street, which street was longer, which predominately commercial, number of developed properties on the street, whether the street name is historical to the location, and the proximity to the center of the City, et cetera. The points were added and the change recommended on the basis of the points.

Council decision was deferred until a later date.

Bullard Lane, from Freeland Lane to the end of the street.

No one appeared in opposition to the proposed change in the name of the street. Mr. Bryant of the Planning Commission advised that a telephone request has been received from one of the residents of the street, representing all of the four residents, requesting that the name be changed to Dewitt Lane.

Council decision was deferred until a later date.

CANTON PLACE, from Long Street to Balch Lane.

No one appeared in opposition to the proposed change in the name of the street, nor was a new name for the street proposed by the residents of the street.

Council decision was deferred until a later date.

CARTIER WAY, from Bethel Road to the end.

Mrs DeBerry, resident of 2028 Cartier Way, filed a petition signed by everyone on the street protesting the change in name and advising the street was established and named Cartier Way in 1935 for Mr. Walter Cartier, who was then Superintendent of the Park & Recreation Commission and they feel that fact alone is sufficient for not changing the name.

She stated further they have never had any confusion with Carter Avenue, as the names are entirely different and the pronunciation is entirely different, and they urge that the name not be changed.

Council decision was deferred until a later date.

COLUMBUS STREET, from Monroe Road to Elder Avenue.

No one appeared in opposition to the proposed change in name, nor was a new name for the street proposed by the residents of the street.

Council decision was deferred until a later date.

CROSS STREET, from Pecan Avenue to Hawthorne Lane.

No one appeared in opposition to the proposed change in name, nor was a new name for the street proposed by the residents of the street.

Council decision was deferred until a later date.

DARE DRIVE, from Sargeant Drive to the end of the street.

No one appeared in opposition to the proposed change in name, nor was a new name for the street proposed by the residents of the street.

Council decision was deferred until a later date.

EDGEHILL ROAD (S), from Hermitage Road to Brunswick Avenue.

No one appeared in opposition to the proposed change in name, nor was a new name for the street proposed by the residents of the street.

Council decision was deferred until a later date.

FOREST DRIVE, from Harris Road to Wendover Road (portion nearest Sharon Road)

No one appeared in opposition to the proposed change in name.

Mr. Bryant of the Planning Commission advised that a petition has been filed with the Planning Commission requesting that the street name be changed to Waterford Drive.

Council decision was deferred until a later date.

FOREST DRIVE EAST, from Shoreham Drive to Forest Drive.

Recommended changed to Shoreham Drive by the Planning Commission.

Mr. Sam Mallett advised he is a resident of Forest Drive East and has been asked by the residents to present a petition signed by 14 of the 15 residents asking that the name not be changed, that the one resident, Mr. Haliburton, does not make any objection, and said he would be willing for Mr. Mallett to represent him at the hearing also. He advised that Forest Drive and Forest Drive East are to him just like Trade Street East and Trade Street West, that it comes right in at the end and they never had any confusion in the name and he thinks Charlotte has a very efficient Postal Department, Fire Department and Police Department that are well able to find their street. He advised they believe if the name of the street is changed they will suffer in property values. That they have three families on the street who have their business offices in their homes and if their address is changed it will be very difficult for them.

Council decision was deferred until a later date.

FREEDOM AVENUE, from Shamrock Drive to East 35th Street.

No one appeared in opposition to the proposed change in name, nor was a new name for the street proposed by the residents of the street.

Council decision was deferred until a later date.

GUM STREET, from Torrence Street to the end of the street.

No one appeared in opposition to the proposed change in name, nor was a new name for the street proposed by the residents of the street.

Council decision was deferred until a later date.

HOOVER AVENUE, from Graham Street to the end of the street.

No one appeared in opposition to the proposed change in name, nor was a new name for the street proposed by the residents of the street.

Council decision was deferred until a later date.

JAMES STREET, from Hamilton Street to the end of the street.

No one appeared in opposition to the proposed change in name, nor was a new name for the street proposed by the residents of the street.

Council decision was deferred until a later date.

JOHNSON ROAD, from N. Graham Street to the end of the street.

Mayor Brookshire presented a letter addressed to the Council and himself from Mr. Rufus Johnston requesting that Johnson Road be renamed Johnston Road, which is a 60-ft. road extending from North Graham Street; that some five years ago he deeded this road to the N. C. Highway Commission and that he and five trucking companies graded and paved the road and spent over \$10,000 on it; that land along the road has been in the Johnston family since 1885 and since 1909 has been known as Rufus M. Johnston Farm and until the area was taken into the city the road was known as Johnston Road; that the property is being developed and bringing more taxable property to Charlotte.

Council decision was deferred until a later date.

LINWOOD STREET, from Rozzells Ferry Road to the end. Recommended changed to Linwood Avenue by Planning Commission

No one appeared in opposition to the proposed change in name, nor was a new name for the street proposed by the residents of the street.

Council decision was deferred until a later date.

MCCROREY AVENUE, from Dr. Carver Road to the end.

No one appeared in opposition to the proposed change in name, nor was a new name for the street proposed by the residents of the street.

Council decision was deferred until a later date.

MONTROSE COURT, from Randolph Road to Dotger Avenue.

Mrs Jane Hill, resident of Montrose Court, stated she is the only person on the street but another residence is being built now. That there are only two

houses on Montrose Avenue, one facing Montrose Avenue and the other on Gene Avenue, and they do not own their property; that it has taken about eight years to get located, stationery printed, magazines routed rightly and they feel it would be easier for Montrose Avenue to be changed than their street, Montrose Court.

Council decision was deferred until a later date.

NEWELL LANE, from North Alexander Street to Eden Lane.

No one appeared in opposition to the proposed change in name, nor was a new name for the street proposed by the residents of the street.

Council decision was deferred until a future date.

ORANGE STREET, from Bellaire Drive to the Creek.

No one appeared in opposition to the proposed change in name, nor was a new name for the street proposed by the residents of the street.

Council decision was deferred until a future date.

OVERHILL ROAD, from Pinewood Circle to Cassamia Place.

Dr. John Lafferty, 1940 Overhill Road, stated this is the block under consideration. That it seems to him the Planning Commission has done a grand job deciding which street name will be changed and according to their figures they come out one point less than the other end of Overhill Road; that the street would have been a direct continuation had the houses not been built in the two block section presently between the streets. That there are 13 houses in their block and they have experienced no confusion in the mails, with the Fire Department nor otherwise. That their portion of the street received the higher number of points on being the oldest street of the two, one or more of the houses having been erected in 1938. That the name Overhill Road fits the area and the character of the street and it seems to them it is a very desirable name and they feel that property values will be lowered somewhat were the name changed. Mayor Brookshire advised the Council has also received a letter of protest against the change in name from Mr. Herbert M. Woodward.

Council decision was deferred until a later date.

PARSON STREET, from Belmont Avenue to 16th Street.

No one appeared in opposition to the proposed change in name, nor was a new name for the street proposed by the residents of the street.

Councilman Dellinger stated he thought Council had this street before them in the last hearing on street name changes and decided to leave it as it was, and there was quite a lively discussion in regard to it.

Councilman Whittington stated he thinks it was the other end of the street that was considered and not the end that is before Council now. Mr. Bryant of the Planning Commission stated that is correct, there was a long fight over that part from Parkwood up to Drummond, and there was a division among the people on the street as to the name. However, there is one little piece down by the Junior High School that is proposed for change today.

Council decision was deferred until a later date.

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PHILLIPS CIRCLE, from North Tryon Street to the end.

No one appeared in opposition to the proposed change in name, nor was a new name for the street proposed by the residents of the street.

Council action was deferred until a later date.

POINDEXTER CIRCLE, from Poindexter Drive to Poindexter Drive.

No one appeared in opposition to the proposed change in name, nor was a new name for the street proposed by the residents of the street.

Council decision was deferred until a later date.

SCOTT COURT, from Scott Avenue to Fountain View.

The Reverend Mr. Charles E. Ridenhour, 1404 Scott Court, stated he is representing all property owners on Scott Court, and they do not feel there is enough difference between Scott Court and Scott Avenue to necessitate a change in name; that Scott Court has borne the name for forty years and there has never been any confusion in the location of the street by the Fire Department or anyone; that it does not seem to them to be quite fair to change the name of the street and they are opposed to it. That they feel they have a little grievance because of something that has previously happened - that Scott Court use to extend down past where the Nurses Home is now located and the street was cut off and the Nurses Home constructed on that portion of the street and they feel their properties were somewhat injured by that move, and therefore, he and the other residents appeal to the Council to leave the name of their street as it is.

Councilman Whittington asked what the thinking of the Planning Commission is when Kenilworth and Scott and Fernwood go to Park Road? What will be the name of Scott Avenue then? Mr. Bryant of the Planning Commission staff stated he can give no official answer but as far as the Staff thinking is concerned he can say the names will probably remain as they are, as they are two separate streets even though they will be operating as a one-way pair. That south of East Boulevard the streets will probably be recommended to have one name all the way through and on the surface it would appear that it would be Scott Avenue all the way through. Councilman Whittington then asked the Reverend Mr. Ridenhour if any thought has been given by the residents to changing the name of Scott Court to Fountain View, and Mr. Ridenhour replied it has not been discussed, but he believes they will wish it left Scott Court.

Council action was deferred until a future date.

SEDGEWOOD ROAD, from Wendover Road to Hearthstone Court.
Recommend changed to Sedgewood Circle by Planning Commission.

No one appeared in opposition to the proposed change in street name, nor was a new name for the street proposed by the residents of the street.

Council action was deferred until a later date.

SIXTH STREET ALLEY, from Long Street to Sugaw Creek.

No one appeared in opposition to the proposed change in street name, nor was a new name for the street or alley proposed by the residents of the street.

Council action was deferred until a later date.

SIXTH STREET COURT, from 610 E. 6th Street to the end.

No one appeared in opposition to the proposed change in street name, nor was a new name for the street proposed by the residents of the street.

Council action was deferred until a later date.

SIXTH STREET PLACE, from North Graham Street to the Southern Railroad.

No one appeared in opposition to the proposed change in street name, nor was a new name for the street proposed by the residents of the street.

Council action was deferred until a future date.

SMITH LANE, from 512 East 1st Street to the end.

No one appeared in opposition to the proposed change in street name, nor was a new name for the street proposed by the residents of the street.

Council action was deferred until a future date.

SPRING COURT, from Spring Street to the end.

No one appeared in opposition to the proposed change in street name, nor was a new name for the street proposed by the residents of the street.

Council action was deferred until a later date.

THOMPSON PLACE, from Vanderburg Street to the end.

No one appeared in opposition to the proposed change in street name, nor was a new name for the street proposed by the residents of the street.

Council action was deferred until a later date.

THRIFT ROAD, from Morehead Street to Freedom Drive.

Recommended changed to Freedom Drive by the Planning Commission.

No one appeared in opposition to the proposed change in street name, nor was a new name for the street proposed by the residents of the street.

Council action was deferred until a later date.

THRIFT ROAD, from Tuckaseegee Road to Interstate 85.

No one appeared in opposition to the proposed change in street name.

Mr. Bryant of the Planning Commission Staff advised they have had a telephone call from a person representing the majority of the residents of the street requesting that this portion of the street be changed to Triangle Drive, which is agreeable to the Planning Commission.

Council decision was deferred until a later date.

TORRENCE AVENUE, from Pebble Street to the end.

No one appeared in opposition to the proposed change in street name.

Mr. Bryant of the Planning Commission Staff advised they have received a letter from one of the two residents of the street, representing both of them, requesting that the street name be changed to Metals Drive, which is agreeable to the Commission.

Council decision was deferred until a later date.

WARRINGTON AVENUE, from Atando Avenue to the end.

No one appeared in opposition to the proposed change in the street name, nor was a new name for the street proposed by the residents of the street.

Council action was deferred until a later date.

WINDSOR AVENUE, from Poindexter Drive to Sunset Drive.

Mrs Joe Rudisill, 2808 Windsor Avenue, presented a petition signed by the residents and homeowners of the street, protesting the proposed change in the name of the street. Mrs Rudisill advised that three years ago they were up here pleading and begging to keep the street name and it was finally voted unanimously to leave the name of the street as it was. Now, three years later they are back again making the same plea.

Councilman Dellinger stated it was his understanding that Council agreed they would not consider the street names they had acted on before. Mrs. Rudisill stated that Windsor Avenue was the first street to be given the name in 1930, it is a street two blocks long, fully developed and all home owned. In the beginning, the area was planned to have an English flavor, and it was called Devonshire Place, with such street names as Windsor, Edinburgh, Habersham, Dorchester, etc, and these names have prevailed and they wish to keep them. That they have had no trouble whatsoever in confusion with Windsor Drive, no trouble with deliveries, the mail nor anything.

Councilman Dellinger asked if Council is going on the premise that they would not consider changing those streets that were acted on before? Mr. Bryant of the Planning Commission Staff stated that as the Council knows, this present study originated with the Fire Department's request that something be done about the duplication in street names, and this street was included on the list as it came from the Fire Department. Mr. Veeder advised that the Council said specifically they would not consider those street names considered previously and therefore, Windsor Avenue should not have been on the list of streets.

Councilman Dellinger moved that Windsor Avenue be eliminated from the list. The motion was seconded by Councilman Whittington, and unanimously carried.

Mr. Fred Meekins, 3129 Windsor Drive, stated he is present on behalf of the residents of Windsor Drive and would like to have his presence known even though Council has passed the motion that the entire change will be dropped.

WINSTON STREET, from Grimes Street to Catalina Lane.

The Reverend Mr. George Lyndon, 522 Winston Street, stated Winston Street is only one block long and their church is located on the street together with some fifteen houses. That he hastily listed some 32 permanent addresses with their church Boards in Nashville, New York and Chicago and he would dislike having to notify all of them of a change in the name of the street on which the church is located and on which he resides.

Mr. Bryant of the Planning Staff advised that Winston Street runs one block from Grimes Street to Catalina Lane, off North Graham Street, and Winston Drive runs through the apartment area just off The Plaza at 35th Street.

Mr. Lyndon stated they have had no confusion with mail deliveries and the Fire Department is located one block from his house and from the church, and the residents of the street can see no reason for changing the name.

Council decision was deferred until a later date.

WOODLAND DRIVE, from Rozzells Ferry Road to West Trade Street.

No one appeared in opposition to the proposed change in the name of Woodland Drive, nor was a new name for the street proposed by the residents of the street.

Council action was deferred until a later date.

WOODMAN STREET, From State Street to the end.

No one appeared in opposition to the proposed change in street name, nor was a new name for the street proposed by the residents of the street.

Council decision was deferred until a later date.

WOODSIDE DRIVE, from Pinnacle Street to Pinnacle Street.

No one appeared in opposition to the proposed change in the name of the street, nor was a new name for the street proposed by the residents of the street.

Council decision was deferred until a later date.

WYLIE AVENUE, from near Liggett Street to Orton Street.

No one appeared in opposition to the proposed change in street name, nor was a new name for the street proposed by the residents of the street.

Council decision was deferred until a later date.

SHORTER AVENUE, from Independence Boulevard to Baldwin Avenue, and the new section of street from Baldwin Avenue to Caswell Road. Recommend changed to East Third Street by the Planning Commission.

No one appeared in opposition to the proposed change in street name nor was a new name for the street proposed by the residents of the street.

Mr. Bryant explained this is the new street that was constructed from Caswell Road to Independence Boulevard recently and for two blocks it followed old Shorter Avenue and they are recommending that this part of Shorter Avenue be changed to East 3rd Street and the new section, about two blocks, has not had a name assigned to it, and they recommend, therefore, that from Caswell Road to Independence Boulevard become East 3rd Street, in anticipation of the extension on through connecting with the existing East 3rd Street later.

Councilman Bryant asked if it would not be better for it to end at Queens Road rather than at Caswell Road? Mr. Bryant advised the reason for recommending that it be to Caswell Road is the fact that at the present time 4th Street changes into Randolph Road at Caswell and 4th and 3rd Streets will eventually operate as a one-way pair and there would be an advantage to having both streets stop at the same street.

CONSIDERATION OF THE PETITION FOR LOCAL IMPROVEMENTS ON CINDERELLA ROAD, FROM SUGAW CREEK ROAD TO YUMA STREET, DEFERRED ONE WEEK.

The City Manager advised that last week Council requested him to get in touch with Mr. George Goodyear in regard to the Petition for local improvements on

Cinderella Road, from Sugaw Creek Road to Yuma Street, toward the end of discussing the matter with him, and Mr. Goodyear was unavailable last week and he had to leave the city this morning and he has an appointment to see him tomorrow, therefore he suggest that consideration of the Petition be deferred. Councilman Alba moved that consideration of the petition be deferred one week, which was seconded by Councilman Bryant, and unanimously carried.

RESOLUTION CONFIRMING THE ASSESSMENT MAP ROLL FOR LOCAL IMPROVEMENTS ON SHADY BLUFF DRIVE, FROM DONCASTER DRIVE TO DEAD END, ADOPTED.

Upon motion of Councilman Dellinger, seconded by Councilman Thrower, and unanimously carried, Resolution Confirming the Assessment Map roll for Local Improvements on Shady Bluff Drive, from Doncaster Drive to Dead end, was unanimously adopted at 3:20 o'clock p.m., on January 14, 1963. The resolution is recorded in full in Resolutions Book 4, beginning at Page 259.

RESOLUTION FIXING THE DATE OF PUBLIC HEARING ON THE PETITION OF GEORGE GOODYEAR COMPANY REQUESTING THE ANNEXATION OF PROPERTY TO THE CITY OF CHARLOTTE, PURSUANT TO G.S. 160-452, AS AMENDED, ADOPTED.

The City Manager advised that a Petition has been filed by George Goodyear Company for the annexation of 65.906 acres of property to the City of Charlotte, known as Hidden Valley Estates and containing 168 lots, located in Mallard Creek Township near Sugaw Creek Road and adjacent to Echo Glen Subdivision.

Councilman Alba moved the adoption of a Resolution Fixing the Date of Public Hearing on January 28, 1963 on the Petition of George Goodyear Company for the Annexation of property to the City of Charlotte. The motion was seconded by Councilman Thrower, and unanimously carried. The resolution is recorded in full in Resolutions Book 4, at Page 258.

Councilman Dellinger asked if the property requested annexed is contiguous to the property on Cinderella Road on which local improvements are to be made? The City Manager stated there must be a relationship as they are both in Hidden Valley but he is not sure and will advise him.

Councilman Whittington asked that the City Manager give them full information before the Hearing so that they may avoid having a problem such as has been had on Cinderella Road. The City Manager advised he has maps of the property requested annexed and also some reports from the operating departments that would have some bearing on it and he will get the information out to Council before the hearing.

SUPPLEMENTARY CONTRACT WITH ERVIN CONSTRUCTION COMPANY FOR INSTALLATION OF WATER MAINS AUTHORIZED.

Upon motion of Councilman Bryant, seconded by Councilman Whittington, and unanimously carried, a Supplementary Contract to contract dated August 13, 1962, was authorized with Ervin Construction Company for the installation of an additional 490-ft. of 8-inch water main in Archdale Drive, outside the city limits, at an estimated cost of \$2,000.00. All costs to be borne by the applicant, who will dedicate the main to the city without cost upon the acceptance of the work by the City.

CONSIDERATION OF REQUEST FOR APPROVAL OF THE CONSTRUCTION OF SANITARY SEWER MAIN IN DALLAS AVENUE AT REQUEST OF ED GRIFFIN DEVELOPMENT COMPANY DEFERRED ONE WEEK.

The request for the construction of 512 feet of sanitary sewer main in Dallas Avenue, at the request of Ed Griffin Development Company, at an estimated cost of \$1,630.00, with all cost to be borne by the applicant, whose deposit of the entire amount of the cost is not refundable, was presented. Councilman Dellinger moved approval of the construction, which was seconded by Councilman Bryant. Councilman Whittington asked why the cost is not refundable as it usually is refundable under the terms of the contract. The City Manager advised that the memo from the Engineering Department does not state the reason and he will have to check into it.

Councilman Albea offered a substitute motion that action be deferred for one week, which was seconded by Councilman Whittington, and unanimously carried.

CONSTRUCTION OF SANITARY SEWER MAIN AUTHORIZED IN RODEY AVENUE.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, the construction of 150 ft. of sanitary sewer main was authorized in Rodey Avenue, at the request of Helms Construction Company, at an estimated cost of \$700.00. 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.

TRANSFER OF CEMETERY LOTS.

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

- (a) Deed with Mary Beth Quick and Martha Quick Denny, for Lot 205, Section 4-A, Evergreen Cemetery, at \$3.00 for new deed.
- (b) Deed with McEwen Funeral Service, for Graves 3 and 4, Lot 136, Section 3, Evergreen Cemetery, at \$52.00.
- (c) Deed with McEwen Funeral Service, for Lot 381, Section 4-A, Evergreen Cemetery, at \$126.00.
- (d) Deed with McEwen Funeral Service, for Graves 4 and 5, Lot 93, Section 3, Evergreen Cemetery, at \$80.00.
- (e) Deed with Mrs George R. Grubbs, Sr., Mrs A. L. Collins, Mrs. M. A. Braswell and Mrs Charles Schroeder, for Lot 356, Section 7, Oaklawn Cemetery, without cost, as they were issued a deed for the wrong lot by the former owner of Oaklawn Cemetery.

CONTRACT AWARDED REA CONSTRUCTION COMPANY FOR STREET IMPROVEMENTS ON GALAX DRIVE, LEAFMORE DRIVE, CLINTWOOD DRIVE AND BRAINTREE DRIVE.

Councilman Bryant moved the award of contract to the low bidder, Rea Construction Company for the construction of street improvements on Galax Drive, Leafmore Drive, Clintwood Drive and Braintree Drive, as specified, on a unit price basis, at their bid price of \$17,976.25. The motion was seconded by Councilman Whittington, and unanimously carried.

The following bids were received:

Rea Construction Company	\$ 17,976.25
T. A. Sherrill Construction Co.	18,597.00
L. A. Armstrong Construction Co.	19,474.25
Blythe Brothers Company	20,182.50
Crowder Construction Company	20,570.00

CONTRACT AWARDED LYNCHBURG FOUNDRY COMPANY FOR CAST IRON PIPE.

Upon motion of Councilman Thrower, seconded by Councilman Whittington, and unanimously carried, contract was awarded the low bidder meeting the specifications, Lynchburg Foundry Company, for 92,700 feet of Cast Iron Pipe, as specified, on a unit price basis, at their bid price of \$191,641.80.

The following bids were received:

Lynchburg Foundry Company	\$ 191,641.80
Glamorgan Pipe & Foundry Co.	194,858.49
United States Pipe & Foundry Co.	194,935.74
American Cast Iron Pipe Company	206,296.13
James B. Clow & Sons, Inc.	200,842.28
(Did not meet specifications)	

CONTRACT AWARDED GRINNELL COMPANY, INC. FOR CAST IRON PIPE FITTINGS.

Motion was made by Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, awarding contract to the low bidder, Grinnell Company, Inc., for 572 Cast Iron Pipe Fittings, as specified, on a unit price basis, at their bid price of \$11,189.79.

The following bids were received:

Grinnell Company, Inc.	\$ 11,189.79
Lynchburg Foundry Company	12,472.53
Russell Pipe & Foundry Company	12,488.03
United States Pipe & Foundry Co.	13,696.91
American Cast Iron Pipe Co.	13,880.59
Glamorgan Pipe & Foundry Co.	13,902.24

CONTRACT AWARDED EARCO PRODUCTS DEPARTMENT OF KOPPER'S COMPANY, INC. FOR EMULSIFIED ASPHALT.

Councilman Bryant moved the award of contract to the low bidder, Earco Products Department of Kopper's Company, Inc., for 900,000 gallons of Emulsified Asphalt, as specified, on a unit price basis, at their bid price of \$92,541.25. The motion was seconded by Councilman Thrower, and unanimously carried.

The following bids were received:

Earco Products Dept. of Koppers Co., Inc.	\$ 92,541.25
Central Oil Asphalt Corp.	100,720.75

APPOINTMENT OF MEMBER TO FIREMEN'S RELIEF FUND BOARD OF TRUSTEES DEFERRED ONE WEEK.

Councilman Dellinger moved that consideration of the appointment of a member to the Firemen's Relief Fund Board of Trustees be deferred one week. The motion was seconded by Councilman Albea, and unanimously carried.

CONFERENCE FIXED FOR FRIDAY MORNING AT 10 O'CLOCK IN THE MAYOR'S OFFICE TO DISCUSS PROPOSED LEGISLATIVE MATTERS.

Mayor Brookshire advised it was agreed in the Conference session that the

Legislative Committee would give the Council copies of those matters which the Committee has brought to their attention, and also copies of the League of Municipalities recommendations, for their consideration and then have a conference before next Monday.

Councilman Whittington suggested that the City Manager try to set up a meeting of Council this week so they can discuss the legislative program with the idea of having a meeting with out Legislators next week.

Following the discussion of the time for a meeting, it was decided that Council meet on Friday at 10 o'clock in the Mayor's office.

OLD TRAFFIC ENGINEERING SHOP AUTHORIZED LEASED TO PARK & RECREATION COMMISSION.

Consideration was given the recommendation of the City Manager that the Old Traffic Engineering Shop building at 914 Louise Avenue, recently vacated by the Traffic Engineering Department, be deeded to the Park & Recreation Commission as they have requested its use for storage purposes and no other city use is contemplated. Councilman Bryant moved that the building be deeded to the Park & Recreation Commission. The motion did not receive a second. The City Manager stated there are two ways it can be handled, the Park & Recreation Commission can be told informally they can use the building or a conveyance can be worked out to them; that the advantages of working out a conveyance is then it is a clear cut matter and any liability attached to the building is theirs, while if they just use the building, the City must assume any liability. The City Attorney stated this is correct and any agreement is never as clear cut as a deed. Councilman Whittington stated he does not want to give the building away.

Councilman Whittington moved that the building be leased to the Commission at \$1.00 per year and the City Attorney try to word the lease so that they would assume the liability. The motion was seconded by Councilman Dellinger, and carried by the following recorded vote:

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

RIGHT OF WAY SETTLEMENTS AUTHORIZED FOR KENILWORTH AVENUE EXTENSION PROJECT.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and un-animously carried, settlement of the following rights of way for the Kenilworth Avenue Extension Project, was authorized:

- (a) Payment of \$800.00 to Calvin F. Hamilton and wife, Anne, 2117 Fernwood Drive, for 252 square feet of property.
- (b) Payment of \$700.00 to Mrs Dorothy W. Richardson and husband, William M., 2113 Fernwood Drive, for 252 square feet of property.

CONDEMNATION OF TWO PARCELS OF LAND AUTHORIZED FOR RIGHT OF WAY FOR KENILWORTH AVENUE EXTENSION PROJECT.

Councilman Albea moved approval of the condemnation of the following parcels of land required as right of way for the Kenilworth Avenue Extension Project, which was seconded by Councilman Jordan, and unanimously carried:

- (a) 504 square feet of property owned by C. L. Kiser and wife, Hazeline, 2100 and 2403 Fernwood Drive.
- (b) 252 square feet of property owned by T. B. and Emily T. Moore, 2124 Fernwood Drive.

CITY MANAGER REQUESTED TO HAVE TRAFFIC COUNT MADE AT INTERSECTION OF MAGNOLIA AVENUE AND PARK ROAD.

Councilman Whittington requested the City Manager to have a traffic count made at the intersection of Magnolia Avenue and Park Road.

CITY MANAGER REQUESTED TO HAVE SANITATION DEPARTMENT CHECK ONCE A WEEK ENTRANCES ALL WAY DOWN TO APPROACH TO LANDFILL SITE ON NATIONS FORD ROAD.

Councilman Whittington requested the City Manager to ask the Sanitation Department to check Nations Ford Road all the way down to the approach to the Landfill Site, and also any other entrances, as the street should be policed about once a week in fairness to the people who live along there.

FURTHER CONSIDERATION OF DUPLICATE STREET NAME CHANGES DEFERRED FOR REPORT FROM PLANNING COMMISSION ON OBJECTIONS REGISTERED TODAY AND FOR OTHER REQUESTS FOR CHANGE IN NAMES OF OTHER STREETS.

At the question of Councilman Alba as to when the duplicate street name changes will be further considered, Mayor Brookshire suggested it would be well to give the City Manager time to discuss some of them with the Planning Commission in light of the hearings today.

Mr. Veeder advised that in recalling the chain of events when the greater number of street name changes was presented to Council, a hearing was held and then for sometime afterwards others came in, who for one reason or another did not appear at the hearing, and because of the nature of the discussions and the interest the people had in their street names, Council gave extra time to make sure that everyone had an opportunity to be heard. That it may well be that other persons will show up later, and he would suggest that the Council not move too fast and see if other objections are presented. Also, it would be well to get a report from the Planning Commission on the objections expressed today, as it might be helpful to Council.

Mayor Brookshire suggested that it would be well to leave the matter in abeyance until Council wishes to take it up again at their pleasure and convenience. Council concurred in the suggestion.

Councilman Dellinger suggested that people who wish their street names changed should be invited to come in in the meanwhile and all changes be made at the same time. Council concurred in the suggestion.

COUNCILMAN THROWER REQUESTS COUNCIL TO THINK ABOUT REQUESTING MECKLENBURG DELEGATION TO PROMOTE ELIMINATION OF ONE PERCENT STATE BUSINESS INVENTORY TAX.

Councilman Thrower asked the Council to think about the 1% State Business Inventory Tax and if they feel they can go to the Mecklenburg Delegation and ask them if they can't do something about it. He stated he realizes this was necessary before we had the 3% sales tax on everything but thinks it affects business in North Carolina around December to the extent if they allow these people to do away with this tax the turn-over in merchandise from a sales tax angle would make it up. That he is asking the Council to get rid of this tax as he thinks it cost the State money because of the lack of trade and people will not buy and their assortments and colors run down.

Councilman Alba stated he has no objections, but if this tax is taken off then it will be put on something else.

Councilman Whittington suggested that Mr. Thrower bring this matter up at the meeting on Friday relative to Legislative matters.

DISCUSSION OF CONFERENCE WITH COUNTY COMMISSIONERS RELATIVE TO FIXING TAX ASSESSMENT RATIO.

Mayor Brookshire stated that the conference with the County Commissioners will be held in about fifteen minutes. That in discussing the conference with the City Manager it was thought that Council should go to the meeting with the attitude and idea of listening and being informed by them, as they have had the figures available and had their Auditor working out certain formulas based on their anticipated tax requirements and the Council has not had the same length of time for consideration of the matter. So if we go and hear what they have to say, and any elaboration they make on the figures they will disclose, that we suggest we will be glad to meet with them at a time convenient to them between now and the time they must by law set the tax base.

Councilman Dellinger stated as he understands it, the Council will not have anything to say as far as the final action is concerned. Mayor Brookshire stated the Commissioners are giving the City the opportunity to have its say but they, of course, have the responsibility of setting the tax ratio.

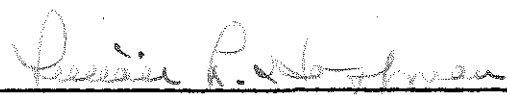
Mr. Veeder advised that this point might be clarified, and in a sense it can be gotten from the City Attorney, as he had a lot to do with the way the Statutes here is written, the point being that by Statute the County Commissioners are required to seek advice from the municipalities inside the County. The City Attorney added that when the revaluation act was written and passed in 1959 a provision was inserted that the County Commissioners shall fix the assessment ratio, so there is no question but that it is their responsibility, which they do after giving the governing bodies of other governmental units that have to use the same kind of base, an opportunity to be heard on what ratio would provide that unit with a reasonable and adequate tax base. So, as he understands the purpose of the hearing, the County Commissioners want to know what Council's opinion is of a reasonable and adequate tax base for the City of Charlotte, and the same would apply to other communities within the county, and in the absence of hearing from you what you need, they just fix it within their own discretion, and he understands from the press they are supposed to fix it next week.

Councilman Whittington stated he thinks what Council needs in this case is to do exactly what the Mayor said, that is listen and ask questions but he does think if the Commissioners are going to set this ratio next week by legal requirement, it is going to be necessary for the Council to depend a great deal on the recommendations of the City Manager and Accountant and Treasurer and anyone else directly associated with the problem, and that if it must be set next week it would be necessary for Council to have a good digest of what is given them today and recommendations from these department heads as quickly as we can.

Mayor Brookshire stated that at the conference regarding legislative matters on Friday morning Council will have an opportunity to discuss the matter further before meeting with the Commissioners again.

ADJOURNMENT.

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


Lillian R. Hoffman, City Clerk