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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, March 16, 1964, at 2 o'clock p.m., with Mayor Brookshire presiding, and Councilmen Bryant, Dellinger, Jordan, Smith, Thrower and Whittington present.

ABSENT: Councilman Albea.

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INVOCATION.

The invocation was given by the Reverend Thomas A. Jenkins, Pastor of Statesville Avenue Presbyterian Church.

MINUTES APPROVED.

Upon motion of Councilman Whittington, seconded by Councilman Thrower, and unanimously carried, the Minutes of the last meeting on March 9th were approved as submitted.

HEARING ON PETITION NO. 64-10 FOR CHANGE IN ZONING OF PROPERTY FRONTING ON WEST TRADE STREET AND ON ROZZELLS FERRY ROAD.

The scheduled hearing was held on Petition No. 64-10 by Mr. W. A. Wardell for change in zoning from B-2 to I-1 of property fronting 150 ft. on West Trade Street and 300 ft. on Rozzells Ferry Road, southeast of Bellhaven Boulevard.

The Planning Director stated the property is irregularly shaped, extending from West Trade Street to Rozzells Ferry Road, lying between the two roads a short distance back from the intersection of Rozzells Ferry Road with Highway 16. Property has frontage on both W. Trade Street and Rozzells Ferry Road; that on Rozzells Ferry Road being broken in two parts. Across the street there are various industrial uses, adjoining the property on the west land is vacant and some distance away there is a Junk Yard near the intersection of West Trade and LaSalle. On the Rozzells Ferry Road frontage most of the land is vacant, only one portion being occupied by a residence, and the property is adjoined on this frontage by a business establishment on the in-town side. Also, along the main general property line, the property is adjoined by the Faith Methodist Church. Across Rozzells Ferry Road the development is principally business and some vacant land and one industrial use.

Mr. Ben Horack, Attorney representing the Petitioner advised the property is in a very real sense sandwiched in between two Industrial -2 Zonings. He called attention they are requesting Industrial-I instead of Industrial-2 zoning classification, a portion of which is on the side of Rozzells Ferry Road. That Mr. Wardell bought the property about 1958-59 and at that time it was zoned for industrial purposes under the old Zoning Ordinance and he bought it for an investment for industrial purposes. When the new Master Zoning Ordinance was passed in 1962, the portion of the property fronting on Rozzells Ferry Road was zoned B-2 and that fronting on West Trade Street was zoned R-6MF. That Mr. Wardell had no knowledge that the zoning was changed partly B-2 and partly R-6MF until he went to sell the property for industrial purposes and the prospective purchaser found out about the changes in zoning.

So he applied to Council for a zoning change to I-2 by petition dated February 18, 1963, as he was unable to sell the property for acceptable usage. At that time there was some discussion behind the scene whether it would be acceptable to leave zoned B-2 that part that was then B-2 and change the part on Trade Street zoned R-6MF to B-2; basically, he acquiesced understanding the City's problem and to see if he could not find a B-2 user. But in that effort he has been unsuccessful to this date. That as Council knows this is one of Charlotte's blighted areas, low income families who would as a rule not have their individual transportation, live here in this area that will not support a B-2 usage of the type that would enhance the neighborhood. He called particular attention to the fact that when the zoning was adopted in January, 1962, the property was likewise zoned B-2 and by a petition filed in July 1962 a request was made by Mr. S.T. Williams to change it from B-2 to I-2, and if there had been a good reason for maintaining the B-2 classification, he assumes that Council would have earmarked it as a non-conforming use and let it stay as it was. But that was not done because subsequent to July 1962 the Planning Commission recommended it changed to I-2 and it was done so by the Council. The Commission stated with their recommendation that the change would eliminate the non-conforming status and thereby permit the expansion to an area where it would not be inconsistent with the character of the adjacent property.

He stated that Mr. Wardell, the petitioner, has contracted to sell the property to Mr. J. B. Thomas, contingent upon it being rezoned to I-1 by April 10, 1964. Mr. Thomas proposes to erect a building and lease it to the Mecklenburg Laundry that is presently operating on down Trade Street toward town, which location they have to give up because the landlord has found the building un-insurable. Mecklenburg Laundry will operate a dry cleaning and laundry, which will include activities composed approximately of 60% drive-in and 40% delivery. That they understand that 4,500 square feet would fit in the present B-2 zoning and Mecklenburg Laundry's plans call for about 6,600 sq. feet for the reason that the investment that is planned could not be justified by rezoning only 4,500 sq. ft., and furthermore the walk-in, drive-in, pick-up business would not justify an operation of this type because they are not able to supplement it in a very significant way with the delivery operations, it would throw it into the necessity of having an I-2 area.

Mr. Horack filed a plat of the proposed building to be leased to Mecklenburg Laundry as it will fit their operation, and the adjoining area. He stated the land and building are expected to cost within the neighborhood of \$50,000.00.

He stated they do not think the Industrial-1 use by the Laundry will bring in a heavy burden of traffic that would be objectionable.

Councilman Jordan asked if there will be sufficient space on the property for cars to drive-in so there would not be a traffic hazard? Mr. Horack stated there will be plenty and even more than will be needed.

Mr. Horack stated there are residences in the area and also a Housing Development and he thinks this type of use is much better than many usages that could be under the present B-2 under which they could have a trailer park or Miniture Golf or Shooting Gallery, or used car lot, etc and they think a building of this type would add to the neighborhood and also fill a need for the residents of the area.

Mr. Horack stated there are no protestants to their proposal. That no protest have been filed with the City. That they went around in the neighborhood and asked the people just the same, and have a Petition or Statement which they signed that they do not object, which he will file with the City Clerk. That the Church also consented.

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Councilman Smith asked if these people who consented, expressed any desire to get their property rezoned? Mr. Horack stated they did not.

No objections were expressed to the proposed change in zoning.

Council decision was deferred one week.

HEARING ON PETITION NO. 64-11 FOR CHANGE IN ZONING OF TRACT OF LAND AT THE SOUTHWEST CORNER OF MONROE ROAD AND RAMA ROAD, CONTINUED UNTIL APRIL 20TH.

The public hearing was held on Petition No. 64-11 by Mr. Robert G. Phillips for change in zoning from R-9 to B-1 of a tract of land 165 ft x 300 ft. at the southwest corner of Monroe Road and Rama Road.

The Council was advised that a Petition protesting the change in zoning has been filed, which is signed by 13 persons, representing 7 tracts of land adjacent to the subject property who represent 100% of the land adjoining on the east side, 100% of the property on the west side and 18% of the property on the north side; therefore the 20% rule is invoked and passage of the ordinance changing the zoning classification will require a 3/4th vote of the City Council. Also, the petition is signed by 66 persons representing 36 properties in the immediate area but not adjoining the subject property, who are opposed to the change in zoning.

Mr. Ray Rankin, Attorney for the Petitioner, stated that over the weekend some development has occurred with regard to their petition which he has not had time to check into which could have a bearing on the matter, and he would like to have the hearing continued to the date on which the next public hearings on zoning matters are heard.

Mr. Joe Barrier, Attorney, stated he represents the opponents to the petition for the zoning change. That Mr. Rankin called him this morning about a continuance of the hearing, and many of the people involved in and concerned with the requested change in zoning had made plans to be here today, and he could not get in touch with all of them, and they are here now; therefore, he objects to the continuance of the hearing to a later date, and would like the hearing to be held now.

Councilman Dellinger moved that the hearing be continued as requested until April 20th, which was seconded by Councilman Smith, and unanimously carried.

HEARING ON PETITION NO. 64-12 BY S.W.S. INCORPORATED, FOR CHANGE IN ZONING OF TRACT OF LAND AT THE SOUTHWEST CORNER OF BAXTER STREET AND CHERRY STREET, CONTINUED UNTIL APRIL 20TH.

The public hearing was held on Petition No. 64-12 by S.W.S. Incorporated for change in zoning from R-6MF to O-6 of a tract of land approximately 60 ft x 100 ft. at the southwest corner of Baxter Street and Cherry Street.

The Planning Director stated the petition covers a small piece of land at the intersection of Baxter Street and Cherry Street, short distance removed from Charlottetown Mall. The property is diagonally across the intersection from a Church, a short distance from a Store; directly across the street there is a minor business building, otherwise, the adjoining property is developed residentially along Cherry Street. Behind the property is the Parking Lot related to the Mall Office Building. The property is zoned R-6MF and is adjoined on all sides by R-6MF zoning with the exception of the Business zoning extending along the rear property line behind the property line on Cecil Street.

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The City Manager advised that one of the owners of the property, Mr. Herbert Spaugh, Jr. called this morning and he was under the impression he might have called the Planning Director, regarding withdrawing their petition to give the owners an opportunity to resubmit it on the basis of a different zoning classification, as they have learned this petition does not permit them to do that which they wish to do, having requested O-6 zoning and they will need a different zoning classification. He stated he thinks Mr. Spaugh should give the City his request for withdrawal in writing, so that it would be official.

The City Manager called the Planning Office on the telephone to see if Mr. Spaugh had contacted them officially and was advised by Mr. Bryant he talked with another of the owners of the property this morning and he wants the petition withdrawn to be resubmitted on a different date.

Mayor Brookshire aksed if the Council can act on that basis without a written request, and the City Manager stated he should think so. Councilman Bryant stated the way he understands it is they had some confusing information on what they had requested when they talked with the Planning Group and also the Building Inspection Department, and they are going to have to ask for a different classification to get what they really want.

Councilman Jordan moved that the matter be postponed until the next zoning hearing date on April 20th. The motion was seconded by Councilman Whittington.

The City Manager asked if it would not be Council's intent that the Petitioners be heard on April 20th without submitting a new application? He was advised that is correct.

The Mayor called for the vote on the motion, which carried unanimously.

HEARING ON PETITION NO. 64-13 FOR CHANGE IN ZONING OF A 29.381 ACRE TRACT OF LAND ON THE SOUTHWEST SIDE OF BELLHAVEN BOULEVARD WEST OF AND ADJACENT TO THE ET & WNC TRUCKING TERMINAL.

The scheduled hearing was held on Petition No. 64-13 by Dr. Ernest W. Franklin and Mr. Wm. E. Hipp, Jr., for change in zoning from R-9 to I-2 of a 29.381 acre tract of land on the southwest side of Bellhaven Boulevard west of and adjacent to the ET&WNC Trucking Terminal.

Mr. McIntyre, Planning Director, advised this property is located on Bellhaven Boulevard in the perimeter area approximately one and a half miles beyond the Water Works establishment on Highway 16; the property is vacant and has a minor frontage on Bellhaven Boulevard and considerable depth off the Boulevard and in part is adjoined along the in-town side with residential development, and that portion that looks out towards Bellhaven Boulevard adjoins vacant land on the Boulevard; to the west the land is vacant with a fishing lake on the property; to the southwest it is adjoined by vacant property. The property is zoned R-9 and is adjoined by R-9 zoning on three sides and on the Bellhaven side is adjoined by I-2 district which extends out to Bellhaven itself. Across the Boulevard there is an I-1 industrial district.

Mr. Hipp, part owner of the property, stated he and Dr. Franklin feel the Colonial Pipe Line, which on the west side is the natural boundary, and because of the way it lays would be better for it to be zoned Industrial than residential as it could be utilized better.

Councilman Smith asked if they have any specific use for the property at the present time, and Mr. Hipp said they do not.

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Dr. Franklin stated that Mr. Hipp has lived in the area most of his life and knows the section better than he, also Mr. Hipp is a builder. He stated there are in fact two pipe lines, the original was Plantation which takes up a 75 foot right-of-way off some 1,200 feet, and Colonial Pipe Lines goes on this side.

No objections were expressed to the proposed change in zoning.

Council decision was deferred one week.

HEARING ON PETITION NO. 64-14 FOR CHANGE IN ZONING OF LOTS AT THE END OF OLINDA STREET, EAST OF KILDARE DRIVE.

The public hearing was held on Petition No. 64-14 by Mr. Robert C. Powell, Jr. for change in zoning from R-9 to R-9MF of lots at the end of Olinda Street, east of Kildare Drive.

Mr. McIntyre, Planning Director, advised that Olinda Street is a cul-de-sac street ending in a turn-around on which the property in question fronts. The property consists of four lots, which are vacant; along one side of the rear of one of the lots it is adjoined by the rear property line of a lot that extends back to Plaza Road and on that lot is a small grocery store. The property is in the general vicinity of Plaza-Newell Road intersection where a few businesses have been established. Along the rear line of most of the lots they are adjoined by single-family residential use that fronts on Joyce Drive; along other property lines coming back towards Olinda Drive the property is adjoined by vacant land and single-family residences. The property is zoned R-9, is adjoined on three sides by R-9 zoning and on the fourth side by business zoning. Across the rear line of the property that back up against the rear line of the property on Joyce Drive, there is an area zoned for multi-family usage.

Mr. Robert Powell, Petitioner, stated his house is on the corner lot and the houses at the back of it are small, both the house and lot being worth probably \$8,000.00. That he thinks in view of the location, backed up to business, it would be better to build nice, multi-family units in there instead of more cheap houses. He submitted a map of the four lots he is requesting rezoned and stated the frontage of the lots are Lot B, 50 feet, Lot C, 45 feet, Lot D, 58 feet, and Lot E, 80 feet; he stated the size of the lots is more than sufficient to meet the requirements for which he wishes to use the property. He stated the lots face on Olinda Street.

No objections were expressed to the proposed rezoning.

Council decision was deferred one week.

HEARING ON PETITION NO. 64-15 FOR CHANGE IN ZONING OF THE BLOCK BOUNDED BY EAST BOULEVARD, CHARLOTTE DRIVE, IDEAL WAY AND KENILWORTH AVENUE.

The scheduled hearing was held on Petition No. 64-15 for change in zoning of the block bounded by East Boulevard, Charlotte Drive, Ideal Way and Kenilworth Avenue, as follows: (1) Change the portion of the property within 250 ft. of East Boulevard from R-6MF to B-1, (2) Change the remainder of the block from R-6MF to R-6MFH and grant conditional approval of this portion for parking of cars in conjunction with the proposed business use of the East Boulevard portion.

The Planning Director advised the petition includes all of the Alexander Childrens Center property fronting on East Boulevard and extending back two blocks to Ideal Way. The property is adjoined by residential property on

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Charlotte Drive and across from the property are single-family homes; on the opposite side of the property is Kenilworth Avenue and across the Avenue the property is business and residential; along East Boulevard the property is developed for business usage, and across East Boulevard there is a gas station, grocery store and beauty parlor. At the present time, the property is zoned for multi-family purposes and to the east is zoned for business and on East Boulevard on the same side as the Alexander Home the frontage property is zoned for office use, and the adjoining zoning across Charlotte Drive is for single-family use.

Mr. Dotson Palmer stated his firm, Palmer and Jonas, is representing the Petitioner. That they understand there is no opposition to the change in zoning; however they wish to present a few points and to say they are vitally interested in the petition.

He introduced Mr. John Baughman, Executive Director of the Center, who stated he will tell Council what the Alexander Childrens Center is. He advised that during the past 17 years they have made the transition from an orphanage to what is called a residential treatment center for emotionally disturbed children, and as such they are the only community center of this kind in North Carolina. That they now have facilities for 15 boys and girls between the ages of 5 and 12, and they offer along with this remedial, educational work, occupational therapy work, professional counseling and round-the-block residential care. That the need for the service is very great and they now have more children on the waiting list than those in residence. That because this need is so great, they have plans to raise funds now for a new plant so they can extend their services to 56 children.

Mr. C. N. Whilden, Treasurer of the Center, advised he just wanted to assure Council of the interest in this Petition of the members of the Board of Directors of the Center. That they have a number of reasons for which they are attempting to raise funds, not the least of which is that the present location is being fast encompassed by business, a portion of which is a Beer Parlor and that is not the type of business near which they should be trying to conduct their type of service. Also, a portion of their property has been taken by the City for the widening of Kenilworth Avenue and they are now closed in by this arterial highway. They expect to use the proceeds from the sale of this property for their expansion and development of the new plant in a new location. He advised the new plant will be constructed on some property they now own in the vicinity of the intersection of Old Monroe Road and McAlpine Creek.

No objections were expressed to the proposed rezoning.

Council decision was deferred one week.

MEETING RECESSED AND RECONVENED.

Mayor Brookshire declared a five minute recess at 3:05 o'clock and reconvened the meeting at 3:10 o'clock.

PROPOSED ROUTE OF BELT ROAD DISCUSSED BY JUDGE E. MCA. CURRIE.

Mayor Brookshire recognized former Mayor E. McA. Currie in the audience and invited him to speak to the Council if he wished.

Judge Currie stated he is glad to avail himself of the opportunity, that he knows of nothing he could say to add to the wisdom of this Body whom he has

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seen many times before, not the same Body but certainly they look alike.

That, in fact, he came to speak about the Council's great problem and to sympathize with them in the task before them of selecting the best route in the city to put the Belt Road. That he was here in the Council Chamber at the first meeting on the subject and heard the speeches and hear no one say anything that would indicate he was angry but when he read the Newspaper he wondered what on earth had been going on. That he lives on Wendover Road and he thought he would come over and say he is not mad with a single member of the Council and is not going to be. That he was in the Barber Shop Saturday and in came his friend, Paul Younts, who has been his friend for many years, who said it looks like he is going to ruin Wendover Road and he told him if he did it would not make one bit of difference between them. He stated that Paul Younts served with distinction in World War I and in World War II and has been a public spirited man all of his life and whatever he is trying to do he thinks is the right thing, that he might disagree with him and think he is wrong.

He stated he has noticed among other things in the Newspaper that the statement has been made that you can't turn this road to the right nor to the left, it must go straight, and he does not believe that, that he does not think if the Governor, who appoints the Highway Commission, talked with the Bureau of Road, that he would come back with any such decision. He stated he has read in the Newspaper that this is going to be a four-lane road and they are not going to drive more than 30 miles an hour on it, That he lives on the street and it is a 3 lane street now, and any time he sees anyone driving only 30 miles an hour he is astonished. As routed, this highway is going to be a dangerous situation. The main thing that he has in his mind and on his heart are the 3,000 children who go to these three schools. That he does not believe in all the City of Charlotte there is just one spot where the road must go and that is through this school complex. That he read in the Newspaper about a survey that was made and the Sixth Grade children go from one of these schools to another but there are only 140 of these children who do so. Well, that is a lot of children. Also, school is out at 3:30 p.m. and all 3,000 of these children are turned loose and are on their own and everyone must recognize the danger they will be exposed to. He urged the Council not to put the Belt Road at the proposed location, he stated he cannot suggest another location, but knows this is not the one by which it should be routed.

He stated he saw in the Newspaper where it was the intention of the City to invite Wilbur Smith to say where to put the road, and he cannot understand that because Mr. Smith has already voted on this and recommended it in his Thoroughfare Plan; therefore, there is no reason at all for asking him to come here. That there are bound to be in our great State a number of engineers who are competent and in our town just as qualified to give the Council advice as Mr. Wilbur Smith and Associates. That he knows when this route is decided, the Council wants the people to believe it has been done right and that the Council took the best advice they could find and then decided in the fear of God what they ought to do. That he does not think the Council has public acceptance if they get that advice from someone who has already voted on the route. That he knows a dozen people he would like to have called on for this service and whatever they said would have great weight with him. That he thinks this is very, very important to all of us, that he thinks as far as possible that the schools should be left unmolested and the Churches should be left unmolested, and use the vacant land insofar as you can and let the home owners alone insofar as you can.

Mayor Brookshire thanked Judge Currie for his comments and for his sympathy.

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RESIDENTS OF SHARON ROAD REQUEST PRIVILEGE OF PARKING ON STREET IN THE FIVE BLOCKS WHERE PARKING IS PROHIBITED AND CITY MANAGER DIRECTED BY COUNCIL TO CONFER WITH STATE HIGHWAY COMMISSION RELATIVE TO PARKING ON STREETS WHERE COMMISSION PARTICIPATES IN THE WIDENING PROGRAM.

A number of residents of Sharon Road were present with regard to the petition filed with the City Manager requesting that parking be permitted on Sharon Road, between Harris Road and Sharon Lane, or at least limited parking.

Mrs R. O. Evans, resident of 4022 Sharon Road, stated that the only portion of Sharon Road inside the city limits that is restricted to parking is between Harris Road and Sharon Lane, while the remaining five blocks between Harris Road and Queens Road has no parking restrictions whatsoever. That they are asking that parking be restored in the five blocks that are restricted.

Mrs Evans stated they agree that during peak hours for traffic there probably should be some restrictions but other times permission to park would cause no congestion. This situation has been recognized by the Council as they allowed restricted parking on Queens Road, Queens Road West and Selwyn Avenue. That in the memorandum from Mr. Hoose, the Traffic Engineer, he attempts to show that these no parking restrictions are because of the agreement of the Council with the State Highway Commission and they do not think it is fair to put the blame on the Commission, as the only place the No Parking signs appear are inside the city limits, and the traffic outside the city limits is much heavier as it picks up the Sharon Lane traffic, and there are no parking restrictions inside the city limits on Sharon Road from Harris Road to Queens Road. Mr. Hoose is probably basing his statement on a traffic survey while she is basing her statement as a living witness as to what has been done.

Mrs Archie Coffee, resident of the 3300 block of Sharon Road, stated she attended a meeting one year ago at the home of Mr Jimmie Harris concerning the widening of Sharon Road. That her first objection to the widening of the road was the cross-way to the schools going into Runneymede and they were promised then it would be definitely patrolled and there would be a School Patrol, right now there is a 45 mile speed limit. They also promised we could park in front of our homes - that is one of the State Engineers - when the road was widened and the curb and gutters put in.

Mrs George R. Smith, 3445 Sharon Road, stated on April 7th she is going to be hostess to the Women's Auxiliary of the Charlotte Symphony Group supporting the Symphony, at her home and there will be approximately 60 women there; now if the Council will please tell her where she can put the cars of 60 women she would appreciate it. She urged that the Council make a decision by April 7th so that her guest could have a place to park.

Mr. John I. Ervin, 2914 Sharon Road, stated they had a meeting about two years ago about this road and at that time members of the State Highway Department were present, and they asked us, the property owners, to give them without charge 20 feet of our land which we refused to do as we couldn't afford to do so. The fact is that we discussed this thing pro and con and not one time did the Commission tell us about these restrictions that would be placed after the widening. That he thinks they as citizens and tax payers are due some consideration and if they were going to stop parking they should have brought it out then and not wait until the road was built, or several months.

Councilman Smith asked the City Manager if we cannot request the State Highway Commission to make an exception in this case, as he thinks the residents are right as that street is not so heavily traveled nor congested that they should be allowed to park on at least one side of it.

Mr. Herman Hoose, Traffic Engineer, stated the Agreement with the State Highway Commission, dated September 10, 1962, entered into by the City, definitely states that "two-way traffic operations will be maintained on the above captioned project with at least two travel lanes for each direction of travel. Vehicular parking, loading and unloading will be prohibited except under emergency conditions", and this is the Agreement that the City of Charlotte signed with the State Highway Department which made it possible to get funds for the widening of the street for handling the traveling needs of today and later. This is one of many agreements that the City signs when projects are built within the City Limits and Federal Funds and State Highway Funds are put into the project. This is the standard procedure and passed by the Legislature that says money can be set up if the ground rules are set up. This is true on Kenilworth Avenue and on North-South Expressway.

He stated his department feels it is not only an agreement but there is a need for it out there and parking is hazardous, and it is the Department's recommendation that the City follow the Municipal Agreement and leave it as it is now.

Councilman Jordan asked if cars are allowed to park on Sharon Road outside the city but not on these five blocks inside? Mr. Hoose stated just before the meeting, he contacted one of the Division Engineers who attended a meeting with the residents of this area regarding the street and he stated that parking on this street was not discussed at the meeting and he is in accord with the State and City as far as the Agreement is concerned.

Councilman Dellinger asked if he knows any reason why they allow parking outside the city limits? Mr. Hoose stated that Mr. Burgin's office, a few months ago, asked that he draw them up a strip map showing the location for these parking signs on Sharon and down Fairview Drive.

Councilman Smith asked on this project how much federal funds were put in Sharon Road, and Mr. Hoose stated he cannot answer that. Councilman Smith stated he assumes that the State Highway has authority to grant exceptions. The City Manager stated he presumes so. Councilman Smith stated he presumes so too, and he thinks parking should be permitted on one side. That Mr. Hoose probably projected traffic 10 years from now when they built the road and the condition may not exist now that will exist in the future. That he thinks this should be a flexible rule and that the State would cooperate with us if Mr. Hoose would request that parking be allowed.

Councilman Dellinger stated we had just such fuss on Providence Road and the Council requested Mr. Hoose to make the request to the State Highway people and they refused.

Councilman Smith stated that Providence Road is different as it is a State Highway and a truck route. That he thinks we should represent our people rather than Raleigh.

Councilman Jordan asked if Mr. Hoose could not have traffic coming in, in the morning, on one side and going out in the afternoon on the other side? Mr. Hoose stated he can't answer that as the City has already signed an Agreement, and he cannot give any decision but he can almost say right now what the answer will be.

Councilman Jordan stated this does not seem to be fair to have parking outside the city on Sharon Road but none inside on five blocks on the same street, it just does not make sense to him. Mr. Hoose stated we do not have any Agreement with the State as to what is done outside the city limits, of course.

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Councilman Smith remarked he wants Mr. Veeder to be asked about it, he is our City Manager. Mr. Veeder stated he would like to discuss it with Mr. Babcock and see what the possibilities are. That he will be in Raleigh on something else on Wednesday of this week, and would like to take advantage of that trip to discuss this with him.

Councilman Whittington moved that we turn this over to Mr. Veeder and ask him to request the State to give us an answer. The motion was seconded by Councilman Smith.

Councilman Bryant offered a substitute motion that we request the State Highway Department to make an exception in this instance. The motion was seconded by Councilman Jordan.

Mayor Brookshire stated the motion would have to be amended to state we are requesting an exception, and he asked Mr. Whittington if he would so amend his motion. Councilman Whittington stated no sir and there is nothing wrong with the amendment but he would like to have Mr. Veeder go to the State Highway people and let him have the authority to work it out, he would not like to say to the State "this or nothing". Councilman Bryant stated he thinks there is quite a bit of difference in going to negotiate and going to request an exception. They don't have to grant it but it carries a little more weight saying we are requesting an exception in this instance.

Councilman Dellinger stated he thinks in going to the State Department we should talk in generalities; that this is not the only case we have had up there, we had Kenilworth Avenue, Scott Avenue and others recently; that he is all for these people but he is all for the other people too, and if you are going to ask for an exception for one you might as well discuss the possibility of changing these Agreements with the City so we will have a more flexible program.

Councilman Smith withdrew his second to Councilman Whittington's motion stating that he thinks we should ask Mr. Veeder to go to Raleigh and clear up the situation working it any way he can.

Councilman Dellinger submitted a substitute motion that the City Manager confer with the State Highway Department and see if they can work out another program for parking on the streets where the State participates in the widening. The motion was seconded by Councilman Smith.

The vote was taken on the substitute motion by Councilman Dellinger - Councilman Bryant's substitute motion having become a main motion when Councilman Smith withdrew his second - and carried by the following recorded vote:

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

Councilman Bryant commented there is a strange similarity in this and what we are going to have to vote on in a few weeks. It is the same type of situation we will be running into with the Belt Road. It is in every area of town and there is no doubt about it there are many instances in this particular area because of the size of homes where church meetings and other type meetings are held and they move into these larger homes because they cannot have meetings and also for other reasons. It will happen on the Belt Road, all along the Wendover route where you are not going to have parking it will be a definite detriment and make the area much less desirable, and as a result it is going to cost quite heavily as far as residential area is concerned. The 35 mile zone will be moved up to 45, as we all know, it will have to be and he just wanted to draw it to everyones attention while we are on the subject.

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Mrs Evans stated there is one main difference about Sharon Road, if the No Parking restrictions was all the way through to Queens Road that would be another story but this is a narrow, winding road, not Kenilworth and not even Selwyn Avenue, this is a narrow road from Harris Road to Queens Road, and is a two-lane strip.

DISCUSSION OF BELT ROAD SURVEY AND ROUTE BY ALBERT PEARSON.

Mr. Albert Pearson stated he does not live on the proposed Belt Route nor on Wendover Road in a \$20,000 house, but he would like to try to say something that is beneficial and give some thought to the Belt Road and would like to suggest the type philosophy behind a survey of this type. Usually when any group, individual or public hire a survey of this type, the people who are making the survey have got to think of ways of earning their money. They hope to do a good job naturally, but the first thing they have to do in order to sell it at all, is to find the "power to be" to cater to, if they really want to do the job. Now he is not suggesting that they didn't do a good job because he thinks the 20 Year Plan is a good guide to go by. But he does not buy the Charlotte Observer's editorial that you should buy it in toto, without any changes and the only thing that he has read in the newspaper that would give Council any reason to accept it as it is, is because of its urgency, and not because it rings of an ultimatum that the state and federal funds have other needs awaiting them. In other words, the State Highway Commission says they will take this money away from this spirited project if you don't jump rope exactly the way they want you to jump it. That he thinks the City Council should not give in to that type of pressure and would like to quote a part of what the Charlotte Observer says about the Highway Commission; it says - "the Commissioners are politicians and experts at that", and he thinks in this particular case, we will all agree. That he is not saying the man is not doing a good job, and he is speaking of Mr. Younts, and he is not saying he's not doing what he thinks is right, he will even accept the fact that he believes he is right.

Mr. Pearson stated further he does not think the Charlotte Observer should be so critical just because some people on Wendover Road came down to the City Hall and disagreed with some part of the project, that they should not be listened to and the Council should run over them, and he thinks it is bad that the Council has to put up with anything like this from the Charlotte Observer. That the Observer even goes so far as to crucify a member of this Council, that he has been before the Council many times and does not remember at any time even one of the Council members not being what he should.

That when this plan was made a few years ago and it showed the 1980 estimate of traffic volume on the major routes and our Traffic Department tells him there has not been a traffic count on these streets since 1960. That he does not believe there is a man on the Council who can judge the Wilbur Smith plan without having some guide to go by and he would want to know what the traffic count is now. He stated he thinks the Council needs more facts to go on about the route of the Belt Road and they are being wronged by the State as they can put a lot of pressure on the City and he thinks the State is being criminal not doing something about Woodlawn Road, because of the bridges on it, when they say they will not touch it unless the whole route is built. The need for the improvement is much, much greater on Woodlawn and Eastway Drive than through the center section and the schools, but still the state ties the Council's hands. The Council needs expert advice, not that of the Charlotte Observer that is listening to a special group. There is no emergency in the School route at all, and it is up to the Council to get with the Highway Commission and sell them on this idea.

Mayor Brookshire stated to Mr. Pearson that in regard to his accusation, he does not think that General Younts nor any member of this Council is playing politics.

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CONTRACTS AUTHORIZED FOR APPRAISALS OF RIGHTS-OF-WAY FOR NORTHWEST EXPRESSWAY.

Upon motion of Councilman Whittington, seconded by Councilman Bryant, and unanimously carried, contracts were authorized with the following persons for the appraisals of property for rights-of-way for the Northwest Expressway:

- (a) Contract with Stuart Elliott, for the appraisal of 6 tracts of land on Johnston Street and 11th Street.
- (b) Contract with Sam Atkinson, Jr. for the appraisal of 3 tracts of land on 10th and Myers Streets.
- (c) Contract with D. A. Stout, for the appraisal of 3 tracts of land on Poplar, Myers and 10th Streets.
- (d) Contract with Harry G. Brown, for the appraisal of 6 tracts of land on Church, 8th, 7th and 5th Streets.
- (e) Contract with O. D. Baxter, for the appraisal of 8 tracts of land on 5th, 7th, 8th, Long and Morrow Streets.

CONTRACT AUTHORIZED WITH ERVIN CONSTRUCTION COMPANY FOR INSTALLATION OF WATER MAINS IN WESTCHESTER SUBDIVISION NO. 6.

Councilman Dellinger moved approval of a contract with Ervin Construction Company for the installation of 1,555 feet of water mains and one hydrant in Westchester Subdivision No. 6, inside the city limits, at an estimated cost of \$5,000.00. The City to finance all costs and Applicant to guarantee an annual gross water revenue equal to 10% of the total construction cost. The motion was seconded by Councilman Jordan, and unanimously carried.

CONSTRUCTION OF SANITARY SEWER IN LAKEWOOD INDUSTRIAL DISTRICT.

Motion was made by Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, authorizing the construction of 523 feet of sewer trunk and 1,286 feet of sewer main in Lakewood Industrial District, inside the city limits, at the request of P & N Realty Company, at an estimated cost of \$7,245.00. All costs to be borne by the Applicant, whose deposit of the entire cost will be refunded as per terms of the contract.

RESOLUTION PROVIDING FOR PUBLIC HEARINGS ON APRIL 20TH ON PETITIONS NUMBERED 64-16 THROUGH 64-22 FOR CHANGES IN ZONING CLASSIFICATION.

Upon motion of Councilman Dellinger, seconded by Councilman Whittington, and unanimously carried, a Resolution was adopted Providing for Public Hearings on April 20, 1964 on Petitions Numbered 64-16 through 64-22 for Changes in Zoning Classifications. The resolution is recorded in full in Resolutions Book 4, at Page 366.

RENEWAL OF SPECIAL OFFICER PERMIT TO HUBERT N. PORTER.

Councilman Thrower moved approval of the renewal of Special Officer Permit to Mr. Hubert N. Porter, Sandy Porter Road, for a period of one year for use on the premises of Nebel Knitting Company. The motion was seconded by Councilman Jordan, and unanimously carried.

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TRANSFER OF CEMETERY LOTS.

Upon motion of Councilman Whittington, seconded by Councilman Thrower, 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 Lillie Mae McCoy, for Graves 1 and 2, in Lot 8, Section 10, Block 4, Oaklawn Cemetery, at \$120.00.
- (b) Deed with Mrs Mary M. Green, for Lot 44, Section 4-A, Evergreen Cemetery, at \$157.50.
- (c) Deed with Mrs Mae E. Pearsall, for Grave 1, Lot 13, Section 2, Evergreen Cemetery, at \$60.00
- (d) Deed with Mr and Mrs S. L. Paxton for Perpetual Care on Lot 67, Section W, Elmwood Cemetery, at \$117.60.

CONTRACT AWARDED DEWEY BROS. INC. FOR CAST IRON VALVE BOXES.

Councilman Whittington moved the award of contract to the low bidder, Dewey Bros. Inc. for 1,800 Cast Iron Valve Boxes, as specified, at a price of \$8,323.20. The motion was seconded by Councilman Smith, and unanimously carried.

The following bids were received:

Dewey Bros., Inc.	\$ 8,323.20
Sumter Machinery Company	12,392.70

CONTRACT AWARDED BAKER EQUIPMENT & ENGINEERING COMPANY FOR REVOLVING AERIAL LADDER.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, contract was awarded the low bidder meeting the specifications, Baker Equipment & Engineering Company, for a Revolving Aerial Ladder, as specified, at a price of \$1,567.66.

The following bids were received:

Baker Equipment & Engineering Co.	\$ 1,567.66
Cook Body Company (Did not meet specifications)	1,024.85

CONTRACT AWARDED BOWERS BATTERY & SPARK PLUG COMPANY FOR BATTERIES FOR ROLLING EQUIPMENT.

Motion was made by Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, awarding contract to the low bidder, Bowers Battery and Spark Plug Company for Batteries for Rolling Equipment, as specified, at a price of \$5,798.65, on a unit price basis.

The following bids were received:

Bowers Battery & Spark Plug Co.	\$ 5,798.65
Battery Service Company	6,123.00
Tull Oil Company	6,319.48
Dayton Tire Sales Company	7,614.69
Firestone Stores	12,319.73

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BIDS FOR FOOD SERVING SETS, OVEN AND SERVING CARTS FOR CHARLOTTE COMMUNITY HOSPITAL REJECTED, AND SPECIFICATIONS AUTHORIZED REVISED AND BIDS READVERTISED.

Councilman Whittington moved that bids for 150 hot foot Serving Sets, 1 Dri-heat Pellet Oven and 6 Serving Carts for Charlotte Community Hospital be rejected, as recommended by the City Manager, Purchasing Agent and Hospital Director, and the specifications be revised and clarified and bids be readvertised. The motion was seconded by Councilman Thrower, and unanimously carried.

The following bids were received:

Edward Don & Company	\$ 6,700.20
American Hospital Supply Co.	8,426.40
Alternate Bid	7,541.98
Hood Hotel Supply Corp.	8,354.82
Will Ross, Inc.	8,555.21

ACQUISITION OF PROPERTY FOR SANITARY SEWER EASEMENTS AND NORTHWEST EXPRESSWAY RIGHTS-OF-WAY.

Upon motion of Councilman Bryant, seconded by Councilman Whittington, and unanimously carried, the acquisition of property was authorized as follows:

- (a) Acquisition of 35,529 sq. ft. of property at 824-26 N. Church Street, from Vernon Realty Company, at a price of \$104,880.00 for right-of-way for Northwest Expressway.
- (b) Acquisition of 928 sq. ft. of property at 717-19 N. Graham Street, from John A. Taylor and Margie S. Taylor, at a price of \$5,450.00, for right-of-way for Northwest Expressway.
- (c) Acquisition of 3,850 sq. ft. of property at 731 North Graham Street, from John D. Mitzel, Sr., R. F. Hunter, M. J. Hunter, Dorothy H. Wooten, Trustees for R. F. Hunter Family, at a price of \$11,000.00 as right-of-way for Northwest Expressway.
- (d) Acquisition of 4,950 sq. ft. of property at 811 North Brevard Street, from J. E. Nash and Dolly R. Nash, at a price of \$4,500.00 as right-of-way for Northwest Expressway.
- (e) Acquisition of 8,370 sq. ft. of property at 921 North College Street, from Mecklenburg Realty & Development Company, at a price of \$23,192.00, as right-of-way for Northwest Expressway.
- (f) Acquisition of 4,950 sq. ft. of property at 809 N. Brevard Street, from Sarah Alice Hawkins, at a price of \$3,225.00, as right-of-way for the Northwest Expressway.
- (g) Acquisition of 44,743 sq. ft. of Property on N. Pine Street and W. 12th Street, from Harold C. Keith and wife, Virginia Keith, at a price of \$78,765.00, as right-of-way for the Northwest Expressway.
- (h) Acquisition of 7,204 sq. ft. of property at 800 N. Pine Street, from James Edmonds, III and Sarah A. Edmonds, at a price of \$13,000.00 as right-of-way for the Northwest Expressway.

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- (i) Acquisition of right of way 25' wide and 71.64' long on Melbourne Court, from Chester C. Abramson and Gwen M. Abramson, at a price of \$35.82, for right-of-way for Melbourne Court Trunk Line-Sanitary Sewer.
- (j) Acquisition of right-of-way 25' x 55.55' on Melbourne Court, from John S. Elliott & Margaret Jean Elliott, at a price of \$27.28, as right-of-way for Melbourne Court Trunk Line-Sanitary Sewer.
- (k) Acquisition of right-of-way 25' wide and 93.55' long on Melbourne Court, from William W. Hicks and wife, Anita Y. Hicks, at a price of \$47.00, as right-of-way for Melbourne Court Trunk Line-Sanitary Sewer.

REQUIREMENTS FOR ORDINANCE RELATIVE TO LIGHTING PUBLIC PARKING LOTS IN DOWNTOWN AREA.

Councilman Whittington asked if the ordinance has been prepared by the City Attorney regarding Lighting Public Parking Lots in the downtown area. Mr. Veeder advised that Mr. Morrissey is still sick but was in his office half of today and will be back full time on Wednesday. He stated further that he and Mr. Morrissey discussed the ordinance this morning, and they thought it would be helpful if he pointed out some of the factors Mr. Morrissey must consider from the security angle; how should the lighting differ, if at all, between lots that are attended and lots that are gate locked; what should requirements be on lots that close before dark and lots that stay open; what type of requirement should we have when the owner leaves the lot and permits the public to park on the lot at no cost after normal operation hours; how much lighting, what intensity, and what location. Mr. Veeder stated that some of these considerations are not easy of solution in order to evolve something that would be worthwhile and that will stand up.

Councilman Whittington stated he realizes the problem and hopes that Mr. Morrissey will give Council a recommended ordinance at the earliest time possible.

REQUEST OF HEALTH DEPARTMENT EMPLOYEES AS TO WHAT WILL HAPPEN TO THEIR ACCUMULATED SICK LEAVE WHEN TAKEN OVER BY MECKLENBURG COUNTY.

Councilman Whittington advised he has had a request by the Health Department Employees wanting to know what will happen to their accumulated sick leave when the Department is taken over by the County.

The City Manager advised that it is his understanding that the County will be willing to recognize all of their accrued sick leave.

TRAFFIC ENGINEER REQUESTED TO COORDINATE TRAFFIC SIGNALS AT GRIFFITH STREET AND SOUTH BOULEVARD AND MARSH ROAD AND SOUTH BOULEVARD TO PROVIDE SAFER LEFT TURNS INTO MARSH ROAD.

Councilman Whittington advised he has had several complaints relative to the coordination of the traffic lights at Griffith Street and South Boulevard and at Marsh Road and South Boulevard, the trouble being that persons wishing to turn left into Marsh Road cannot do so without being hit by oncoming traffic when the light changes at the intersection of Griffith Street. He stated he was advised there have been several accidents at this location, and the residents would like the Traffic Lights better coordinated.

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LAND USE COMMITTEE REQUESTED TO MAKE RECOMMENDATIONS RELATIVE TO (1) DISPOSITION OF SURPLUS PROPERTY, AND (2) REPORTED CONTINUED USE OF PROPERTIES WITHOUT PAYMENT OF RENTAL, SOLD TO CITY FOR EXPRESSWAY RIGHT-OF-WAY.

Mayor Brookshire asked Councilman Jordan as Chairman of the Land Use Committee if he will have the Committee look into the type and character of the approximate 100 pieces of property listed as surplus property, some of which is considerable acreage, and recommend to Council those parcels that could be disposed of so they can be put back on the tax books. The Mayor also advised he has been told there are properties that have been acquired for expressways and after Council has approved the purchase in some instances the owners are continuing to occupy the houses without payment of rental. He asked Councilman Jordan to request the Committee to look into this also. Councilman Dellinger suggested the continued occupancy of such property without charge could have been part of the consideration when the property was sold to the City, and Mayor Brookshire replied the Council has never been so advised.

CITY MANAGER REQUESTED TO CHECK INTO COMPLAINT OF DON CAMERON REGARDING CONDITION OF PROPERTY INVOLVED IN KENILWORTH AVENUE WIDENING PROJECT.

Councilman Smith advised that Mr. Don Cameron has advised him that he wrote the Engineering Department, with copy to the City Manager, that the steps are sinking to the porch of his house on Kenilworth Avenue which was involved in the street widening project, and there is a crack on one side of the house. He requested the City Manager to have someone go out and see what the condition of the house is, and also to reply to his letter. Councilman Smith stated there is one thing the City must do when these streets are opened and/or widened - make a double effort to see that people are satisfied with the way their property is left.

The City Manager advised he will be glad to follow it up, however this was constructed by the State.

INSTALLATION OF PROPER DRAINAGE ON ALTONDALE AVENUE REPORTED TO HAVE SOLVED THE FLOODING PROBLEM.

Councilman Smith reported that he had several people on Altondale Avenue call him and say the drainage the City Engineering Department installed has taken care of the water and with all the rain we have had they do not have the problem any more. That he thought the Council would like to hear this good news and that the drainage was beneficial. They did say, however, the asphalt cap on top of the drain has settled naturally and should be fixed. That the Council went into this without knowing whether to do it or not from the advice they received, but apparently it has solved the problem to the satisfaction of the property owners.

COUNCIL EXPRESSES SUPPORT OF ACTION OF COUNTY COMMISSIONERS CALLING FOR REFERENDUM ON SUNDAY SALE LAW AT PRIMARY TIME.

Councilman Bryant moved that the Council express its support of the action of the County Commissioners calling for a referendum on the question of the Sunday Sales Law at Primary time. The motion was seconded by Councilman Thrower.

Councilman Bryant advised he has discussed this with the City Attorney and he says this particular motion is in order.

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

YEAS: Councilmen Bryant, Thrower, Jordan and Whittington.

NAYS: Councilman Smith.

Councilman Dellinger refrained from voting.

Councilman Smith stated that he thinks some concrete plan should be brought in about a referendum before the Council votes on it. That you can't just vote whether you are in favor of Blue Laws or against Blue Laws, you have to have something specific, and until a specific proposition to vote on is brought in he does not think the Council has to take any action.


SETTLEMENT OF CLAIM OF CHARLEY WILLIAM BROWN FOR PERSONAL INJURIES.

The City Manager advised that the City Attorney recommends settlement of the claim of Mr. Charley William Brown, in the amount of \$300.00 involving his falling over a broken segment of the sidewalk.

Councilman Thrower moved that the claim be settled in the amount of \$300.00 as recommended. The motion was seconded by Councilman Jordan, and unanimously carried.

ADJOURNMENT.

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



Lillian R. Hoffman, City Clerk