

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Monday, October 25, 1965, at 3 o'clock p.m., with Mayor Brookshire presiding, and Councilmen Albea, Alexander, Jordan, Short, Thrower, Tuttle and Whittington present.

ABSENT: None.

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INVOCATION.

The invocation was given by the Reverend G. Roland Mullinix, Associate Minister of the First Methodist Church.

MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Alexander, and un-animously carried, the Minutes of the last meeting on October 18th were approved as submitted to the City Council.

RESOLUTION CONFIRMING THE ASSESSMENT ROLL FOR IMPROVEMENTS COMPLETED ON KILDARE DRIVE, FROM OLINDA STREET TO JOYCE DRIVE, ADOPTED.

The public hearing was held relative to the Assessment Roll for Improvements Completed on Kildare Drive, from Olinda Street to Joyce Drive, a total of 897.58 front feet, by installing storm drainage facilities, constructing roll type curb and gutter and paving with base course and surface course. The total project cost being \$6,000.00, the City's share \$2,694.44 and the share to be assessed against the owners of property abutting the improvements \$3,305.56; the assessment rate being \$3.90 per front foot.

Mr. George Fragakis, 5927 Olinda Street, stated that he approves the improvements that have been made.

No objections were expressed with respect to the assessments.

Upon motion of Councilman Albea, seconded by Councilman Whittington, and un-animously carried, a Resolution Confirming the Assessment Roll for Improvements Completed on Kildare Drive, from Olinda Street to Joyce Drive, was adopted at 3:05 p.m. The resolution is recorded in full in Resolutions Book 5, at Page 140.

RESOLUTION CONFIRMING THE ASSESSMENT ROLL FOR IMPROVEMENTS COMPLETED ON OLINDA STREET, FROM KILDARE DRIVE TO END OF CUL-DE-SAC, ADOPTED.

The public hearing was held relative to the Assessment Roll for Improvements Completed on Olinda Street, from Kildare Drive to end of Cul-de-sac, a total of 636.89 front feet, by installing storm drainage facilities, constructing roll type curb and gutter and paving with base course and surface course. The total project cost being \$4,801.29, the City's share \$1,628.27 and the share to be assessed against the owners of property abutting the improvements \$3,173.02; the assessment rate being \$5.91 per front foot.

No objections were expressed with respect to the assessments.

October 25, 1965
Minute Book 46 - Page 133

Upon motion of Councilman Thrower, seconded by Councilman Short, and un-animously carried, A Resolution Confirming the Assessment Roll for Improvements Completed on Olinda Street, from Kildare Drive to end of Cul-de-sac, was adopted at 3:10 p.m. The resolution is recorded in full in Resolutions Book 5, at Page 142.

RESOLUTION CONFIRMING THE ASSESSMENT ROLL FOR IMPROVEMENTS COMPLETED ON OLINDA STREET, FROM KILDARE DRIVE TO ILFORD DRIVE, ADOPTED.

The public hearing was held on the Assessment Roll for Improvements Completed on Olinda Street, from Kildare Drive to Ilford Drive, a total of 1,370 front feet, by installing storm drainage facilities, constructing roll type curb and gutter and paving with base course and surface course. The total project cost being \$13,509.50, the City's share \$5,695.10 and the share to be assessed against the owners of property abutting the improvements \$7,814.40; the assessment rate being \$5.92 per front foot.

Mr. John D. Murphy, 5917 Olinda Street, advised that he assumes that the \$5.92 rate is arrived at by dividing the \$7,814.40 by the 1,370 front frontage. That the Engineering Department assures him the rate is correct, but it comes to about \$5.70 and he has been in discussion with Mr. Birmingham and Mr. Hoffman of the Engineering Department. They bring up the fact that there is a corner lot assessment credit given to Olinda Street at Kildare Drive, which is taken into consideration to arrive at the \$5.92 rate. That he contends that this is irrelevant to the fact that the front footage on Olinda Street is 1,370 feet and the \$7,814.40 given them should be at the correct rate of \$5.70.

The City Manager stated this is a requirement, we have to limit the assessment on a corner lot, at both corners, and in this case there is 50 feet that has such exemption, which amounts to \$207.20, so you take this \$207.20 off the total, and this makes the change this gentleman comments on. This is something over which we have no discretion.

Mr. Murphy stated the assessment in the letter he received was \$7,814.40. That he still contends there are 1,500 front feet along Olinda Street, with a 15 foot right of way on each corner at Kildare. The Map on Page 229, Book 7 in the Register of Deeds Office shows 100 foot frontage for each of 14 lots along Olinda Street, and his contention is that the total assessed value of \$7,814.40 should be divided by 1,490 feet, and that would give you an assessed rate of \$5.58.

Mr. Birmingham of the Engineering Department stated this boils down to a legal opinion from our Legal Department; this 1400 feet that Mr. Murphy is talking about goes into the maintained right of way of Kildare Street, and they say we can only assess to the right of way line. We cannot include this 1400 feet, we have to take the 1370 because it goes into the right of way 15 feet on both sides. Mr. Murphy asked Mr. Birmingham to explain why the assessment value of \$7,814.40 should not be divided by 1370? Mr. Birmingham stated because the corner lot exemptions have been taken into consideration - that the letter to Mr. Murphy does not imply that you can divide 1370 feet into the total cost and get the assessment rate, it is not set up that way. Mr. Murphy stated that he talked to Mr. Hoffman last Monday and he told him that was the way the rate was arrived at. He stated there were two petitions on this project; first being \$2.58 per front foot value, and the 2nd to be assessed on the proportion basis of the City and the property owners, and no way has he been able to jumble the figures to come up with a \$5.92 rate without taking into consideration the corner property credit and he does not think the rest of the property owners should be assessed for that portion that has been granted to one individual.

October 25, 1965
Minute Book 46 - Page 134

The City Manager stated the basic point is we have a corner piece of property and you put improvements on both sides of the corner, you are then obligated to give the owner of that property a break by not assessing the full rate on both sides and that is what has been done in this instance. We might have varying opinions as to how desirable this is but this is the statutory requirements and it is not a question of discretion. Mr. Murphy stated this is a published figure, the assessed value \$7,814.40 has been published and distributed to the property owners, and why then should we assume that that is not to be equalized per front foot? Mr. Veeder stated that as he pointed out, you cannot take the number of feet and divide it into the total cost to get the front foot rate. Mr. Murphy stated he asked Mr. Birmingham to furnish him a breakdown figure on the total cost of the project and he would like the Council to instruct him to make this available to the property owners. Mr. Birmingham stated he has given Mr. Murphy all the figures we have, that he thinks he is alluding to the intersection improvements. Mr. Murphy stated he would like to know the cost of the intersection improvements. That it appears that one property owner involved requested and was granted by one particular Council member, who is present today, approval to lower the intersection after the construction had begun, at a considerable cost to the City. He stated further that this is hearsay but it is on record where the intersection project was commenced and then an order given to change the whole grade against the initial plans of the Engineering Department. Mayor Brookshire asked by whom the order was given? And Mr. Murphy replied that he is not at liberty to say. Mr. Birmingham stated he is familiar with the project from its beginning to its end and he knows of no such time that the intersection was lowered or changed.

The Mayor thanked Mr. Murphy for coming down and for his comments.

Mr. Fragakis stated the work was level, then they came back at the intersection of Kildare and Olinda and excavated some more and what the purpose was he does not know.

Mr. Birmingham stated they did have considerable trouble with the soil in this intersection, which they took out and put back good soil.

Councilman Tuttle stated he is in sympathy with this Gentleman, that he thinks if he got a bill for \$5.92 a foot, totaling \$7,814.40, the first thing he would do would be to divide the \$7,814.40 by 1370 and he would get \$5.70, yet we say the rate is \$5.92. That he does not question the \$5.92 but he does question the fact that we do not go into detail and tell them why, that Mr. Murphy was simply checking his bill and it does not check out.

Councilman Short asked if this is a form letter that is sent the property owners, to which something could be added at the end - some explanation of how the assessments are figures? The City Manager stated he presumes that could be done.

Councilman Thrower moved the adoption of a Resolution Confirming the Assessment Roll for Improvements Completed on Olinda Street, from Kildare Drive to Ilford Drive. The motion was seconded by Councilman Jordan.

Councilman Short asked Mr. Murphy if he is opposed to the assessment outright or just to the mathematical computation? Mr. Murphy stated he is not opposed to the assessment that he realizes it has improved his property quite a bit, but he is opposed to the figures that have been used to arrive at the rate.

Councilman Alexander asked Mr. Birmingham when the soil was taken out and

put back did they bring it back to the normal grade level? Mr. Birmingham replied that they did, they had some trouble too, and had to adjust the grade but it was nothing like two or three feet.

Mr. Murphy stated he thinks that Mr. Birmingham is quite in error. As Mr. Fragakis has said, the grade was determined, the Engineering Department had made plans, the scraping had been done, the storm drains had been installed, and the grade level at the intersection was lowered one foot, and he has pictures in his pocket to show the accumulation of water at the first rainfall after the work was completed, if Council would like to circulate the pictures he thinks they give proof that the grade is inadequate as it is now after the improvements.

Mr. Birmingham stated the only thing he would say is that we do vary grades and one foot is nothing to get adequate drainage. And he is sure if this was changed a half foot or so it was done because the drainage was inadequate. That he inspected the project himself on Thursday of last week and to him it looked real good.

Mr. Murphy stated that Mr. Powell at the corner of Kildare and Olinda entered into the other petitions that have been adopted today; that it is his understanding that he made the request of a City Councilman to have the grade lowered to benefit his property as his front yard was a little bit lower than the original grade. They included in the grades a graduation down Olinda Street about 80 feet, and this was done after the original grade was set.

Mayor Brookshire asked Mr. Birmingham to personally inspect the intersection the next time we have a rain and if anything is wrong he is sure it will be corrected.

Councilman Alexander asked why we are voting on this after the work has been done, and the City Manager replied this is the whole point, to approve the charging of the cost after the project is completed, this is the process of confirming the assessment.

The vote was taken on the motion, and carried unanimously at 3:25 p.m. The resolution is recorded in full in Resolutions Book 5, at Page 144.

ORDINANCE NO. 386 AMENDING CHAPTER 23, ZONING ORDINANCE, PERTAINING TO REQUIREMENTS FOR APARTMENTS IN THE CENTRAL AREA OF CHARLOTTE, ADOPTED.

The public hearing was held on Petition No. 65-101 by the Charlotte-Mecklenburg Planning Commission to Amend Chapter 23 of the City Code, Zoning Ordinance, pertaining to requirements for Apartments in the central area of Charlotte.

Mr. McIntyre, Planning Director, stated the Amendment would change the text of the Zoning Ordinance to provide for apartments in the central area of the city. This ordinance is the result of a request from the City Council that the Planning Commission make a study of apartment regulations as they now exist in the B-3 zoning district and the central district and adjacent apartment areas. Basically, the ordinance is an amendment to establish a new apartment system, referred to as the Central High Density Apartment Residential district. In addition the other changes proposed in the ordinance would revise the regulations as they apply to apartments that would be built in the B-3 zoned district; that there is quite a bit of detail in the ordinance if Council wishes him to go into that.

Councilman Tuttle stated that Mr. McIntyre has worked very closely with an

architect who furnished him quite a lot of information and the architect worked with several leading real estate agents and they are in accord with this ordinance with this possible exception. That original zoning ordinance allowed efficiency apartments of 400 feet to rent for approximately \$111.27, the new rate is \$98.67, which is a great improvement. They had hoped for something in the neighborhood of \$85.00 but they are aware of the fact there must be some land and with the thought that the ordinance can again be changed and have a park area to step out into and it would then be easier to come up with an efficiency that would rent for \$85.00; they agree this is a great improvement over the ordinance we now have.

Councilman Albea moved the adoption of the ordinance, which was seconded by Councilman Jordan, and unanimously carried. The ordinance is recorded in full in Ordinance Book 14, at Page 224.

ORDINANCE NO. 387-Z AMENDING THE OFFICIAL ZONING MAP OF CHARLOTTE AND THE PERIMETER AREA, TO CHANGE FROM R-6MF-H TO R-1.OMF ALL OF THE PROPERTY NOW ZONED R-6MF-H WITHIN THE AREA BOUNDED BY NORTH GRAHAM STREET, WEST ELEVENTH STREET, NORTH CHURCH STREET AND WEST SIXTH STREET, ADOPTED.

The public hearing was held on Petition No. 65-102 by the Charlotte-Mecklenburg Planning Commission to Amend the Official Zoning Map of Charlotte and the Perimeter Area, to change from R-6MF-H To R-1.OMF all the property now zoned R-6MF-H within the area bounded by North Graham Street, West Eleventh Street, North Church Street and West Sixth Street.

Mr. McIntyre, Planning Director, advised that the maps he displayed indicate the area in which the new apartment district would be applied; the area is in the Fourth Ward and extends from both sides of 7th Street across 8th, 9th and into both sides of 10th Street. In the opposite direction, between Poplar and Pine Streets, including the property on both sides. The area today is generally developed with a mixture of single family, duplex and multi-family uses and is presently zoned R-6MFH. This will revise it and eliminate the R-6MFH zone and zone that particular section R-1.OMF.

Councilman Whittington stated he has said for a long time as a member of the Council if we could get zoning that would allow private enterprise to build apartments in the Downtown Area it would do a great deal for the downtown and the preservation of it and perhaps make it compete with the outerlying areas of Charlotte.

No objections were expressed to the proposed amendment.

Councilman Whittington moved the adoption of the Ordinance, as recommended. The motion was seconded by Councilman Tuttle, and unanimously carried. The ordinance is recorded in full in Ordinance Book 14, at Page 227.

RESOLUTION CONGRATULATING THE MINNESOTA TWINS BASEBALL ORGANIZATION AND COMMENDING MR. PHILLIP HOWSER FOR OUTSTANDING SERVICE RENDERED TO THE PEOPLE OF CHARLOTTE, ADOPTED AND PRESENTED TO MR. HOWSER TOGETHER WITH A CITIZENSHIP AWARD PLAQUE IN APPRECIATION FOR HIS SERVICES.

Councilman Whittington introduced and read a resolution entitled: Resolution Congratulating the Minnesota Twins Baseball Organization and Commending Mr. Philip Howser for Outstanding Service Rendered to the People of Charlotte, and he moved the adoption of the resolution. The motion was seconded by Councilman Jordan, and unanimously carried.

October 25, 1965
Minute Book 46 - Page 137

Councilman Whittington invited Mr. Howser and Mr. Sam Smith, President of the Southern Baseball League to the podium, and Mayor Brookshire presented Mr. Howser the resolution signed by the Mayor and all members of the City Council, together with a Citizenship Award Plaque in acknowledgment and appreciation of the outstanding services rendered to the people of the City of Charlotte for his tireless activities in the promotion of amateur and professional baseball.

The resolution is recorded in full in Resolutions Book 5, at Page 146.

COUNCIL DIRECTS MAYOR TO APPOINT A COMMITTEE TO DETERMINE THE SIZE, DOWNTOWN LOCATION AND COST OF A LARGE CONVENTION AND MAJOR EXPOSITION CENTER IN DOWNTOWN CHARLOTTE AT THE REQUEST OF THE BOARD OF DIRECTORS OF THE CHAMBER OF COMMERCE.

Mr. Brodie Griffith, President of the Chamber of Commerce, stated he is appearing by direction of the Board of Directors of the Chamber of Commerce to call the attention of the Mayor and Council to the need for a large convention and major exposition center in downtown Charlotte. That a special Civic Center Study Committee has looked into the operation of these facilities in 26 cities and as a result the Directors request that the Mayor and Council appoint a Committee to determine the size, downtown location, and cost of such a Convention and Exposition Center. That the Directors are convinced that it will become a "must" if we are to have an equal opportunity to attract conventions and national trade shows in competition with other cities.

He stated that Mr. T. J. Norman is Chairman of the Study Committee and Colonel J. Norman Pease is Vice-Chairman, and a copy of the Committee's Report has been handed to the Mayor and Council. In its report the Committee emphasizes three important facts revealed by the study:

- First, Most of the centers are located in the downtown district.
- Second, Nearly all were financed through issuance of bonds.
- Third, Almost all were operated under some form of city management.

The report also emphasizes that "it is the opinion of the Committee that the construction of a convention and exposition center is already overdue, and that the facility should be located in the downtown area within walking distance of the majority of available housing."

Mr. Griffith called attention to the addenda to the Committee's report that Charlotte has lost the important Buick Automobile Show because they were unable to obtain the required facilities here. Another added note lists 21 major conventions that would have brought at least 30,000 additional visitors to the city if the facilities had been available.

He stated the Board of Directors request that a committee be appointed to begin work immediately on this matter that is so important if we are to compete with Atlanta and other Southern cities in attracting major conventions and important trade shows.

Mayor Brookshire thanked Mr. Griffith for coming down and for his interest in this facility which we all realize the need for.

Councilman Short moved that Council instruct the Mayor to appoint such a Committee during the coming week. The motion was seconded by Councilman Albea, and unanimously carried.

Mayor Brookshire stated he would think that the Committee would be an exploratory Committee and he would like to say that the work of the Chamber's Study Committee in preparing the data submitted with their request has already done a great deal of the work of this Committee.

Mr. Griffith stated he would like to assure the Mayor and the Committee that he appoints that they have the full facilities of the staff of the Chamber of Commerce in providing any information that is needed.

L. L. LEDBETTER POINTS OUT DANGER OF PROPOSED DOWNTOWN CONVENTION CENTER TO PUTTING AUDITORIUM, COLISEUM AND PARK CENTER IN THE "RED" AND EXPRESSES DOUBT THAT THE CITY WILL BE ABLE TO ISSUE REVENUE BONDS FOR THE CENTER.

Mr. L. L. Ledbetter stated he came into the meeting just before Mr. Griffith finished his talk, and as he understands it the Committee that the Mayor will appoint is to study the feasibility of this project. Mayor Brookshire replied that is correct, exploratory efforts only. Mr. Ledbetter asked if they will also take into consideration what effect such a convention center could have on the Auditorium-Coliseum and Park Center? Mayor Brookshire stated he is sure the Committee will do so. Mr. Ledbetter stated that as the Mayor knows the Auditorium and Coliseum have never been self-supporting. Mayor Brookshire stated that is correct but they were not built for such purpose. Mr. Ledbetter remarked that he is not saying they are not a good thing and if you could put your finger on it as to what benefit they have been to the merchants and others, they might be self sustaining. But he also reminds the Mayor when the Auditorium and Coliseum were built of what happened to Mr. Patterson's building out on South Boulevard, they put him out of business.

He stated further as he understands it, Mr. Phillips was considering an addition to the Merchandise Mart and the Hotel Charlotte is figuring on an addition to take care of 2,000 people at a convention, and the Heart of Charlotte has already completed an addition and he is told that the addition had directly affected Park Center. If you are going to enter into something uptown that would put your Auditorium and Coliseum in the red, what is it going to do for the taxpayer? If you are going to issue revenue bonds that is one thing, and he doubts very seriously that the City will be able to issue revenue bonds, and he doubts very seriously if the Mayor can project the picture in such way that he will be able to issue revenue bonds. But he does not feel that the citizens of Charlotte should be called on to carry part of the burden.

Mayor Brookshire thanked Mr. Ledbetter for his remarks.

MAYOR AND COUNCIL INVITED TO RAISING OF ROOF OF CHARLOTTE BARN DINNER THEATRE AT 12 NOON WEDNESDAY, OCTOBER 27th.

Mr. Ted Johnson, Manager of Charlotte's new Barn Dinner Theatre, stated he comes to extend to the Mayor and Council an invitation to attend their formal Barn/Raising Ceremony on next Wednesday, October 27th, at 12 noon, and they will have a picnic lunch; that they are located on Sam Hill Road between Highway 74 and Matthews. Mr. Johnson stated the most direct route to their site is go out Independence Boulevard 7 miles from the Coliseum and at the first intersection beyond a Samage Store on the right, you turn onto Sam Hill Road which goes straight into Matthews and they are on the left about a quarter of a mile from Independence Boulevard.

Mayor Brookshire expressed the appreciation of the Council and himself for the kind invitation.

October 25, 1965
Minute Book 46 - Page 139

SUGGESTIONS FOR CHARLOTTE'S PROGRESS MADE BY ALBERT PEARSON.

Mr. Albert Pearson offered several suggestions for Charlotte's progress; first, that the Council make it possible for free enterprise to work in Charlotte; second, that Belks Store has cleared land for downtown parking, and he suggested that the Council have a Committee see them and try to sell them on the idea of building a multi-story parking lot; third, that traffic is still being held up on College Street by trucks waiting to deliver goods to Belks Store because there is not room for them in the block, in spite of the fact that the Downtown Charlotte Association, Mr. Ivey and others telling the Council, who believed it, there is sufficient parking space downtown. He suggested that Council have this checked into and something done about it. Fourth, he suggested that if the City went into the parking business that they be ready to give the same opportunity and service in the Shopping Centers and everywhere else in town; fifth, that Council get a group of the big business leaders together and the members of the Downtown Association and see if they will give 1% of their last year's gross income, on a non-interest rate basis, towards financing the bonds for facilities that will benefit them, and he remarked he would be stupid enough to put up 1% of his gross income for last year, if these so-called leaders did so.

CROSSING GUARD, STANDARD SCHOOL WARNING LIGHT, AND APPROPRIATE SIGNS AUTHORIZED AT ROBIN ROAD AND SHARON AMITY ROAD; AND A CROSSING GUARD ADDED AT GREENWICH ROAD AND RANDOLPH ROAD AND A CROSSING GUARD ADDED AT BARWICK ROAD AND SHARON AMITY ROAD, FOR THE SAFETY OF COTSWOLD SCHOOL CHILDREN.

Mayor Brookshire advised that the Council would now consider the recommendations of the Traffic Engineer based on the Cotswold School Safety Survey; he recognized Mrs Hamilton, President of Cotswold School PTA and asked if she would like to speak on the subject.

Mrs Hamilton remarked that Mr. McDonald brought their petition to Council on last Monday, and she understood it was to be considered and they would be advised today what the City would do about the situation.

At the request of the Mayor, the City Manager advised that the Traffic Engineering Department has reviewed every request directed to Council last Monday and a number of the requests had been studied prior to last Monday; that at the Robin Road-Sharon Amity Road intersection they do not recommend a School Crossing Guard or any signals of any kind, in fact they recommend against children crossing at this point. At the Barwick Road-Sharon Amity Road intersection they do not recommend any additional controls, they think the existing signal is adequate; at Greenwich Road and Randolph Road they point out the existing controls, which in their judgment are adequate, and they do not recommend any changes at this intersection; at Randolph Road and Sharon Amity Road they point out the sidewalk under construction to bring the children to this point, and in addition recommend putting in School signs, markings on the pavement, which will be completed within the next few days and after seeing what use is made of this intersection by the children they will consider if there is a need for any further controls. The further control might be a School Crossing Guard. Mr. Veeder stated that he concurs in these recommendations.

Mr. Wilson Rankin, resident of Chelsford Road, advised that he supports the recommendations the PTA made to Council previously which were for Crossing Guards at Robin Road, at Greenwich Road and improved flashing lights at Barwick; they recommended against the children crossing at Sharon-Amity and Randolph Road on account of the danger. The Traffic Engineering Department turned down all of the recommendations of the PTA and gave them what they did not ask for and are against. He stated the School has Grades 1 to 6 and 627 students, 251 - or 40% of the total, cross Randolph Road at

Greenwich Road, which is a very hazardous crossing because of the traffic rushing to work in the morning and from the McAlway Belt line, also Greenwich is an outlet to Cotswold Shopping Center. The Drive-In Bank at Greenwich will add to the traffic turning across the student lanes. a new Junior High School is proposed to be constructed this fall and this will add still more traffic. The proposal of the Traffic Engineer that the children use the Sharon-Amity Randolph crossing unrealistic because it is too dangerous and will not be used by many students because it adds a 1/2 mile to the walking distance, and because the children would walk with their backs to oncoming traffic. That the children who live beyond Sharon Amity use Robin Road and then walk behind the Shopping Center in a lane that comes out at Greenwich Road. Those who cross at Barwick go down Barwick into the school property. A Crossing Guard is badly needed at Greenwich Road, where traffic turns, in spite of Mr. Corbett's statement that one is not needed there. He stated they feel that the PTA recommendations are conservative and realistic, not too expensive and will help protect the young children and permit their children to walk to school. He would like to remind Council that the City does not now, nor has it ever, furnished any crossing guards for the Cotswold School.

Mr. John McDonald stated they had not seen the report of the Traffic Engineering Department recommendations until they came to this meeting. The Traffic Engineering Department say they are of the opinion that they cannot direct school children along private property and state the only alternative if they cross at Robin Road would be to walk along the north side of Sharon Amity Road to Randolph Road, and he would like to submit that whoever wrote the recommendations did not ride the area because Robin Road comes across Sharon Amity between Woodlark Road and a private road both of which are semicircular and goes to Randolph Road, and this is a sidewalk route that can be taken on dedication of the property. He stated the Sharon-Amity Randolph Road is a 20 lane intersection. They have investigated intersections in Charlotte that have Crossing Guards and one with the most lanes, other than this, they can find is a 12 lane intersection with a Guard, and they submit that to expect children to cross at a 20 lane intersection, even with a Crossing Guard would be more hazardous than parents would want to risk.

Mayor Brookshire asked if a Patrolman was placed at the Randolph-Sharon Amity Road intersection would that remove the objections, and Mr. McDonald stated it would not and he doubts there would be 20 children to cross at this intersection because of the danger - they are trying to get them away from this particular intersection because they know what it is.

Councilman Tuttle stated that Mr. McDonald failed to mention that there is a service station on each of the four corners at Randolph-Sharon Amity intersection. He moved that the City erect a blinking Crossing Signal Light and a Crossing Guard and appropriate signs at Robin Road and Sharon Amity Road, and that a Crossing Guard be added to the Greenwich-Randolph Road crossing. That he has deliberately left out Barwick because he has been down there and studied it himself and according to the Traffic Engineering Department and what he can see, there is very little traffic at Barwick. That he understands they are going to put new lights for each lane on Sharon Amity so this will help the situation at Barwick. The motion was seconded by Councilman Albea.

Mrs Bissell, Addison Drive, stated she is thoroughly in agreement with the proposal Mr. Tuttle has made but certainly thinks they need something at Barwick, she has two children crossing there and they need as much consideration here as they do at Robin Road - and the light at Barwick is in a dip, you come over the top of the hill and you cannot see the light, which does not function part of the time, and the children are out in the middle of the road, there are lots of children from Sherwood Forest who use Barwick.

October 25, 1965
Minute Book 46 - Page 141

Councilman Jordan stated he has looked at all of these intersections this week, as well as many other school intersections in the city, and he offered a substitute motion that a Crossing Guard be put at Randolph and Greenwich and at Barwick and Sharon Amity. That his reason for making a substitution from Robin Road is according to the survey there are only a few children crossing there whereas at Barwick and Sharon Amity there are more children crossing. That a Signal Light can be put at Robin Road. The motion did not receive a second.

Mr. McDonald stated that their original petition was signed for children that would use the Robin Road-Sharon Amity Road if they had some protection, and included 75 children that since it was four-laned this year only 12 children have been allowed to walk.

Councilman Whittington asked Mr. McDonald where the children come from that use Robin Road? Mr. McDonald stated the entire quadrant bounded by Providence Road, Sharon Amity Road and Randolph Road. Councilman Whittington remarked to the School representatives that he thinks his record on the City Council will indicate that he has always tried to do all that he could for the safety of children and for young people of the community before going on the Council, but he thinks the difficulty that he is faced with is that the Cotswold School people are in conflict with what you want and the Council is in conflict with what they want to do. That he is a Mortician and he travels Sharon Amity Road several times every week and Randolph Road all the way to Sardis Road and Tyvola Road and he thinks he is as well acquainted with that neighborhood as anyone in the room except perhaps the people who live there. Robin Road is a gravel road and was not maintained by anyone until about a year ago and in the winter he does not believe you could ask children to walk that road to get to Sharon to cross. He thinks what the Traffic Engineering Department has said about routing traffic across a private road is true because we are not responsible for the road behind the Shopping Center. That he told the City Manager this morning that he thought very strongly that we needed a traffic light or crossing guard at Greenwich and Randolph because of the banks and service stations at this intersection and the traffic coming out of Cotswold and turning into the school, and he would like to ask that the PTA let the Council go along with the recommendations that have been made by the Traffic Engineering Department and see how they work out, putting in the one crossing guard at Greenwich and Randolph. That he does not agree with Mr. Jordan on the Barwick crossing, and he is willing to second his motion on the crossing guard at Greenwich - Randolph Road, and the Council is not going to agree because you people do not agree with what you want.

Councilman Thrower offered a substitute motion that the recommendation of the Traffic Engineering Department be implemented by including a crossing guard at Greenwich and Randolph Road and that the Cotswold School people come back to us after they have settled their differences and we will reconsider the problem on the basis of what they want. The motion was seconded by Councilman Whittington.

Dr. Parke, Safety Committee Chairman of Cotswold School PTA, stated he thinks that clarification is needed. It is simply a matter of whether the Council will give three crossing guards for the Cotswold School area. This has not been formally proposed one at the time, they need one at Barwick and Sharon Amity, one to cross Sharon Amity some place before Randolph Road, between Providence Road and Randolph Road, and they also need one at Randolph and Greenwich Road. That he would think after asking for these year after year, and they finally get up a petition and ask for two things because they think they cannot get three, that they could be granted. That he speaks especially

for Barwick because he understands that next year there will be a Junior High School in the vicinity and this will be a bad problem within the next year and rather than talk on that next year he thinks it should be done now. In answer to Dr. Parke, Councilman Thrower commented that he is talking about a matter of weeks not what will be needed next year, and he is sure that Council is interested enough in the situation to do something about it. That he is merely suggesting that in order to eliminate the confusion that we go ahead and implement the program. Dr. Parke stated that the people who got up the petition in the very beginning were asking for two crossing guards - now his question is why is it necessary to get up another petition to ask for the third Crossing Guard? Councilman Thrower stated it is not necessary to get up another petition.

Councilman Alexander stated to Dr. Parke that last week he thought Council had almost come to an understanding of what was wanted, then much to his surprise he found there was a difference of opinion, that he shed light on that when he says perhaps by his absence there was confusion in what really is wanted. That he is wondering now if having seen these recommendations of the Traffic Department it would be agreeable if his group got together again and got together one one proposal, and it be submitted as the combined opinion of everybody?

Dr. Parke replied that is why he is here because he has heard all the complaints from all the groups involved. Somebody who lives in one particular area is going to push for their area. That it would seem to him that there was not really a misunderstanding, they are asking, no matter who speaks, for three cross walk guards; it is simply to cover the Cotswold School area, and they will be happy to resubmit this but it would seem an unnecessary delay.

Councilman Alexander asked if everybody will be satisfied with three guards, and he asked that the intersections be named? Dr. Parke replied Barwick and Sharon Amity, Greenwich and Randolph Road and Robin Road and Sharon Amity Road. Councilman Alexander stated then if they gave the three guards for the three locations, that would solve the problem? Dr. Parke replied not only this year but for a couple of years to come. That he would like to urge that this is what the entire area would like; that they had no idea when the petition was submitted that they would not be able to get three, and he thinks this would be the final solution to the problem.

Mayor Brookshire stated there is a substitute motion to accept the recommendation of the Traffic Department plus adding a guard at Greenwich and Randolph he asked if there is any further discussion.

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Councilman Alexander asked if it would not cover/if they added a guard at Barwick to Mr. Tuttle's motion? Councilman Tuttle replied if you add a guard at Barwick you would be giving the people what they are asking for and at the same time give a maximum of protection.

Councilman Short asked what are the limitations on our ability to provide guards? Mr. Veeder replied the willingness to provide the money to finance them is the only limitation. That we now have something over 58 crossing guards throughout the city, and the cost for a guard for a year would be plus or minus a thousand dollars. Mayor Brookshire stated he thinks what they are asking is what would be the approximate cost for providing guards everywhere under similar circumstances? Mr. Hoose, Traffic Engineer, replied he would imagine it would require some 125 guards.

Councilman Alexander offered an amendment to Mr. Tuttle's motion, that we add a Guard at Barwick and Sharon Amity Road, and Councilman Tuttel accepted the amendment.

October 25, 1965
Minute Book 46 - Page 143

Councilman Albea stated he is not opposed to this, but he is opposed to three guards and a signal light too, but if you are going to eliminate the signal light and put another guard at another place, its okay.

The vote was taken on the substitute motion by Councilman Thrower to accept the recommendation of the Traffic Engineer plus adding a guard at Greenwich and Randolph and lost by the following recorded vote:

YEAS: Councilmen Thrower, Whittington and Short.
NAYS: Councilmen Albea, Alexander, Jordan and Tuttle.

Councilman Tuttle was asked to restate his motion plus the amendment by Councilman Alexander.

Councilman Tuttle replied that we erect a crossing flashing signal light, crossing guard and appropriate signs for crossing at Robin Road and Sharon Amity; and that a guard be added to Greenwich and Randolph Road and including the amendment that a guard be added at Barwick and Sharon Amity.

Councilman Tuttle stated he put the flashing signal light there for the simple reason you have 45 MPH - 4 lane highway and in dference to the safety of the guard, he thought a flashing light at the intersection might be in order during school hours.

Mr. Hoose, Traffic Engineer, stated he would like to clarify the light. If you are going into school traffic safety, at least make it uniform. The advance warning is no good at the intersection, what you have to do is slow the traffic before it gets to the intersection, so use an advance warning sign - that comes on by a time-clock - that says 20 MPH when the signal is in operation. That the same sign is being used on The Plaza and all over town; it is a standard installation throughout the country and is not put at the intersection. Councilman Tuttle remarked this is what he has in mind.

Councilman Albea stated Mr. Tuttle changed his motion about the signal light. Councilman Tuttle replied he has not changed the motion; that when he has a light here he assumes the Traffic Engineer will put in what he thinks is best, and Mr. Hoose seems to think his standard sign is best, so he will go along with that. He asked the Clerk to word the motion with the standard school warning light. Councilman Jordan stated he has talked with the engineering people, the school patrol people and everyone else on this and he thinks it is a fact that the Council is trying its best to help these people as much as possible; he asked Councilman Tuttle if he would amend his motion to put a guard at Barwick and Sharon Amity, at Greenwich Road and Randolph Road and for the time being leave the light out at Robin Road, and also put a guard at Robin Road and Sharon Amity Road on a temporary basis to see if children will use this road and cross here. That if we do this, there is a possibility that we can accomplish something here.

Councilman Tuttle replied that the thought is well taken. That he had the privilege of seeing Herman's Hermits, and he and his children were standing out in a field and he was approached by two officers who asked that their names not be mentioned, and they said "Mr. Tuttle you are going to be deluged by the people of Cotswold School tomorrow, but please don't let them take children across Sharon Amity and Randolph Road." Councilman Jordan stated he didn't mention this one. He recommended that we go ahead with one at Barwick and Sharon Amity, Greenwich Road and Randolph, and a temporary guard for the time being at Sharon Amity Road and Robin Road, and leave out the light. Councilman Tuttle replied if we can get a vote on this, if we can get the three guards - one at Robin, one at Barwick and one at Greenwich, he will remove the light portion on a temporary basis; that he will not accept placing the guard on a temporary basis.

Mrs Hamilton stated some of the children come up Randolph and Sharon Amity. That where they get into trouble is not going to the light but running through this service station. That she would like to say one more thing about Robin Road - that it is not a road; its a path with gravel and then it stops and the children must come down Westbury and go around. That she called Allen Construction Company who owns the lot and they plan to continue it and they said it would be the same type road as they have now, just gravel. She is not going to let her son go through there, because it is only a path with a drop off.

Councilman Whittington stated that Mrs Hamilton is president of the PTA and she feels as she does, and the report says that only 12 children cross here, and that to him is argument enough that we do not need a guard there.

Mrs Hamilton stated she is President of the PTA but she has a Safety Chairman Dr. Parke; that Dr. Parke and Mr. McDonald and Sergeant Hill have been out and looked this over; at first, Sergeant Hill told her the guard should be at Sharon Amity and Randolph, later after riding around, they changed it to Robin Road.

Councilman Jordan asked Mrs Hamilton if she would tell the Council what she would like; that he has just offered a motion to put a guard at Barwick and Sharon and one at Greenwich and Randolph Road and one at Robin Road, and Sharon Amity on a temporary basis. Mrs Hamilton stated she is just trying to say that Robin Road should have a guard temporarily because it isn't a road, and because she doesn't think there are many people there. She asked if they are not going to put one at Randolph and Sharon Amity, and Councilman Jordan replied he asked Mr. Tuttle since he has made a motion that one be put at Robin Road and Sharon and one at Greenwich and Sharon, he made the motion that one be put at Barwick and Sharon. That we are not talking about Sharon Amity and Randolph at all; we have eliminated that altogether. That he asked Mr. Tuttle if he would go along with having a guard at Barwick and Sharon, one at Greenwich and Randolph and one at Robin and Sharon Amity on a temporary basis because of all the reports we have only gotten a total of maybe 12 children, and the people have not been sending the children through there, and maybe they would do this. Mrs. Hamilton stated after this temporary basis is over and you remove the guard - because there isn't enough children crossing there - that will still leave Westbury and Providence Park with no way to cross Sharon Amity or Randolph. Councilman Jordan replied if the people have been carrying their children in cars in preference to letting them walk, then this would be up to them if they will use the guard then they should have the guard on a permanent basis, but if they are not going to use it and maybe 8 or 12 children go by, it would not be worthwhile to have one on a permanent basis.

Mayor Brookshire stated the Council has the recommendation of the Traffic Safety Department, varying requests from the people at Cotswold Community, he asked if she would be willing to call a meeting of the PTA and read the recommendations of the Traffic Department and see if they would accept that, if not, what minimum petitions they would agree on before Council takes action? That in the meantime he is sure Council would be willing to implement the recommendations of the Traffic Department and that would give us a week or two to see how it would work.

Mr. Veeder stated he thinks this would be putting Mrs Hamilton in a rather untenable position to suggest going back to the PTA. Obviously, the parents whose children go to Cotswold School are concerned with the school crossing facilities as it relates to where they live, so you are not going to get unanimity of opinion.

October 25, 1965
Minute Book 46 - Page 145

Councilman Short stated we got very close to unanimity a minute ago with reference to Councilman Jordan's motion and he wonders if Mr. Tuttle couldn't accept the suggestions of Mr. Jordan that we have two permanent guards and one temporary guard on the basis that Mr. Veeder would be instructed to place this matter on the Agenda for the first meeting in the month of December, and Mr. Hoose would be instructed to investigate and get traffic counts and so forth and crossing counts at the Robin Road intersection during the week prior.

Councilman Tuttle replied in the first place he doesn't like the word temporary; he doesn't care if they have 12 children or not. If they want to use that crossing they have the right to do so and we have a responsibility to furnish them protection; but if we put the guard there and the guard is not used then why can't we move the guard?

Mr. McDonald stated in reference to Mr. Jordan's motion to leave out the blinker light, that he would like to point out that we are talking about three guards. At Greenwich and Randolph there is a permanent 24 hour red light, and at Barwick and Sharon Amity there is a 24 hour red light signal and at Robin and Sharon Amity there is nothing, and they are confident they will have enough people crossing there to warrant the guard staying there; but the lack of any warning for the guard or the children does worry him, and he would like for a light to be placed there too; they are not asking for a 4-way red light, all they are asking for is a caution blinker light, which could also be moved, he assumes.

Councilman Albea stated the reason he is opposed to the blinker light is the fact that it was said there were only 12 children coming through, but if you are going to bring more through there, that is a different thing.

Mr. McDonald stated they think there were around 50 some crossing last year without any help, but now they have 4-laned it nobody will let them cross there and they are all in car pools.

Councilman Jordan stated he is familiar with all the roads out there, where the lights are and so forth as he goes by every day, and they are trying in some way to give these people pretty much what they want; if they get the guard on a temporary basis, maybe they can see that the children use the crossing and then it would be on a permanent basis, and then maybe they can get the light too.

Councilman Tuttle stated he would be glad to accept a temporary guard if he could see any reason for it; if the guard is not used, they can move the guard any time; and he has said he would be glad to go along with leaving the light out temporarily. That with the guard there is at least a 90% degree of safety, the light would help, and he thinks it is needed too, but he is willing to leave the light and go along with the guard as they can move the guard if not needed, and they don't use the crossing.

Mr. Veeder stated if they are going to put in a guard at Robin and Sharon-Amity, the light should be put in as well; then if Council decides to remove the guard, they can take down the light.

Councilman Tuttle stated this is his thought; he is simply trying to bring this thing to a head and get a vote on it; but he is trying to compromise with Mr. Jordan, but he does not see any reason for calling this a temporary situation, and that the parents not even start their children; if we put it in on a permanent basis, we can move it just as easily if it is not used.

Councilman Whittington asked Mr. Hoose if based on the motion that Mr. Tuttle has, which has three crossing guards and a light, is it his thought as

Traffic Safety Engineer that the light should be with the guard at Robin and Sharon Amity? Mr. Hoose replied yes, if you put the guard then put the light. That it should be close to the intersection which is approximately 400 feet on either side of the school crossing.

The vote was taken on Councilman Tuttle's motion as amended by Councilman Alexander, and unanimously carried.

COUNCIL REQUESTED BY MRS HOWIE TO DO SOMETHING ABOUT THE TREATMENT OF DOGS AT THE ANIMAL SHELTER; THAT SICK DOGS NOT BE SOLD TO THE PUBLIC AND THAT DR. LONG DOES HIS DUTY.

Mrs Howie appeared before Council with regard to the Animal Shelter. She stated she was at the Shelter yesterday with friends who wanted to buy a dog, and a little dog was bleeding, and the inner and outer pens were covered with blood and she asked Mr. Bennett to come back and see what the trouble was.

She stated that the Police Officer who is seated at the back of the Council Chamber was at the Shelter at the time and she told him she wanted him as a witness to what she said while she was there, as there was a misinterpretation of what she said out there some few months ago. She asked Mr. Stewart if he would take the sick dog to a veterinarian and she would pay for it, and he said that Dr. Long had checked the dog and he would check it tomorrow. Mrs Howie said the taxpayers of Charlotte pay Dr. Long \$25.00 a week to go to the Shelter once a day. That Mr. Roberts told her that Dr. Long had examined the dog and put it back in the cage to be sold for \$7.00. That she called Mr. Roberts from the Shelter and he told her to tell the man to take the dog to a Vet. at once, which she did and he took the dog to Dr. Butler. That Dr. Butler called her and said the dog had cancer and should be operated on and probably sold, he did not know.

Mrs Howie stated that we have no Humane Society in Charlotte. That on September 10th at Charlottetown Mall a meeting of the Society was held, and they had a Policeman there and paid him \$10.00 to keep her out of that meeting. That Mrs Rawlings did that and she keeps the office locked up with the money and there is no service and she had her husband at the meeting with a Tape Recorder and Lawyer Goodman was there and asked if they were in a FBI meeting? That the SPA is upset over this matter of the dog at Dr. Butlers and so are many others.

She stated she wants the Council to do something about the treatment of dogs at the Shelter, and that these sick dogs not be sold to the public and that something be done about Dr. Long taking taxpayers money and not doing his duty.

Mayor Brookshire asked Mr. Bobo to make a report on this.

Mrs Howie asked what the report was that he asked made on her complaints when she was before Council some months ago, that it was never published in the newspaper? Mr. Veeder remarked that a report was made to Council.

ORDINANCE NO. 388-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING ZONING OF A TRACT OF LAND EXTENDING FROM THE END OF FAIRGROUND AVENUE TO THE P & N RAILROAD, ADOPTED.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, Ordinance No. 388-Z Amending Chapter 23, Section 23-8 of the City Code was adopted, changing the zoning from I-1 to I-2 of a tract of land

October 25, 1965
Minute Book 46 - Page 147

approximately 6 acres in size, extending from the end of Fairground Avenue to the P & N Railroad, upon the petition of Stein Hall & Company, and recommended by the Planning Commission. The ordinance is recorded in full in Ordinance Book 14, at Page 228.

DECISION ON PETITION NO. 65-90 FOR CHANGE IN ZONING OF TRACT OF LAND AT THE SOUTHEAST CORNER OF BEATTIES FORD ROAD AND A AVENUE, DEFERRED FOR RECOMMENDATION OF THE PLANNING COMMISSION AFTER THEIR FURTHER STUDY.

Councilman Jordan moved that a decision on Petition No. 65-90 by Joe F. Fisher for change in zoning from B-1 to B-2 of a tract of land at the southeast corner of Beatties Ford Road and A Avenue, be deferred for recommendation of the Planning Commission after their further study of the petition. The motion was seconded by Councilman Whittington, and unanimously carried.

PETITION NO. 65-91 FOR CHANGE IN ZONING OF TRACT OF LAND IN THE MIDDLE OF THE BLOCK BETWEEN FENTON PLACE AND ALTONDALE AVENUE, DENIED.

Councilman Whittington moved that Petition No. 65-91 by J. Chadbourn Bolles for change in zoning from R-6MF and O-6 to B-1 of a tract of land in the middle of the block between Fenton Place and Altondale Avenue, beginning approximately 241 feet east of Providence Road, be denied, as recommended by the Planning Commission. The motion was seconded by Councilman Tuttle.

Councilman Short stated that he wishes to disqualify himself in connection with this petition, as he did at the last meeting when the public hearing was held on the petition.

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

Yeas: Councilmen Albea, Alexander, Jordan, Thrower, Tuttle and Whittington.
NAYS: None.

ORDINANCE NO. 389-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING THE ZONING OF A TRACT OF LAND WEST OF THE NEW NORTH-SOUTH EXPRESSWAY RIGHT OF WAY AND BEGINNING APPROXIMATELY 450' NORTH OF PRESSLEY ROAD, ADOPTED.

Councilman Short moved the adoption of Ordinance No. 389-Z Amending Chapter 23, Section 23-8 of the City Code, changing the zoning from R-6MF to B-2 of a tract of land west of the new North-South Expressway right of way and beginning approximately 450 Feet north of Pressley Road, as recommended by the Planning Commission upon the petition of John D. Little. The motion was seconded by Councilman Thrower, and unanimously carried. The ordinance is recorded in full in Ordinance Book 14, at Page 229.

ORDINANCE NO. 390-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING THE ZONING OF FOUR LOTS ON THE WEST SIDE OF CLEMENT AVENUE AT HAMORTON PLACE, ADOPTED.

Upon motion of Councilman Whittington, seconded by Councilman Tuttle, and unanimously carried, Ordinance No. 390-Z Amending Chapter 23, Section 23-8 of the City Code, was adopted changing the zoning from R-6MF to I-2 of four lots on the west side of Clement Avenue, at Hamorton Place, as recommended by the Planning Commission upon the petition of Richmond Dental Cotton Company. The ordinance is recorded in full in Ordinance Book 14, at Page 230.

ORDINANCE NO. 391-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING THE ZONING OF PROPERTY ON ALL FOUR CORNERS OF THE INTERSECTION OF SHARON AMITY ROAD AND ALBEMARLE ROAD, ADOPTED.

Motion was made by Councilman Albea, seconded by Councilman Jordan, and unanimously carried, adopting Ordinance No. 391-Z Amending Chapter 23, Section 23-8 of the City Code, changing the zoning from R-9 and R-9MF to B-1 of property on all four corners of the intersection of Sharon-Amity Road and Albemarle Road, as recommended by the Planning Commission upon the petition of Wallace A. Yarborough and others. The ordinance is recorded in full in Ordinance Book 14, at Page 231.

PETITION NO. 65-95 FOR CHANGE IN ZONING OF PROPERTY ON THE SOUTH SIDE OF COMMONWEALTH AVENUE, BETWEEN MORNINGSIDE DRIVE AND BRIAR CREEK WITHDRAWN BY PETITIONER.

Upon motion of Councilman Thrower, seconded by Councilman Alexander, and unanimously carried, the petitioner, Chantilly Shopping Center, Inc., was permitted to withdraw Petition No. 65-95 for change in zoning from O-6 to B-1 of property on the south side of Commonwealth Avenue, between Morningside Drive and Briar Creek.

DECISION ON PETITION NO. 65-96 FOR CHANGE IN ZONING OF PROPERTY ON BOTH SIDES OF FARMINGDALE DRIVE DEFERRED FOR RECOMMENDATION OF THE PLANNING COMMISSION AFTER THEIR FURTHER STUDY.

Councilman Short moved that decision on Petition No. 65-96 by Gertrude M. Wallace for change in zoning from R-9 to B-2 and O-6 of property on both sides of Farmingdale Drive, be deferred for recommendation of the Planning Commission after their further study of the petition. The motion was seconded by Councilman Tuttle and unanimously carried.

AGREEMENT AUTHORIZED WITH STATE HIGHWAY COMMISSION FOR ENCROACHMENT IN THEIR RIGHT OF WAY FOR THE INSTALLATION OF RAW WATER TRANSMISSION LINE BETWEEN THE CATAWBA RIVER PUMPING STATION AND HOSKINS RESERVOIRS.

Upon motion of Councilman Albea, seconded by Councilman Tuttle, and unanimously carried, an Agreement was authorized with the State Highway Commission for the encroachment along and crossing the following roadways, outside the city limits, for the installation of a 54 inch raw water transmission line between the Catawba River Pumping Station and the Hoskins Reservoirs:

- (a) State Highway No. 2001, Pump Station Road.
- (b) State Highway No. 2003, roadway unnamed.
- (c) State Highway No. 2004, Huntersville-Mt. Holly Road.
- (d) State Highway No. 2037, Kelly Road.
- (e) State Highway No. 2008, Pleasant Grove Road.
- (f) State Highway No. 2024, Dale Avenue.
- (g) State Highway No. 2006, Plank Road.
- (h) State Highway No. 2019, Oakdale Road.

CONTRACTS AUTHORIZED FOR THE INSTALLATION OF WATER MAINS IN CAPITOL DRIVE AND DARBY ACRES NO. 4.

Motion was made by Councilman Thrower, seconded by Councilman Albea, and

October 25, 1965
Minute Book 46 - Page 149

unanimously carried, authorizing the following contracts for the installation of water mains:

- (a) Contract with Waddell Boyles and wife, for the installation of 920 feet of water main in Capitol Drive, inside the city limits, at an estimated cost of \$1,472.00. The City to finance all construction costs and the Applicant will guarantee an annual gross water revenue equal to 10% of the total construction cost.
- (b) Contract with Ed Griffin Development Corp. for the installation of 1,330 ft. of water main and one hydrant, in Darby Acres No. 4, inside the city limits, at an estimated cost of \$3,900.00. The City to finance all construction cost and the applicant will guarantee an annual gross water revenue equal to 10% of the total construction cost.

CONTRACT APPROVED FOR APPRAISAL OF RIGHTS OF WAY.

Upon motion of Councilman Jordan, seconded by Councilman Albea, and un-animously carried, contracts were approved for the appraisal of the following rights of way:

- (a) Contract with G. A. Hutchinson, for the appraisal of one parcel of land on Woodlawn Road, for the Woodlawn Road Widening Project.
- (b) Contract with B. Brevard Brookshire, for the appraisal of three parcels of land on Woodlawn Road, for the Woodlawn Road Widening Project.
- (c) Contract with D. A. Stout for the appraisal of one parcel of land on Woodlawn Road, for the Woodlawn Road Widening Project; two parcels of land at the corner of Kilborne Drive and Central Avenue, for inter-section improvements, and two parcels of land at 10th and 11th Streets for the Northwest Expressway.
- (d) Contract with Wallace Gibbs, for the appraisal of one parcel of land between 10th and 11th Streets, for the Northwest Expressway.

SUPPLEMENT TO CONTRACT WITH LONE STAR BUILDERS COVERING THE REDUCTION OF SEWER EXTENSION IN CASCADE CIRCLE.

Councilman Whittington moved approval of a Supplement to the Contract with Lone Star Builders for extension of sanitary sewers in Cascade Circle, dated October 26, 1964, covering a reduction in the sewer extension by 150 feet, so that 147 feet of the line installed is now on private property, and, therefore, not eligible for the refund of \$599.39. The motion was seconded by Councilman Short, and unanimously carried.

CHANGE ORDER NO. 1 IN CONTRACT WITH REA CONSTRUCTION COMPANY FOR RECONSTRUCTION OF NE-SW RUNWAY, TO ELIMINATE ITEM NO. 6 TOPDRESSING OF THE GRASS AREAS, THEREFROM.

Councilman Alexander moved approval of Change Order No. 1 in the contract with Rea Construction Company for reconstruction of the NE-SW Runway to eliminate Item No. 6 Topdressing of the grass areas, therefrom, decreasing the contract price by \$315.00. The motion was seconded by Councilman Jordan, and unanimously carried.

CHANGE ORDER NO. 2 IN CONTRACT WITH REA CONSTRUCTION COMPANY FOR CONSTRUCTION OF NORTH SOUTH RUNWAY, TO ELIMINATE ITEM NO. 28 TOPDRESSING OF THE GRASS AREAS, THEREFROM.

Upon motion of Councilman Tuttle, seconded by Councilman Short, and unanimously carried, Change Order No. 2 in the Contract with Rea Construction Company for the construction of the North-South Runway to eliminate Item No. 28 Topdressing of the grass areas, therefrom, was approved.

SPECIAL OFFICER PERMITS AUTHORIZED RENEWED.

Motion was made by Councilman Whittington, seconded by Councilman Thrower, and unanimously carried, authorizing the renewal of Special Officer Permits as follows:

- (a) Renewal of Permit to Luke F. Quinn, 3612 Sudbury Road, for use on the premises of the Southern Railway C.D. Yard.
- (b) Renewal of Permit to Murrell M. Hannah, 3009 Morson Street, for use on the premises of Elmwood, Evergreen, Fifth Street, Oaklawn and Pinewood Cemeteries.
- (c) Renewal of Permit to James C. Hart, 118 Martin Street, for use on the premises of Johnson C. Smith University.

CONTRACT AWARDED T. A. SHERRILL CONSTRUCTION COMPANY FOR SIDEWALK CONSTRUCTION IN URBAN RENEWAL AREA NO. 1.

Councilman Albea moved the award of contract to T. A. Sherrill, the low bidder, for the construction of sidewalks, curb and gutter, in Urban Redevelopment Area No. 1, as specified, in the amount of \$38,878.00, on a unit price basis. The motion was seconded by Councilman Tuttle, and unanimously carried.

The following bids were received:

T. A. Sherrill Construction Co.	\$38,878.00
O. P. Crowder Constr. Co.	40,932.00
C. D. Spangler Constr. Co.	50,005.00

CONTRACT AWARDED KOPPERS COMPANY INC. EARCO PRODUCTS DEPT. FOR EMULSIFIED ASPHALT.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, contract was awarded Koppers Company, Inc. Earco Products Dept. the low bidder, for 715,000 gallons of Emulsified Asphalt, as specified, in the amount of \$65,769.18, on a unit price basis.

The following bids were received:

Koppers Co., Inc.	\$65,769.18
American Oil Co.	70,110.67

October 25, 1965
Minute Book 46 - Page 151

CONTRACT AWARDED KENNEDY VALVE MFG. COMPANY FOR GATE VALVES.

Councilman Thrower moved the award of contract to Kennedy Valve Mfg. Company for 414 Gate Valves, as specified, in the amount of \$25,395.95 on a unit price basis. The motion was seconded by Councilman Whittington, and unanimously carried.

The following bids were received:

Kennedy Valve Mfg. Co., Inc.	\$25,395.95
Grinnell Company, Inc.	26,677.13
A. P. Smith Mfg. Company	32,580.58
James B. Clow & Son, Inc.	38,939.52

Bid received not on specifications:

Darling Valve & Mfg. Co.	\$30,534.32
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ACQUISITION OF PROPERTY IN CONNECTION WITH SANITARY SEWER EASEMENTS TO SERVE SHAMROCK HILLS NO. II AND UNIVERSITY PARK, NORTHWEST EXPRESSWAY RIGHT OF WAY AND WOODLAWN ROAD WIDENING PROJECT RIGHT OF WAY.

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

- (a) Acquisition of easement 10' x 393' in Oak Forest Subdivision, from Nance Trotter Realty, Inc. at \$196.64, for sanitary sewer to serve Shamrock Hills No. II.
- (b) Acquisition of easement 10' x 472' in Oak Forest Subdivision, from Nance Trotter Realty, Inc. at \$236.00, for sanitary sewer to serve Shamrock Hills No. II.
- (c) Acquisition of easement 10' x 229' in Oak Forest Subdivision, from Nance-Trotter Realty, In. at \$114.75, for sanitary sewer to serve Shamrock Hills No. II.
- (d) Acquisition of easement 10' x 471.58' along Norfolk-Southern Railroad Tracks, off Shamrock Road, from C. D. Spangler Construction Company, at \$1.00 for sanitary sewer to serve Shamrock Hills No. II.
- (e) Acquisition of easement 10' x 195.93' off Shamrock Road at Norfolk-Southern Railroad tracks, from C. D. Spangler Construction Company, at \$1.00 for sanitary sewer to serve Shamrock Hills No. II.
- (f) Acquisition of easement 10' x 2,535.6' off Shamrock Road at the Norfolk & Southern Railroad Track, from Nathaniel and Ida Moore Alexander, at \$1,267.80, for sanitary sewer to serve Shamrock Hills No. II.
- (g) Acquisition of easement 25' x 1134.8' off Hoskins Road, from C. D. Spangler Construction Company, Inc. at \$567.40 for sanitary sewer to serve University Park.
- (h) Acquisition of 16,600 sq. ft. of property at 808-10 N. College Street, from Dr. Frank O. and Pauline S. Alford, at \$23,200.00 for right of way for Northwest Expressway.
- (i) Acquisition of easement 10' x 158' in Oak Forest Subdivision, from Nance-Trotter Realty, Inc. at \$79.19, for sanitary sewer to serve Shamrock Hills No. II

- (j) Acquisition of 1,159.49 sq. ft. of property at 4400 Park Road, from Marsur Corp, at \$2,000.00 for right of way for Woodlawn Road Widening Project.
- (k) Acquisition of 3,746 sq. ft. of property at 919 Woodlawn Road, from C. C. and Ruby G. Martin, at \$5,260.00, for right of way for Woodlawn Road Widening Project.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR ACQUISITION OF PROPERTY OF GEORGIA C. MCDOWELL LOCATED AT 1004-6 PHARR STREET FOR NORTHWEST EXPRESSWAY.

Councilman Albea moved the adoption of a Resolution Authorizing Condemnation Proceedings for the Acquisition of Property of Georgia C. McDowell, Located at 1004-6 Pharr Street for Northwest Expressway. The motion was seconded by Councilman Alexander, and unanimously carried. The resolution is recorded in full in Resolutions Book 5, at Page 147.

RESOLUTION ENDORSING THE INTERMEDIATE COURT OF APPEALS FOR NORTH CAROLINA, ADOPTED.

Councilman Short introduced a resolution entitled: Resolution Endorsing the Intermediate Court of Appeals for North Carolina. Councilman Thrower moved the adoption of the resolution, which was seconded by Councilman Jordan, and unanimously carried. The resolutions is recorded in full in Resolutions Book 5, at Page 148.

AWARD OF EXCELLENCE FOR PEDESTRIAN SAFETY DURING 1964 AWARDED THE CITY OF CHARLOTTE BY THE AMERICAN AUTOMOBILE ASSOCIATION.

Councilman Whittington advised that the American Automobile Association made an Award of Excellence for Pedestrian Safety During 1964 to the City of Charlotte last week on Television, and he accepted it on behalf of the City and he presented the Plaque to Mayor Brookshire.

CITY MANAGER DIRECTED TO INVESTIGATE AND REPORT ON LACK OF FIRE HYDRANTS IN RESIDENTIAL AREA OFF BEATTIES FORD ROAD.

Councilman Alexander presented a map of a 25 block area off Beatties Ford Road in which he advised there are some 156 residences located, and there no fire hydrants whatever in the entire area and only one fire alarm box.

Mayor Brookshire asked the City Manager to check into this matter and give Council a report.

CITY MANAGER REQUESTED TO CONFER WITH STATE HIGHWAY COMMISSION AND FACILITATE THE LOCATION OF THE ROUTE OF THE PROPOSED NEW BELT ROAD TO CROSS PROVIDENCE ROAD IN VICINITY OF MCALPINE CREEK, SO THAT THE ROUTE MAY BE KNOWN TO THE PUBLIC.

Councilman Tuttle stated he is aware of the fact that some thought and perhaps a little planning has gone on in connection with another belt road around the city to cross Providence Road in the general vicinity of McAlpine Creek. That surely we do not want another controversy even slightly resembling the Wendover Road one, and the time to avoid such a possibility

is now. That home builders, utilities firms, and taxpayers who purchase the land should know or have some idea as soon as possible where this inevitable road is going. He recommended that Mr. Veeder get with State Highway Officials to facilitate the plans of determining the route so that it may be made known to the public. He stated he has discussed this with Mr. George Broadrick, State Highway Commissioner, and he is in accord with these thoughts.

ADJOURNMENT.

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


Lillian R. Hoffman, City Clerk