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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Monday, July 25, 1966, at 2 o'clock p.m., with Mayor Stan R. Brookshire presiding, and Councilmen Claude L. Albea, Fred D. Alexander, Sandy R. Jordan, Milton Short, John Thrower, Jerry Tuttle and James B. Whittington present.

ABSENT: None.

The Charlotte-Mecklenburg Planning Commission sat with the City Council and, as a separate body, held its public hearings on Petitions for changes in zoning classifications concurrently with the City Council, with the following members present: Chairman Sibley, Commissioners Gamble, Jones, Lakey, Stone, Tate and Turner.

ABSENT: Commissioners Ashcraft, Olive and Toy.

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#### INVOCATION.

The invocation was given by the Reverend Ken G. Small, Pastor of Wedgewood Baptist Church.

#### MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Tuttle and unanimously carried, the minutes of the last meeting on July 11, 1966, were approved as submitted.

#### EMPLOYEE AWARD PLAQUE PRESENTED MR. DAVID MYERS ON HIS RETIREMENT.

Mayor Brookshire recognized Mr. David Myers, Motor Transport Department Employee, and presented him with the Employee Award Plaque. The Mayor advised that Mr. Myers was employed on October 2, 1950, and is retiring August 1, 1966.

#### HEARING ON PETITION NO. 65-63 BY FURR REALTY COMPANY, FOR CHANGE IN ZONING FROM B-1 TO B-2 OF TWO LOTS ON THE EAST SIDE OF BEATTIES FORD ROAD, BEGINNING SOUTH OF LASALLE STREET.

The public hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, stated the request is for a lot 100' x 175' located on the east side of Beatties Ford Road, just south of the LaSalle Street intersection. The lot is used for a Drive-in Restaurant and is bounded on the south by property used for a service station; on the north by property used for grocery store and a TV repair shop, and then a house and a service station at the corner of LaSalle Street. Across Beatties Ford Road there is a continuation of some business uses including a grocery store, a grill, barber shop and several other small businesses. Directly across from the subject property there is a single family residence, as there is scattered throughout the area to the south on both sides of Beatties Ford Road.

The subject property is zoned B-1 as is property on both sides of Beatties Ford Road extending northward from that point; to the south of the property

there is some Office-6 zoning on both sides of Beatties Ford Road; the property to the rear and to the south and west is R-6.

Councilman Whittington asked what type of businesses are adjacent to the property? Mr. Bryant replied on the south side is a service station, on the north side is a grocery store, across the street is a mixture of small businesses including a grill, a barber shop and a grocery store. Councilman Albea asked if at present they are non-conforming, and Mr. Bryant replied they are; they were there prior to the present zoning.

Councilman Alexander asked for what purpose the change in zoning is made, and Mr. Bryant replied it is to enlarge the present drive-in facility.

No objections were expressed to the proposed rezoning.

Council decision was deferred until the next Council Meeting.

HEARING ON PETITION NO. 66-64 BY JOHN CROSLAND COMPANY ET AL, FOR CHANGE IN ZONING FROM R-12 TO R-12MF OF SIX LOTS AT 4700, 4701 FAIRHEATH ROAD, 4700, 4701 ASPEN COURT, AND 4700 AND 4701 WALDEN COURT.

The scheduled hearing was held on the subject petition.

The Assistant Planning Director explained the property and surrounding area stating the lots in questions are the six lots at the end of Walden Court, Aspen Court and Fairheath Road. That you come out Sharon Road, pass Fairview Road, pass the Ole Town Apartments and turn to the right on Hazelton Drive, which is the entrance to the Laurel Woods Subdivision and then you turn up either Walden Court, Aspen Court or Fairheath Road and the lots are at the very end of the cul-de-sac streets.

At present, four of the lots are occupied by a duplex development; one lot on Aspen Court and one on Fairheath is vacant. He pointed out the Stevens Company adjoining to the north, the Sharon Shopping Center, the Ole Town Apartments and the Bank and stated otherwise it is all used for single-family residential purposes. That there is a swim club located adjacent to one of the lots on Fairheath Road.

At present the zoning of the property is R-12 as is all the property in the Laurel Woods Subdivision area. Adjoining to the north is O-15, the Ole Town Apartments area is R-12MF and the remainder of the corner area of the shopping center is zoned B-1.

Councilman Thrower asked if this would destroy the duplexes which now exist, and Mr. Bryant replied the purpose of the request is to make a legitimate use out of the duplexes which are already there; the area is now zoned single-family and the four duplexes which are there are non-conforming uses, and this is for the purpose of making them legitimate uses in addition to permitting the other two vacant lots to be used for duplex purposes. That the request for the change came when they applied for permits to build duplexes on the two vacant lots and they were denied.

Mayor Brookshire asked if this is a reasonable land use between strictly residential and the office area? Mr. Bryant replied it would be within the general context of planning principles to have some multi-family zoning between office zoning and single family.

Councilman Short asked if these duplexes are to be expanded; since they are non-conforming uses now, apparently they cannot even be repaired. Mr. Bryant stated they can be repaired and maintained.

Mr. Bryant stated this first came to light when they applied for permits to build duplexes on the two vacant lots; when they found they could not do that, they came in to discuss the possibilities of the zoning change, and it was recommended to them that at the same time they tried to get the two vacant lots rezoned, they also include the existing duplexes for the purpose of clearing up whatever problems there would be eventually since they are non-conforming uses. That by including all six lots, the effect is to create a transition area from office to multi-family then to single family; therefore, this fits into good planning and good zoning, and this would remove it from the spot zoning category.

Mrs. Thomas B. Snyder, 4713 Walden Court, stated Mr. Crosland has violated a permit as he did not obtain a permit to build these duplexes. That she lives next to the duplex on the right hand side; there is a four lot area between the duplex and the last residence on all the streets because of a Duke Power right of way, and the duplexes have not bothered them or been objectional in any way. That they have been in their home for three years and the duplexes were not built until a year and some months later. That they are nice duplexes, and the rent is such that there would never be any objectional people moving in, but if Mrs. Wallace, who owns the duplexes on her street saw fit if the zoning is changed, she could enlarge the duplexes to more than two units on either side of the street. That it is a dead end circle street, and the space between one side or the other is very narrow and there could not be another unit placed between, but it could even be made into two stories.

Mrs. Snyder stated they have been trying to sell their home on Walden Court because of the need for more space, and they lost a contract last week because they buyer did not realize that this was a duplex down the street, but it was fine when they realized it was a lovely duplex and would not be detrimental to their residence, but when he read the public notice, he and his lawyer discussed it and his lawyer advised him to not buy the residence.

This has come to the attention of a number of people in Laurel Woods who are trying to sell their homes and there are three who have lost buyers for their homes in the last few weeks because of this petition, and they would like to object.

Councilman Short asked Mr. Bryant if he knows whether you can get more than twelve families in R-12MF zoning on a plot of this size, and Mr. Bryant replied he has not worked out how many units could be put in as this would be related to the size of the lot. That under the R-12MF classification they have to have 12,000 square feet for the first unit, and 3,000 square feet for each additional unit, so it would take a 15,000 square foot lot to build a duplex.

Councilman Albea asked if he understood that Mr. Crosland has violated the permit. Mrs. Snyder replied if he is just now applying for the permit to build on the vacant lots and it was denied, then in the beginning was he not in violation of the building ordinance; that this was just annexed into the city this past January 1 and they were built prior to that time.

Mr. Bryant stated this area has been subject to zoning since 1956. That the Building Inspection Department indicates a building permit was issued for three of the buildings; the fourth one being under the old perimeter zoning which classified this as rural classification and, therefore, permitted duplexes; that the other three are in there on the basis of an application which was filed for a single-family unit. That a permit was granted for a single-family but instead a duplex was built, and for some reason or other, it was not caught during the construction.

Council decision was deferred until the next meeting.

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HEARING ON PETITION NO. 66-65 BY MRS. HAZEL F. GABRIEL FOR CHANGE IN ZONING FROM R-12 TO I-1 OF A TRACT OF LAND 200' X 401' AT 2717 DERITA AVENUE.

The public hearing was held on the subject petition on which a protest petition has been filed and found sufficient to invoke the 20 percent Rule requiring the affirmative vote of six Councilmen in order to rezone the property.

Mr. Fred Bryant, Assistant Planning Director, pointed out Derita Avenue, with Derita Road coming through Derita and changing into Brown Road and continuing on through; Gibbon Road leading to the left of Derita Road crossing the railroad track just before you get to the Volunteer Fire Department Building, and leading out into Nivens Road. That the subject property is a tract of land with about 222 feet of frontage on Gibbon Road and extending back to Derita Avenue a distance of approximately 450 feet. The property has one single-family residence on it and is adjoined on the south by a number of single-family residences. Across the railroad and fronting on Brown Road is the Volunteer Fire Department, a Sprinkler Company with an industrial type building and a construction company office and storage area and a shopping center just at the intersection of Mallard Creek Road. He pointed out the church and stated just north of that are single-family homes. Adjoining the property along Gibbon Road to the north is all single-family area until you get near Gibbon Road where there are a number of non-residential type structures. The zoning of the property is R-12 as is all the property south of it and west of Derita Road; the property to the north, between Gibbon Road and Derita Avenue, is I-2, with B-2 zoning across Gibbon Road, from the industrial zoning; then B-2 zoning to the east of Derita Avenue along the railroad over to Mallard Creek Road.

Mr. Charles Henderson, Attorney, stated he represents a group of some 21 people who have passed judgment on their community and believe this would be detrimental not only to themselves but that it would hurt the Derita Community in many ways. He passed around a picture of the home now located on the property and stated presumably they wish to tear down the home. He also passed around copies of the protest petitions which had been filed and stated one represents 100 percent opposition on one side and 100 percent opposition on another side, and the side on which there is no opposition is a street and beyond the street is a railroad track with no spurs anywhere close. That from his observation there is 600 feet or more to any type of industrial use; immediately adjoining this property is a large vacant tract with some of the prettiest reforestation he has ever seen. He passed around snapshots showing that the community is shady with beautiful lawns, nice fences, all well-kept. That they respectfully ask that this drastic change not be made in a well established community where citizens that have been helpful in all ways in Mecklenburg County reside. That this is the birth place of the Volunteer Fire Department of that particular community. One of the petitioners in opposition is Mr. John Auten who is respected for his fighting for the welfare of the entire county, and as far as he knows, this is the first time he has ever asked anything for himself, and all he is asking here is that across the street from him is a nice home, and he does not want that nice home torn down and some sort of I-2 use put on there that will be detracting both in value and in appearance.

Mr. Henderson stated the residents who signed the protest all own home there and are owner-occupied.

Mrs. Hazel F. Gabriel, petitioner, stated Mr. Henderson took a picture of her house, but he did not take a picture of the buildings which are in front of her, plus the railroad tracks which are all in her front door.

That all the trash from the grocery store and sometimes from the church blows in her front yard, and the trees on the side are beautiful, but that is already zoned for business, and someday when it is too late for her to be able to sell and get her money, the trees will be cut down and business will be put in there; that the two lots beyond the trees are already business, and business firms are getting ready to go in there now; the back doors of all the business in front of her are in her front door, and it has depreciated her home.

Mr. Henderson asked all those in opposition to the petition to stand and a number of people in the audience stood.

Councilman Tuttle asked if the unused I-2 zone is the only industrial zoning in the area, and Mr. Bryant replied that is correct. Councilman Tuttle asked why this one particular spot was picked out for I-2, and Mr. Bryant replied it was influenced by the fact there was some industrial type uses in the area between the railroad and Gibbon Road, and they felt with these uses already established and this being vacant property that it was entirely reasonable to have the industrial zoning extended throughout the vacant property, and at that time it was felt wise to stop it at the existing residential district; that primarily the industrial zoning of the vacant property was influenced by the railroad location and the industrial uses already around the area.

Council decision was deferred until the next Council Meeting.

HEARING ON PETITION NO. 66-66 BY TWELVE HUNDRED EAST FOR CHANGE IN ZONING FROM R-6MF TO B-1 OF A TRACT OF LAND 144.09' X 150' EXTENDING FROM CHARLOTTE DRIVE TO KENILWORTH AVENUE LYING 200' SOUTHWEST OF EAST BOULEVARD.

The scheduled hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, stated the subject property is more easily recognized under the name of the Alexander Home Property. He pointed out East Boulevard going towards South Boulevard, Kenilworth Avenue going out of town beside the property and Charlotte Drive coming into East Boulevard. That the Alexander Home property is everything bounded by East Boulevard, Kenilworth Avenue, Ideal Avenue and Charlotte Drive. That the subject property is a tract of land 150' x 144' just about the middle of the overall Alexander Home tract. At present the buildings used by the Alexander Home are vacant and there are a number of business type uses along East Boulevard throughout the area, with a service station at the corner of Kenilworth and behind it is a building with a uniform service in it; a service station at the other corner of Kenilworth and East Boulevard and just a general mixture of retail type business and office uses.

That the property is bounded across Charlotte Drive by single-family uses all the way from East Boulevard right down Charlotte Drive and extending down Worthington and other streets in the area. On the Kenilworth Avenue side is it also bounded by single-family residential uses with one duplex located there.

The zoning of the Alexander Home property is B-1 back from East Boulevard for a depth of 200 feet; then the subject property which is 150 feet wide is zoned R-6MFH with conditional parking approval. This means the property at the present time could be used for parking in conjunction with a business use that was located on the business zoned property; otherwise, it could be used for multi-family R-6MFH usage. The R-6MFH zoning extends throughout

the Alexander Home property right down to Ideal Way. The property to the west along Charlotte Drive is zoned R-6, and the property along East Boulevard, between Charlotte Drive and Dilworth, is zoned O-6; and all the property along East Boulevard, otherwise, is zoned B-1; the property across Kenilworth is zoned R-6MF.

Mr. David Henderson, attorney, stated he represents Charles Wheatley, Rex Wheatley and Donald Hamilton, three businessmen in Charlotte who formed an association known as Twelve Hundred East and purchased the property of the Alexander Home and in keeping with their business experience have developed what is a most attractive plan for the highest and best use of the property. That they plan the establishment of a Kroger Store at the East Boulevard side of the depth of the property. That Mr. Bryant has stated the case exactly as it is with respect to this particular property and that is for 200 feet back from East Boulevard, between Charlotte Drive and the other street, it is possible to have a building at present on East Boulevard and still have the parking at the rear. When looking more carefully into its better use, taking into consideration the fact there is heavily traveled portion of Charlotte in this area and looking into the proper access for retail stores, it seemed to them that it might be better to move the store back on the lot so that the 200 feet presently zoned for B-1 would be for parking area and the building itself would be located in the 150 feet which presently can be used for parking, which is a transition of the use of a portion of the property.

Mr. Henderson introduced Mr. Charles Wheatley, one of the petitioners, and asked him to discuss his charts, the proposal that was first set up based on the zoning as it now exists, and then the transitional proposal.

Mr. Wheatley presented a chart and stated when they first started work on the property as it is currently zoned, they put the building on the front and used the portion at the rear for parking, but as they worked on it, it became more and more apparent they would be much better off to put the building on the back both from appearance and in the matter of ingress and egress for the cars. If they put the building on the front and park to the rear, the main egress would be off Kenilworth Avenue, and in order to get the parking, they would have only one means of ingress and one of egress which would create a traffic problem backing all the way down Kenilworth which is a one way street. Their proposal is to set the building back which would present a much better appearance and would give them a better means of traffic control because they would have both ingress and egress from East Boulevard, Charlotte Drive and from Kenilworth Avenue; they would maintain a buffer zone in the back to an apartment project which they propose to build of 28 units on the portion of the property which is currently zoned R-6MFH.

Mr. Wheatley presented a picture of the proposed apartment units and stated the buffer zone would be screened and there will be no rear elevation as it will open onto two streets and the elevation will be the same from Kenilworth and Charlotte Drive.

Councilman Whittington asked if they propose to have traffic enter and exit from this center on East Boulevard and if it has been discussed with the Traffic Engineering Department? Mr. Wheatley replied no to both questions. Mr. Henderson stated the problem will be minimized rather than maximized by having the movement off the Boulevard; there are two streets on each side - Charlotte Drive is two-way and Kenilworth is one-way. Mr. Wheatley stated the success of the project would not depend on having that particular entrance and exist because they can still have two on the other two streets; however, it would be desirable to have one entrance on East Boulevard, so they would not have to turn into the other streets to get into the area.

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Councilman Whittington stated he thinks there would really be a problem if they tried to get traffic out of this facility on East Boulevard between those two short streets.

Mr. Wheatley presented another chart and stated it is the facility as it would appear as they planned it, originally going up on East Boulevard, and the side of the building would face East Boulevard and be up close to the street, and it makes a much better appearance to pull it back. That in the first plan it would be necessary to take up the entire property down both sides for the building and they would not have any space left for beautification. In the revised plan they propose to leave a strip all the way around and will have grass and trees in the area all the way down both sides; the buffer zone will be planted.

Councilman Thrower asked if they are asking for rezoning all the way down the block or just a portion of the block, and Mr. Wheatley replied it would go back just to a point. Now 200 feet is zoned B-1 and 150 feet is R-6MPH, and all they are asking is for a portion to be changed to B-1 as the front is.

Mrs. Ben Jappa stated she lives just three doors away from the property at 1232 East Boulevard and also own the adjoining property and they have no objections whatsoever to the project.

Mrs. Enolia Presnell, 1244 East Boulevard, stated she lives next door to the Alexander Home and has no objections; that she thinks it will help the whole neighborhood.

Mr. Ralph Hall, the Carolinas' real estate manager for the Kroger Company, stated the original plan would basically force ingress and egress traffic to use the two sides streets - Kenilworth and Charlotte Drive. It would force the traffic to go down beyond the store using the two sides, and it would put the burden down the two streets because that is where they must go to park the vehicles to come to the store. The revised plan would quickly get the traffic off East Boulevard and not delay them going down and back, thus the back up on East Boulevard would be much less.

Mr. Veeder, City Manager, asked Mr. Henderson if they are planning to use East Boulevard for an entrance only and would not use East Boulevard for an exit? Mr. Henderson replied the cuts in the curb must be approved by the Traffic Engineering Department, and the final usage has not been planned and determined by the property owners, and he thinks they have shown that they have an interest in alleviating any traffic problems that might arise. That they are looking for a heavily travelled area because people do not build grocery stores and drug stores except where the people are or are likely to go, but they want to do the best they can and not create traffic hazards in the street, and it is for this reason they think the change would be advantageous and minimize rather than maximize the traffic problem.

Mr. Henderson read a letter from Mr. Gene Johnson, one of the officers of the new Rhomada Inn, the Key Man Building and the Greystone Apartments which says they favor the rezoning request; that they are particularly gratified that the building layout affords a desirable setback and provides the convenience of parking and access, and the quality apartment project to be constructed at the rear will certainly be an asset to the entire neighborhood.

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Councilman Thrower stated suppose Mr. Hoose implemented his channelization of traffic, which would require another 12 feet off the front of the property, could they live with this? Mr. Wheatley replied they are just a few cars over the number which is required for this size building and it might mean they would have to modify the size of the building slightly. Councilman Thrower stated the City is trying to channel traffic to get it off the thoroughfare and it would slow down and turn into the building, and it could, in effect, take another lane from the front of their property. That maybe they will need an additional 12 feet setback for the building. Mr. Wheatley replied they might lose some of their buffer; that they want a good traffic flow; otherwise, it would not be to their advantage.

Mr. Henderson stated they want to work with the city and its traffic problems.

No objections were expressed to the proposed change in zoning.

Council decision was deferred until the next Council Meeting.

HEARING ON PETITION NO. 66-67 BY R. H. KNIGHT, FOR CHANGE IN ZONING FROM O-15 TO B-2 OF A 2.04-ACRE TRACT OF LAND LOCATED AT THE SOUTHEAST CORNER OF NATIONS FORD ROAD AND GENERAL YOUNTS EXPRESSWAY FRONTING 135' ON NATIONS FORD ROAD AND 340' ON GENERAL YOUNTS EXPRESSWAY.

The public hearing was held on the subject petition.

The property and surrounding area was explained by Mr. Fred Bryant, Assistant Planning Director, who advised that Nations Ford Road leads out southward away from Charlotte, and General Younts Expressway (New U. S. 21) crosses and leads southward. That the subject property is a two-acre tract of land located at the southeast corner of the two roads; the property is occupied by a mobile home park and immediately adjacent to it on the south and to the east is vacant; south along Nations Ford Road is a commercial type building and just beyond that is a combination service station and grocery store. On the opposite corner from the subject property is a residential structure that is used for day care children purposes; otherwise, the area is all vacant; as you proceed a little further south, there is a new residential subdivision. On the opposite side of the Expressway there is single-family use along Choyce Avenue and one house at the corner, and otherwise it is vacant.

The zoning of all four corners, as well as all the property to the east of the subject property, is zoned O-15 and the remainder of the area is R-9.

Councilman Whittington asked how the property is related to the residential neighborhood across the railroad, out York Road to the left, behind the new A & P and shopping center which is being built? Mr. Bryant replied this is at least a mile and a half or two miles further out.

Mr. Alvin London, Attorney for the petitioner, stated the reasons for the request are rather obvious. That there are some physical problems towards the back of the property; there is a rather large ravine, so only a part of the property is usable; in addition, there is a high embankment where the Expressway is. That the petitioner proposes to build an automobile service station in the area which would be accessible to those on the Expressway from the Ramp. That presently the property is used for a beauty shop and a trailer park, and he thinks the best use of the property would be for the automobile service station. That he does not think anyone would object to a service station in that corner adjacent to the ramp with the Expressway.



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Councilman Short asked if a service station requires a B-2 Zoning, and Mr. Bryant replied if it is an automobile repair garage associated with the service station it would require B-2, but if it is a service station with associated minor automobile repairs, it is a B-1 use.

No objections were expressed to the proposed change in zoning.

Council decision was deferred until the next Council Meeting.

HEARING ON PETITION NO. 66-68 BY B & L INVESTMENT COMPANY FOR CHANGE IN ZONING FROM R-9MF TO B-1 S.C.D. OF A 13.1-ACRE TRACT OF LAND ON THE SOUTH SIDE OF ALBEMARLE ROAD AND LAWYERS ROAD AT THEIR INTERSECTION.

The scheduled hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, pointed out Albemarle Road going eastward away from Charlotte, with Lawyers Road going to the right and Delta Road turning to the left going northward, and stated the subject property is a 13.1-acre tract of land lying to the south of Albemarle Road and to the southwest of Lawyers Road at their intersection; that it fronts about 745 feet on Albemarle Road and 880 feet on Lawyers Road extending back in excess of 400 feet. At present the property is occupied by a house that is abandoned and very old, and otherwise the property to the south, east and west is vacant. There is a service station at the intersection of Albemarle Road and Lawyers Road, and as you proceed down Lawyers Road, there are single-family residential structures with a very large greenhouse attached to one house; directly across from the property on Albemarle Road is the new Harris-Teeter Super Market at the corner of Delta, and then some trailers and single-family residences, and otherwise it is vacant throughout the area. As you go on out Albemarle Road, there is a mixture of some minor business usages and primarily single-family residential usages.

The zoning of the subject property as is everything to the south and south-east from Albemarle Road and Lawyers Road is R-9MF; the property across Lawyers Road and across Albemarle Road is zoned B-1; the property to the west of the business zoning is R-12MF.

Councilman Jordan asked what the property will be used for? Mr. Bryant replied this is a request for B-1 Shopping Center District which is one of the conditional districts that is contained in the ordinance and requires the filing and approval of a site plan for the development of the property. He stated they have filed the site plan which he presented and advised they have proposed three large buildings to house anything from a drug store and a super market to minor retail shops throughout the area, with a bank and three sites for service station usage. That they also propose to dedicate a street which would be an extension of Delta Road through the property which would be a part of the major thoroughfare system. That the major thoroughfare calls for the extension of Delta Road on through the property to tie back into Idlewild Road. The petitioner is now working with the Traffic Engineering Department to work out the most feasible method of entering and leaving - they are discussing some deceleration lanes and some holding areas back in the parking lot.

No objections were expressed to the proposed change in zoning.

Council decision was deferred until the next Council Meeting.

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

Mayor Brookshire called a ten-minute recess at 3:10 p.m. and reconvened the meeting at 3:20 p.m.

PETITION NO. 66-61 BY R. D. MORGAN FOR CHANGE IN ZONING FROM R-9MF TO I-1 OF THREE LOTS AT THE NORTHEAST CORNER OF NEVIN ROAD AND LAKE SHORE CIRCLE, FRONTING ON NEVIN ROAD AND LAKE SHORE CIRCLE, DENIED.

Councilman Tuttle moved that the subject petition for a change in zoning from R-9MF to I-1 be denied as recommended by the Planning Commission. The motion was seconded by Councilman Albea and carried on the following vote:

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

ORDINANCE NO. 498-X APPROPRIATING AND LEVING TAX RATE FOR 1966-67, ADOPTED. SETTING THE TAX RATE AT \$1.54.

Upon motion of Councilman Jordan, seconded by Council Tuttle and unanimously carried, the subject ordinance was adopted and is recorded in full in Ordinance Book 14, beginning at Page 353.

Mayor Brookshire asked if this motion includes approval of the Capital Funds Budget and if the Capital Funds Budget has been revised to include Sixth Street? Mr. Veeder replied that it does include the Capital Funds Budget, and the final printed budget will include the revision.

RESOLUTION AUTHORIZING THE ISSUANCE OF \$2,250,000 REVENUE ANTICIPATION NOTES OF THE CITY OF CHARLOTTE, ADOPTED.

Motion was made by Councilman Albea, seconded by Councilman Whittington and unanimously carried, adopting a resolution entitled: Resolution Authorizing the Issuance of \$2,250,000 REVENUE ANTICIPATION NOTES of the City of Charlotte.

The resolution is recorded in full in Resolutions Book 5, beginning at Page 296.

RESOLUTION AMENDING THE PAY PLAN OF THE CITY OF CHARLOTTE, ADOPTED.

Councilman Tuttle moved the adoption of a resolution entitled: Resolution Amending the Pay Plan of the City of Charlotte. The motion was seconded by Councilman Alexander and carried unanimously.

The resolution is recorded in full in Resolutions Book 5, beginning at Page 297.

RESOLUTION PROVIDING FOR PUBLIC HEARINGS ON AUGUST 22ND ON PETITIONS NO. 66-69 THROUGH 66-75 FOR ZONING CHANGES, ADOPTED.

Upon motion of Councilman Jordan, seconded by Councilman Albea and unanimously carried, the subject resolution was adopted and is recorded in full in Resolutions Book 5, at Page 306.

RESOLUTION APPROVING THE PRELIMINARY ASSESSMENT ROLL FOR IMPROVEMENTS COMPLETED ON SHENANDOAH AVENUE, FROM THE PLAZA TO ST. JULIAN STREET, AND PROVIDING FOR NOTICE OF PUBLIC HEARING ON MONDAY, AUGUST 8, 1966, ON CONFIRMATION THEREOF, ADOPTED.

Councilman Whittington moved the adoption of the subject resolution, which was seconded by Councilman Thrower and unanimously carried.

The resolution is recorded in full in Resolutions Book 5, at Page 307.

#### CONSTRUCTION OF SANITARY SEWER IN WESTCHESTER NO. 7 SUBDIVISION, AUTHORIZED.

Councilman Whittington moved the approval of the construction of 1,315 feet of sanitary sewer in Westchester No. 7 Subdivision, inside the city, at the request of Ervin Construction Company, at an estimated cost of \$7,885.00 with all cost to be borne by the Applicant whose deposit in the full amount has been received and will be refunded as per terms of the agreement. The motion was seconded by Councilman Tuttle and carried unanimously.

#### RIGHT-OF-WAY AGREEMENT WITH THE SOUTHERN RAILWAY COMPANY FOR THE INSTALLATION OF WATER MAIN BENEATH THE COLUMBIA DIVISION TRACKS AT ARCHDALE DRIVE, AUTHORIZED.

Upon motion of Councilman Alexander, seconded by Councilman Jordan and unanimously carried, the Mayor and City Clerk were authorized to execute a Right-of-Way Agreement between the City of Charlotte and the Southern Railway Company for the installation of water main beneath the Columbia Division Tracks at Archdale Drive.

#### CONTRACTS FOR THE INSTALLATION OF WATER MAINS, AUTHORIZED.

Upon motion of Councilman Jordan, seconded by Councilman Tuttle and unanimously carried, contracts for the installation of water mains, were authorized, as follows:

- (a) Contract with Ervin Construction Company for the installation of 130 feet of water main, to serve a portion of Starmount Subdivision No. 11, inside the city, at an estimated cost of \$610.00. The City to finance all costs and applicant will guarantee an annual gross water revenue equal to 10 per cent of the total construction cost.
- (b) Contract with Ervin Construction Company for the installation of 1,805 feet of water main and two hydrants, to serve Starmount Subdivision No. 11, outside the city, at an estimated cost of \$9,300.00. All costs of construction will be borne by the Applicant who will dedicate same to the City without cost or further agreements upon the acceptance of the work by the City for maintenance and operation.
- (c) Supplementary Contract, to contract dated October 30, 1961, with Seaboard Air Line Railroad Company, to serve Hoskins Industrial Area, for the installation of 55 feet of water main, outside the city, at an estimated cost of \$440.00. All costs of construction will be borne by the Applicant who will dedicate same to the City without cost or any further agreement upon the acceptance of the work by the City for maintenance and operation.

REAPPOINTMENT OF HERBERT SPAUGH, JR. TO THE AIRPORT ADVISORY COMMITTEE.

Councilman Jordan moved the reappointment of Mr. Herbert Spaug, Jr. to the Airport Advisory Committee for a five-year term. The motion was seconded by Councilman Albea and carried unanimously.

ISSUANCE OF SPECIAL OFFICER PERMITS AUTHORIZED.

Upon motion of Councilman Thrower, seconded by Councilman Whittington and unanimously carried, Special Officer Permits were authorized issued, as follows:

- (a) Permit to Paul E. Halberstadt for use on the premises of Sharon Memorial Park.
- (b) Permit to Howard W. Halberstadt for use on the premises of Sharon Memorial Park.
- (c) Permit to Leonard W. Hedrick for use on the premises of Sharon Memorial Park.
- (d) Permit to Walter C. Thomas for use on the premises of Sharon Memorial Park.
- (e) Permit to Lester Phifer for use on the premises of King's Business College, 322 Lamar Avenue.

APPLICATIONS FOR PRIVILEGE LICENSE, APPROVED.

Motion was made by Councilman Jordan, seconded by Councilman Tuttle and carried unanimously approving the following applications for Privilege Licenses:

- (a) Application of Carolina Detective Agency for license covering the classification of Private Detective for Melvin O. Smith.
- (b) Application of Merchants Patrol, Inc. for license covering Detective and Patrol Agency.
- (c) Application of Merchants Patrol, Inc. for license covering the classification of Detective for W. F. Hucks.
- (d) Application of Merchants Patrol, Inc. for license covering the classification of Detective for Roy Lee Plott.
- (e) Application of Merchants Patrol, Inc. for license covering the classification of Detective for Margaret Ann McDowell.
- (f) Application of Merchants Patrol, Inc. for license covering the classification of Detective for R. C. McDowell.
- (g) Application of Security Forces, Inc. for license covering the classification of Private Detective for E. B. Watson.

TRANSFER OF CEMETERY LOTS.

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

- (a) Deed with Mrs. Bertha B. Warren for Lot No. 72, south 1/2, Section V, Elmwood Cemetery, at \$3.00 for transfer deed.
- (b) Deed with Guy S. Chesick and Margaret D. Chesick for Lot No. 370, Section 6, Evergreen Cemetery, at \$240.00.

## APPRAISAL CONTRACTS AUTHORIZED.

Councilman Thrower moved approval of contract with Harry G. Brown for appraisal of two parcels of land for the Taggart Creek Outfall Sanitary Sewer, and contract with Alfred E. Smith for appraisal of one parcel of land for the Northwest Expressway right of way. The motion was seconded by Councilman Whittington and carried unanimously.

## CONTRACT AWARDED JOINT AND CLUTCH SERVICE, INC. FOR AUTOMOTIVE BATTERIES.

Councilman Albea moved award of contract to Joint & Clutch Service, Inc., the low bidder, in the amount of \$5,446.19 on a unit price basis, for automotive batteries, as specified. The motion was seconded by Councilman Tuttle.

Councilman Whittington asked if this is the same firm that had the low bid before, and Mr. Veeder, City Manager, replied that was the Battery Service Company, and their bid was about a thousand dollars less than their present bid.

Councilman Whittington made a substitute motion that because the City made a mistake on the bids initially that the contract be awarded the Battery Service Company. The motion was seconded by Councilman Thrower.

The City Manager advised that when the City originally bid this, bids were received from Battery Service Company and one other company, and Battery Service Company was low in the amount of \$1,000 less than the bid today; they submitted a higher bid this time than the first time. By virtue of an oversight on the part of the City, we neglected to send an invitation to bid to our present supplier, Joint & Clutch Service, Inc. That by rebidding the City has saved about 5 per cent on batteries over and above the original bid, and the firm that was low bid before increased its bid this time.

Councilman Thrower stated the point is that Joint & Clutch Company had something to shoot at.

Councilman Short stated the City has profited to the extent of 4 or 5 per cent perhaps by forcing the Battery Service Company to reveal its hand, but would this not be the case at any time there is a rebidding and is the City not entitled to reject all bids and ask for a rebid any time for any reason or no reason, thereby forcing one and all to reveal his hand. Mr. Kiser, City Attorney, replied that at any time, the City has the right to reject all bids for any reason, and in addition all bids are revealed publicly at the bid opening so that at any time the bids are rejected everybody who cares to know and cares to be at the bid opening has an opportunity to know what the other bidders bid. That he would seriously question the authority of Council to award a contract to Battery Service Company which is the third highest bidder at some additional \$1,400 higher than the low bid as Council is suppose to make awards on the basis of the lowest responsible bidder taking into consideration performance, quality and so forth; that it seems to him the low bidder,

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Joint & Clutch Service, Inc., would have quite a case against the City or any others for the award to someone other than the low bidder.

Mayor Brookshire asked if it would also be possible for a taxpayer to hold members of City Council responsible for the \$1,200 difference, and Mr. Kiser replied that it would.

Councilman Thrower stated this is an error on the city's part, and he hopes the City has prospered by it. That he does not think the bid can be given to the Battery Service as it will have to go to the low bidder.

The vote was taken on the substitute motion and lost on the following recorded vote:

YEAS: Councilmen Whittington and Thrower.

NAYS: Councilmen Albea, Alexander, Jordan, Short and Tuttle.

The vote was taken on the original motion to award the contract to the low bidder and carried unanimously.

The following bids were received:

Joint & Clutch Service, Inc.	\$ 5,446.19
Battery & Ignition Dist., Inc.	6,691.54
Battery Service Company	6,803.36
Dayton Tire Sales Company	7,486.05

CONTRACT AWARDED COOPER TIRE & RUBBER COMPANY FOR TIRES AND TUBES.

Councilman Thrower moved award of contract to the low bidder, Cooper Tire & Rubber Company, for tires and tubes as specified for various departments in the amount of \$29,090.20 on a unit price basis. The motion was seconded by Councilman Tuttle and carried unanimously.

The following bids were received:

Cooper Tire & Rubber Co.	\$20,090.20
L & N Royal Tire Company	21,903.84
Dayton Tire Sales Co.	22,794.09

Bid received not on specifications:

E. F. Goodrich Company	\$29,019.54
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CONTRACT AWARDED BOYD & GOFORTH, INC. FOR SANITARY SEWER EXTENSION IN BEVERLY WOODS.

Upon motion of Councilman Albea, seconded by Councilman Jordan and unanimously carried, contract was awarded Boyd & Goforth, Inc., the low bidder, in the amount of \$90,366.70, on a unit price basis.

The following bids were received:

Boyd & Goforth, Inc.	\$ 90,366.70
A. P. White & Associates	92,926.00
C. D. Spangler Construction Co.	96,585.00
Crowder Construction Co.	105,515.00

## PROPERTY TRANSACTIONS AUTHORIZED.

Upon motion of Councilman Thrower, seconded by Councilman Tuttle and unanimously carried, property transactions were authorized, as follows:

- (a) Acquisition of 330.3 sq. ft. of property at the NE corner of Sharon Amity Road and Monroe Road, from Humble Oil & Refining Company, at \$1,000.00 for the Sharon Amity Road Widening Project.
- (b) Acquisition of 491 sq. ft. of property at 4329 The Plaza, from John Nick Komas & wife, at \$750.00, for the Plaza Road Widening Project.
- (c) Acquisition of 369 sq. ft. of property at 3330 Eastway Drive, from William M. Brawley and wife, at \$1,000, for the Eastway Drive Widening Project.
- (d) Acquisition of 1,188 sq. ft. of property at 3433 Eastway Drive, from R. B. Isidor and wife, at \$1,000.00 for the Eastway Drive Widening Project.
- (e) Acquisition of 1,306 sq. ft. of property at 2901-07 Eastway Drive, from Craig T. Brown, at \$1,500.00 for the Eastway Drive Widening Project.
- (f) Acquisition of 1,120 sq. ft. of property, at 3511 Eastway Drive, from Roland P. Cooper, Jr. and wife, at \$850.00 for the Eastway Drive Widening Project.
- (g) Acquisition of right of way 25' x 583' off West Boulevard at Taggart Creek, from W. W. Jackson, Guardian, at \$291.50 for easement to the Taggart Creek Outfall sanitary sewer.
- (h) Acquisition of right of way 10' x 115' at 1717 Brook Road, from George W. Grice and wife, at \$1.00 for sanitary sewer to serve Fort Street.
- (i) Acquisition of right of way 10' x 375' on Fort Street, from John S. Edwards and wife, at \$1.00 for easement for sanitary sewer to serve Fort Street.
- (j) Acquisition of right of way 10' x 125' on Fort Street, from Mamie F. Myrick at \$1.00 for easement for sanitary sewer to serve Fort Street.

## RESOLUTION ON CITY-COUNTY COOPERATION IN THE EXTENSION OF WATER AND SEWER IN THE COUNTY.

Mayor Brookshire introduced a Resolution on City-County Cooperation in the Extension of Water and Sewer into the County and stated the City is not mad with anybody about anything, but by this resolution it is attempting to tell the County Commissioners exactly what the position of the City is with respect to cooperating fully with the County in the extension of water and sewer lines beyond the city limits which is their responsibility but the City has indicated a willingness to cooperate with them in making such extensions possible.

Upon motion of Councilman Jordan, seconded by Councilman Albea, the following resolution was unanimously adopted:

WHEREAS, the Mayor and City Council have the elected responsibility of furnishing to the citizens of Charlotte the basic and vital facilities and services requisite to urban living, and in addition are the custodians of all municipal assets, and

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WHEREAS, the water and sewer system of the City of Charlotte has been developed and enlarged over a long period of years, with constant expansions required by growth, at the expense of the citizens of Charlotte, for the benefit of said citizens, and

WHEREAS, the said water and sewer system is an integrated department of city government, having interlocking relationships with various other departments, such as engineering, fire, street, finance, etc., and

WHEREAS, bonds in large amounts have been voted from time to time by the citizens of Charlotte and said bonds have been sold to investment firms and individuals who hold the city solely responsible for repayment, and

WHEREAS, the staff of the Local Government Commission and our bond attorneys advise that these obligations cannot be transferred or assigned to any other unit of government or authority, and

WHEREAS, our bond attorneys have further advised that the City's equity in its water and sewer system can be bargained and transferred only for fair value, and whereas available County credit should be spent for expansion to new areas rather than for purchasing the existing system, and

WHEREAS, in our opinion, and in the expressed opinion of the staff of the Local Government Commission, the operation of a water and sewer system by the County would be more expensive, requiring the County to duplicate certain services such as engineering and maintenance, and

WHEREAS, this City Council does not believe that it would be in the best interests of the citizens of Charlotte and does not believe that it has the legal authority to sell or assign the city's water and sewer systems or in any way divest itself of the responsibility of furnishing such basic services to the citizens of Charlotte, and

WHEREAS, the City Council has a concern for the needs of the total community, including the rapidly developing areas of the county contiguous to the city, and

WHEREAS, the city, through long-range planning, has an adequate water supply as well as capacity to treat sewage for a large portion of the developing areas beyond the city limits, and

WHEREAS, the city has indicated to the Board of County Commissioners a willingness to cooperate in extending water and sewer beyond the city on a legal, equitable and practical basis, and

WHEREAS, those bearing the repayment risk and responsibility for the necessary infusion of new capital should include new users, old users, developers, and taxpayers, whose several obligations should be appropriately defined and not left to future political pressures.

BE IT RESOLVED that the Charlotte City Council proposes to the Board of County Commissioners of Mecklenburg County that the Institute of Government be employed jointly by the two bodies to prepare agreements and the necessary legislation, all to be approved by both governing bodies, to effect a practical, feasible, and legal plan of cooperation for extending the city's water and sewer facilities and services into the urbanizing areas beyond the city.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chairman of the Mecklenburg County Board of Commissioners, with the assurance of full cooperation on the part of the City Council, to the end that the interests of both the City of Charlotte and Mecklenburg County may be served as rapidly as possible.



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CITY MANAGER DIRECTED TO INVESTIGATE THE WATER SITUATION ON EASTWAY DRIVE AS REQUESTED BY VERNON V. BENSON.

Councilman Tuttle stated Council has received letters from Mr. Vernon V. Benson relative to the water situation on Eastway Drive, and he asked the record to show that something is being done about the situation as the City Manager is working on the matter now with the proper authorities.

TRAFFIC ENGINEER REQUESTED TO CHECK INTERSECTION OF SELWYN AVENUE AND BRANDYWINE AVENUE WHERE TRAFFIC ATTEMPTS TO GET INTO SELWYN AVENUE IN THE AFTERNOON.

Councilman Tuttle stated he has received a number of calls about traffic attempting to enter Selwyn Avenue at Brandywine Avenue in the afternoon. That Selwyn is quite a throughway for home bound traffic in the afternoon, and the people coming from the shopping center on Park Road up Brandywine cannot get into Selwyn Avenue. That this is another situation where it looks like the impractical is the thing, as this does not go on all day but just in the afternoons. One man said he sat for 17 minutes by his watch and cars were backed up behind him as far as he could see to the creek. Councilman Tuttle stated he thinks a look into the situation is indicated. There were two accidents in one week involving property damage of over \$1,000 and one of the merchants in the area told him there was at least one accident a week. He stated he has discussed this briefly with Mr. Hoose, Traffic Engineer.

CITY MANAGER REQUESTED TO INCLUDE IN HIS STUDY OF THE ANIMAL SHELTER COMMENTS ABOUT THE RELATIVE OPERATIONAL COSTS JOINTLY WITH THE COUNTY, AND AS TWO SEPARATE UNITS.

Councilman Short requested the City Manager to make it a part of his study and report in connection with the Animal Shelter some comments about the relative operational costs where the City would operate jointly with the County under some procedure and where the City would operate two separate shelters. Council has tended to discuss this on the basis of the capital investment, but he believes the other matters over the years would be worth even more money and he hopes Mr. Veeder can give some comment on it.

TRAFFIC ENGINEER REQUESTED TO GIVE COST FIGURES ON INSTALLATION OF ILLUMINATED DISPLAYS AT THE 12 LOCATIONS IN CITY WHERE THERE ARE NO TURN SIGNS FROM 4:30 TO 6:30.

Councilman Thrower stated at the corner of Stonewall Street and South Tryon Street, there is a No Turn sign from 4:30 to 6:30, and there are about 12 of these signs throughout the city, and he has talked with the Traffic Engineering Department and they think it is a good idea to put some kind of illuminated display up so that when this becomes effective, people will be able to see the sign. He moved that Mr. Hoose be requested to give Council a cost figure on the displays on the 12 locations. The motion was seconded by Councilman Jordan, and carried unanimously.

PARK & RECREATION COMMISSION COMMENDED ON THEIR SUMMER ACTIVITIES FOR YOUNG CHILDREN.

Councilman Thrower stated the Park & Recreation Commission has summer activities for young children which is one of the finest programs that he has ever seen; they literally babysit for these parents. That it is an education program; they have a lot of volunteers, young interested people; they have all kinds of tournaments, and he would like to commend the Commission for this program.

**CITY MANAGER, DEPARTMENT HEADS AND OTHERS COMMENDED ON THE BUDGET.**

Councilman Thrower commended the City Manager, Department Heads and everyone else who had anything to do with the Budget. That it was well prepared, well handled, and he is sure the public as a whole is glad that Council adopted the same tax rate as the City had for the preceding year.

**CITY MANAGER REQUESTED TO REPORT ON NUMBER OF HOUSES OF THE ESTATE OF S. FRANK GAY, WHICH HAVE BEEN DEMOLISHED.**

Councilman Thrower requested the City Manager to give a report on how many of the 14 houses of the S. Frank Gay Estate have been demolished.

**THROUGH TRAFFIC ON WOODLAWN ROAD REQUESTED STOPPED BECAUSE OF HAZARDOUS CONDITIONS AND CONTRACTOR REQUESTED TO SPEED UP THE WORK.**

Councilman Whittington stated in connection with the Woodlawn Road Project, the two bridges on Woodlawn Road have been completed about three weeks, and the barricade has been removed and through traffic, from Park to Pineville Road, is going through under very hazardous conditions. That he would like to suggest that the City notify the contractor or the State to stop the through traffic, and only let the cars through that have to get to their residences; and secondly, that they go on and finish this job. That this part of the program is way behind the Eastway Drive program which was let about the same time except for the bridge - it is about six weeks or better behind schedule and something should be done to try to speed it up.

**CITY MANAGER INSTRUCTED TO ASK THE STATE AND THE COMMISSIONER TO GET THE NORTHWEST EXPRESSWAY WORK STARTED.**

Councilman Whittington stated the contract for the first phase of the Northwest Expressway was let in June and to his knowledge and from a site observation over the weekend, nothing has started out there; and he, on behalf of the Council requests the City Manager to ask the State and the Commissioner to get this road started. That the City has done everything it was asked to do on this project in order to speed the project up and yet nothing has been done.

**PROGRESS REPORT REQUESTED ON WILBUR SMITH ENGINEERING CONTRACT FOR DOWNTOWN STREETS.**

Councilman Whittington requested the City Manager to give Council a progress report on the Wilbur Smith engineering contract of Downtown Streets before the next Council Meeting.

**CITY ATTORNEY REQUESTED TO GIVE COUNCIL AN OPINION AS TO WHETHER RAILROADS CAN BE FORCED TO PARTICIPATE IN THE COST OF BRIDGES OVER OR UNDER STREETS THAT HANDLE VEHICULAR TRAFFIC.**

Councilman Whittington requested the City Attorney to give Council an opinion by the next Council Meeting as to whether the City can force the Railroads to participate in the cost of bridges over or under streets that are handling large volumes of vehicular traffic, and he is talking about streets like 36th Street and North Tryon Street. Also, he would like to

know if the City can require the Railroads in future expansions, such as the development of new industrial parks where they are extending the railroad or building a new railroad, to build bridges over their railroads where streets cross that carry vehicular traffic. That this should be a part of the information Council has for further consideration with the Railroads.

CITY MANAGER REQUESTED TO CHECK CONDITION OF WAR MEMORIAL AT ENTRANCE TO EVERGREEN CEMETERY AND SEE WHAT IS NECESSARY TO PUT IT IN FIRST CLASS CONDITION.

Councilman Whittington advised that shortly after World War II, citizens of the community contributed funds to build a war memorial to the men who were killed in World War II, which memorial was erected at the entrance to Evergreen Cemetery. That this was sponsored by the Gold Star Mothers and each year there is a memorial service held there. That it has been reported to him the concrete or the fillings in between the stones themselves are coming out and if something is not done fairly rapidly, this memorial will be in bad shape, and the City should look into it and see what can be done and put in in first class condition.

NO PARKING SIGNS ON NORTH PINE STREET AT 24TH STREET REQUESTED REMOVED.

Councilman Alexander stated two weeks ago he raised the question about some no parking signs on North Pine Street at 24th Street, and information was given that these signs were placed at the request of two persons who lived in the area at the time, and in checking he finds that these people have long since moved and if it was done at the request as stated that he sees no further need for the signs and he requests that the signs be removed unless Mr. Hoose has some reason why they should stay.

CITY ATTORNEY REQUESTED TO CHECK INTO MATTER OF CARS CUTTING THROUGH SERVICE STATIONS AND TO DRAW ORDINANCE TO PROHIBIT THIS PRACTICE.

Councilman Whittington stated since Council met two weeks ago, a question appeared in Quest - "Is it illegal to cut through gas stations at intersections to make a short cut from one street to another?" That this was read by some service station people who called him, and Judge Beacham's answer to Quest was that it was not illegal. Councilman Whittington stated this could create a hazard and he would like for the City Attorney to consider drawing an ordinance or rewriting an ordinance which would make this illegal. With people cutting through service stations and attendants, children and ladies getting in and out of cars there could be a real tragedy on private property and then the question would be who is responsible.

RESOLUTION RATIFYING, CONFIRMING AND APPROVING THE SIGNING AND FILING OF THE APPLICATION FOR APPROVAL OF PROPOSED REVENUE ANTICIPATION NOTES WITH THE LOCAL GOVERNMENT COMMISSION.

Upon motion of Councilman Jordan, seconded by Councilman Tuttle, and unanimously carried, the subject resolution was adopted.

The resolution is recorded in full in Resolutions Book 5, at Page 308.

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CITY MANAGER ADVISES LEAGUE OF CITIES MEETING TO BE HELD DECEMBER 3 AND DECEMBER 7, 1966.

Mr. Veeder, City Manager, advised that the League of Cities Meeting will be held December 3 through December 7, and he would encourage all members of Council who can attend this meeting to do so. That those who attended the meeting last year in Detroit came back with a number of thoughts which related to the future of Charlotte.

CITY MANAGER DIRECTED TO SET UP HEARING ON AUGUST 8 FOR THE SIGN ADVERTISING COMPANIES.

The City Manager advised that Council has received a letter from Schloss Poster Advertising Company requesting a hearing before Council to discuss some of their problems, and similar letters were directed to the Planning Commission. In discussing this with Mr. McIntyre, Planning Director, it seemed that it would be desirable to have both the Planning Commission and the Council give Mr. Schloss an opportunity to discuss his problems in a joint session, and towards that end he suggests the hearing be scheduled for the Conference Session two weeks from today on August 8.

Councilman Whittington stated he thinks the hearing is in order; however, he would suggest that Interstate Sign Company be notified as they have the same interest and the same type business as well as others, and he thinks that some thought should be given to Starnes Sign Company and Perry and the others. That if you are going to do it for one then do it for all of them instead of having two or three hearings.

Mr. Veeder stated perhaps there would not be enough time in the normal conference session to cover this, and perhaps it is desirable to invite all the others in related business and it should be set up for a longer time on some day other than the regular meeting day.

Councilman Thrower stated he thinks the two are completely unrelated, that both are outdoor advertisers, but it is not the same type of advertising - one is identification and the other is just advertising.

Councilman Whittington stated in fairness to the other people who say they have been grossly hurt in their operation under this ordinance, they should be allowed to come before Council.

Councilman Jordan asked why this could not be set up an hour earlier and give them the extra hour and invite all the sign advertisers, which would give two hours for the conference agenda, instead of meeting at 2 o'clock, they could meet at 1 p.m.

Council members concurred in this suggestion and the City Manager was directed to set up the hearing for the Conference Session beginning at 1 o'clock p.m.

CITY MANAGER ADVISES HE WILL START TWO WEEKS VACATION FIRST WEEK IN AUGUST.

Mr. Veeder, City Manager, advises he plans to start his vacation the first of August for two weeks, if agreeable with Council.

ADJOURNMENT.

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

*Ruth Armstrong*  
Ruth Armstrong, City Clerk