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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, May 23, 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 H. Thrower, Jerry C. Tuttle and James B. Whittington present.

ABSENT: None.

Charlotte-Mecklenburg Planning Commission met with the City Council, and as separate bodies, held the public hearings on petitions for changes in the Zoning Ordinance and Map of Charlotte and the Perimeter Area, with the following members present: Mr. Sibley, Chairman, Mr. Ashcraft, Mr. Gamble, Mr. Olive, Mr. Stone, Mr. Tate and Mr. Toy.

ABSENT: Mr. Jones, Mr. Lakey and Mr. Turner.

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INVOCATION.

The invocation was given by the Reverend George C. Peterson, Pastor of Resurrection Lutheran Church.

MINUTES APPROVED.

Upon motion of Councilman Thrower, seconded by Councilman Albea, and unanimously carried, the Minutes of the last meeting on May 16th were approved as submitted.

HEARING ON PETITION NO. 66-53 BY DAIRY STORES, INC. FOR CHANGE IN ZONING FROM R-9 TO B-2 OF PROPERTY FRONTING APPROXIMATELY 85 FEET ON THE SOUTH SIDE OF MARSH ROAD, BEGINNING APPROXIMATELY 205 FEET EAST OF SOUTH BOULEVARD AND HAVING A DEPTH OF 200.0 FEET.

The public hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, stated this is a small tract of land on Marsh Road just off South Boulevard; it is bounded on the South Boulevard side by a tract occupied by Krispy Kream Donut Shop, and a portion of Sedgefield Shopping Center, and all along South Boulevard there is a mixture of general business uses. The property is bounded on the east side and opposite side of Marsh Road by single family residences that continue all along Marsh Road in an easterly direction.

The zoning of the subject property at the present time is single family, it is bounded on the South Boulevard side by Business-2 zoning extending all along the east side of South Boulevard; the zoning on the west side of South Boulevard is Industrial all the way to York Road. The property all along Marsh Road is zoned single family.

Mr. William Shuford, Attorney for the petitioner stated the subject property was acquired on November 6, 1961 by the Rudolph Investment Corp., which still owns it. They bought the property as a single tract - 200' x 215' - at the corner of South Boulevard and Marsh Road. The front 215 feet is zoned B-2 and the rear approximately 75 feet is zoned R-9, so the zoning line cuts

through the tract, cutting off the rear 75 feet from a business use. The Zoning Ordinance which established the zoning for the area was adopted January 29, 1962, which was three months after the property was purchased, nevertheless the zoning line cut through the tract, lopping off the rear portion. That they feel the purpose of the Zoning Ordinance was to establish a B-2 zone along South Boulevard to a depth of 200 feet, which is shown by the meandering B-2 zone line which appears on the Zoning Map, and extends the full depth of the ownership of property fronting on South Boulevard, except in the case of the petitioner.

Mr. Shuford stated they contend that it would only be fair and good zoning practice for the B-2 zoning line to be made to conform to the property line, for this is a small tract of land and it is not practical for the front portion to be zoned B-2 and the rear portion R-9, which prohibits the full usage for business purposes of the entire tract. He stated there is no protest to the requested change in zoning, the surrounding property owners have been contacted and the situation discussed with them and all of them filed their consent to the change with the Planning Commission.

Councilman Albea asked if the B-2 zoning were extended to the rear lot line how near to the nearest residence fronting on Marsh Road would the line be? Mr. Shuford replied it would run the B-2 zoning to the rear lot line of the property fronting on Marsh Road, and there is a house on the lot which is owned by the Trustees of Forest Hill Presbyterian Church, and he understands that they do not object to the B-2 zoning adjoining the property at the rear - in fact, there are two of the Trustees of the Church present who are willing to so state.

Mr. Charles Hunter, Executive Vice-President, Harvey B. Hunter Dairies, stated they have petitioned for the change in zoning for the Rudolph Corporation because they would like to install a Dairy Drive-thru Store on the property, that it is not too different from the Drive-Thru Banks because they do not want any congregating of people, they want them to drive in and in 90 seconds be served and be on their way, and there would be no eating on the premises whatsoever. He stated they have one of these stores already in operation in Starmount and they feel they are a high-type of store, and he invited the Council to visit this store and look it over.

No objections were expressed to the proposed rezoning.

Council decision was deferred for one week.

ORDINANCE NO. 478 AMENDING CHAPTER 23, ZONING, OF THE CODE OF THE CITY OF CHARLOTTE WITH RESPECT TO FREIGHT TERMINALS AND TRUCK TERMINALS.

The public hearing was held on Petition No. 65-89A by the Charlotte-Mecklenburg Planning Commission to amend Article III, Division I, Section 23-31, category (c) of the Table of Permitted Uses, to delete Freight Terminals and Truck Terminals as uses by right in the I-1 District, and insert wording to make them conditional uses subject to requirements stated in Sec. 23-40.1 and insert new Sec. 23-40.1 as follows:

Sec. 23-40.1 Freight Terminals and Truck Terminals.

- (a) Freight Terminals and Truck Terminals may be permitted as a conditional use in the I-1 District subject to the following requirements:
 - (1) Vehicular access to the terminal will be provided from major thoroughfares and will not require the use of minor residential access streets.

- (2) No portion of the terminal shall be located in such a manner as to create a hardship on adjacent property in residential zoning districts.
- (b) As a prerequisite to approval of an application for this conditional use, the Council shall find that the use of the proposed site for terminal purposes shall be in keeping with the general character of the development of neighboring industrial properties, is located in such a manner as to provide protection to adjacent residential areas from noise, nighttime illumination and fumes and will not be detrimental to additional future development in the vicinity.

Mr. Fred Bryant, Assistant Planning Director, stated this is actually the outgrowth of a request by the City Council a few weeks ago for the Planning Commission to make a study that would lead to something a little less stringent than what had been proposed for the change in Freight and Truck Terminal regulations. That as of now, Truck and Freight Terminals are a permitted use in I-1 zoned districts without any restrictions or extra requirements of any sort.

He stated the original request that Council considered a few months ago was to make Freight and Truck Terminals in I-1 districts subject to a 300 foot setback from property lines. As an outgrowth from that, Council considered making them a Conditional Use in I-1 districts, and this the Planning Commission has done and comes to Council with their recommendation. That the more they studied the situation, they were convinced that this is perhaps an even better approach to the question than the 300 foot setback restriction, as this would permit each individual case being considered on its own merit, it would permit each situation to be considered from the standpoint of just how much setback was needed, and it would let us take into consideration the property involved, adjoining land uses and many other things.

Mr. Ben Horack, Attorney representing R. C. Motor Lines, stated that a day or so ago, prior to this meeting, he sent to the Council a letter, which he thinks was self-explanatory; that R. C. Motor Lines bought their property, consisting of about 20 acres, out on I-85 on the strength of the I-1 zoning at that time, and at the present date has prepared plans and special layouts and gotten a permit for construction and graded the site and invited bids from contractors to build their proposed Truck Terminal and have contracted to sell their old Terminal located off South Tryon Street. Therefore, he reminds the Council of his suggested efforts to the Amendment to the Zoning Ordinance which is before them for consideration this afternoon, wherein he added a section which would in essence constitutes a grandfather clause for R. C. Motor Lines, and anyone else similarly situated to whom a permit has been granted but they have not proceeded far enough with the actual pouring of the foundation to come within the category of a nonconforming use. That it was his thought that people who came to Charlotte with plans and active efforts for these facilities ought not to be penalized by a change in the zoning ordinance, therefore should be exempt from its application. Mr. Horack filed with the City Clerk a copy of his suggestion, which is the same one that he sent to Council.

Councilman Whittington asked Mr. Fred Bryant, Assistant Planning Director, and then the City Attorney to comment on Mr. Horack's requested addition to the ordinance.

Mr. Bryant remarked that he has discussed the suggestion with Mr. Horack and his personal opinion is that it is perfectly in keeping with the aims as originally outlined, and arrives at a suitable change in the ordinance in this respect. He stated that as he understands it, the Section suggested added to the ordinance by Mr. Horack would not become an active part of the

Zoning Ordinance itself but a part of the adopting procedure pertaining to the Ordinance and would merely state, as he indicated, that any use for which a permit had already been issued would not be affected by the Amendment to the Ordinance now before Council, provided construction was started within a period of 6 months.

Mr. Kiser, City Attorney, remarked that he thinks that Mr. Horack's suggestion is perfectly proper.

Mr. William Trotter, President of Nance-Trotter Realty, Inc., and a member of the Community Facilities Committee of the Home Builders Association, stated that from the viewpoint of a residential property owner near I-1 zoning, this action started around the fall of 1964 when Trucking Terminals were a permitted use in I-2 zoned districts, but not in I-1 zones. At that time there was a problem on I-85 and in order to accommodate a specific zoning request, a city-wide ordinance was amended to permit Trucking Terminals anywhere in I-1 districts. This came to the attention of the Home Builders Association and on August 18, 1965 after some research the Association asked the City Council for a public hearing to review this with the thought of establishing a 300 foot buffer zone between Trucking Terminals and residences. That this was the second time that the Planning Commission had recommended the 300 foot buffer, in the fall of 1964 and again in 1965. The hearing was granted and at it Mr. Bledsoe appeared for the Home Builders Association and Mr. Algie Lawing, President of the Charlotte Board of Realtors spoke in support of keeping trucking terminals away from the doorsteps of residential uses. No action was taken by the City Council and they surmised that Council in its wisdom saw fit not to make an abrupt change that would hurt the Motor Lines.

A lot of time has passed and now it appears that Council is interested in doing something about this to keep these Terminals from practically under someone's bedroom window. Now, first of all, the idea that a 300 foot buffer would be wasted land is a red herring - it could be used for parking for example. The buffer zone is not unique in Charlotte, even if you have a Business zone that allows shooting galleries, you cannot have it right next to a residence, you have to allow so many feet between, but this does not mean that the Shooting Gallery has to buy all the land 300 or 400 feet around it and leave it to lie idle; what it means is that other acceptable business uses can occupy the intervening space, and this is what he is talking about here. No one is asking the Trucking Companies to buy 300 feet of ground and turn it into a park or let it lie idle. If a home owner should buy a tract of land, part of which is zoned Industrial, he does not have to let that lie idle for generations, he merely builds homes or something permitted in a residential zone - and so the Trucking Terminal can use the 300 foot buffer zone for something else, perhaps a warehouse or some other usage permitted in it. Secondly, and this argument comes under the category of another red herring - that is, if Council takes action that restricts Trucking usage in I-1 districts they are taking something away from the trucking industry; that if this argument had any validity it would be that in the fall of 1964 Council took something away from every residential property owner in the City by allowing Trucking Terminals to go right in next door to him.

Mr. Trotter stated further that he has heard today from Mr. Phil Alexander, an Executive Officer of the Board of Realtors, that the Board is of the same opinion on the subject and supports the idea of protecting residential property or uses from Trucking Terminals, and of the 300 foot buffer. That the alternative that the Planning Commission and Staff have come up with may well be the answer to the problem, but he wants to point out that their recommendation does not do anything but throw it back in the laps of the Council, and in effect, the Council will be assuming the job of the Building

Inspector - every time someone wants a building permit the problem will wind up in their laps if it is controversial or if they want something that is not fully covered by precedent, and this means that it is now proposed that the City Council, already burdened with more and more zoning cases, takes on the ruling on building permits, and with some future Council, as a matter of favoritism can see his Trucker gets just what he wants. Mr. Trotter asked why not put some provision in the Zoning Ordinance that can be fair and equal to all, if not 300 feet then put it 200 feet, but put some kind of a safe and definite separation between the man's bedroom and that 24 hour a day tailgate banging, mufflers going, speeding motors, et cetera.

Mr. Louis Bledsoe commended the Council for the diligence with which they have tried to solve this problem which affects one of the major industries of the Charlotte area and the population itself, and for this the Home Builders Association is most indebted.

The proposal that was put before Council by the Home Builders Association to add a buffer zone so as to allow Trucking Terminals to exist in I-1 zones, restricting moving traffic within 300 feet of a residential area, was recommended by the Planning Commission. Very definite progress has been made in the recommendations before the Council now, and there is no question but that in requesting the Planning Commission to restudy the matter and now considering their recommendation, the Council is attempting to handle the problem instead of ignoring that the problem exists. The only concern that he has about this problem is if the Council has not invited a tremendous workload for every time any company at all interested in coming into Charlotte and building a terminal or other type business, checks the zoning and finds that a residential area is adjacent to the I-1 zone, they will come in and attempt to get the Council to approve their plans regardless. That would greatly concern the residential owner of Charlotte, but he thinks it will concern the Council more, for it will put the whole problem up to the City Council. That he foresees it will bring many headaches and problems; so if the ordinance as it is now is adopted we will wait and see if he is not right. It is the economics that are involved that brings about the problems and Council will hear that cry, what can they do when a man says "I have paid \$150,000.00 for a piece of property out here adjacent to a residential area, and I have got to have some relief, what are you going to do about it". But if Council tells the trucking firms that they are in an I-1 zone and when they go to build they can do so with a 300 foot buffer zone, and they can build a number of things within the 300 foot buffer or they can park on it, but they cannot have moving trucks within that area - that is what the Home Builders Association recommended and still recommends, and so to make their plans accordingly, and the problem is solved both for the Truckers and the residential owners, and the Truckers can so make his plans ahead and he need not waste that 300 feet of land. Mr. Bledsoe stated that he is merely bringing out this point on behalf of the Home Builders Association - and he will leave this one question, has the Council cured the problem or just created headaches?

Councilman Thrower remarked that he would like to tell Mr. Bledsoe that the Council has been working on this question about 18 months and have had their problems and this is what they think is the most reasonable for everybody, so let's live with it for a while.

Councilman Tuttle commented to Mr. Bledsoe that he feels a little responsibility for paragraph (b) for he can see where a 300 or 200 feet buffer would be grossly inadequate, and this is the best thinking of the Planning Commission and the Council.

Councilman Tuttle then moved that regardless of what decision Council makes on this ordinance, that it be considered with the addition of the Section suggested by Mr. Horack, copies of which the Council received prior to this meeting. The motion was seconded by Councilman Whittington, and unanimously carried.

Councilman Thrower then moved the adoption of Ordinance No. 478 Amending Section 23, Zoning, of the Code of the City of Charlotte, Article III, Division I, Section 23-31, with respect to Truck and Freight Terminals. The motion was seconded by Councilman Whittington, and unanimously carried.

The ordinance is recorded in full in Ordinance Book 14, beginning at Page 328.

HEARING ON PETITION NO. 66-54 BY H. E. HALL, FOR CHANGE IN ZONING FROM R-6MF AND B-1 TO B-2 OF THREE LOTS ON THE SOUTHWEST CORNER OF EAST FIFTH STREET AND EAST SEVENTH STREET, FRONTING 203.85 FEET ON EAST FIFTH STREET AND 100.0 FEET ON EAST SEVENTH STREET.

The public hearing was held on the subject petition.

Mr. Bryant, Assistant Planning Director, stated the property consists of three lots at the intersection of East 5th and East 7th Streets; the corner lot of the property is used by Hall Fuel Oil Company, and the two adjoining lots are vacant. The property across 7th Street is occupied by the Firemen's Hall and the property across 5th Street is vacant, there is a duplex at the diagonal corner of 5th and 7th and single family residences primarily up 5th Street, with a few duplexes. On 7th Street, the adjoining property is vacant down to Briar Creek, with a Service Station located at Briar Creek. Other than that the property is all vacant. The zoning of the subject property is B-1 on the corner lot, as is all the property down 7th Street to Briar Creek, and the other two lots of the subject property are zoned R-6MF as is the remaining portion of the inside area.

Mr. H. E. Hall, the petitioner, stated that he has been operating a fuel business on a portion of the property for about fifteen years, and in the meanwhile the zoning was changed to B-1. It has been recommended that he have these other two lots and the corner lot zoned B-2, which is the zoning the corner lot calls for, and he will greatly appreciate Council's consideration of his petition for this change in zoning.

Councilman Whittington asked Mr. Hall if he is planning to put tanks on the property? Mr. Hall replied that is correct, he would like to bury tanks on the portion of the property next to the corner lot, which he is occupying at the present time. Councilman Whittington asked if he plans to expand any west on 5th Street coming back towards Mercy Hospital, and Mr. Hall replied that he does not. Councilman Whittington then asked if he owns the property towards Briar Creek on 7th Street, and Mr. Hall stated that he does not. Councilman Tuttle asked if his tanks would not all be underground, and Mr. Hall replied that they would be, that he has at the present time tanks buried on his property at the corner and he had to acquire this additional property for use for that purpose.

No objections were expressed to the proposed rezoning.

Council decision was deferred for one week.

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HEARING ON PETITION NO. 66-55 BY OAKHURST REALTY COMPANY, INC. FOR CHANGE IN ZONING FROM R-9MF TO I-2 OF AN IRREGULAR SHAPED TRACT OF LAND FRONTING 52.21 FEET ON THE EAST SIDE OF CHIPPENDALE ROAD, BEGINNING 726.67 FEET NORTH OF MONROE ROAD, AND EXTENDING EASTWARD FROM CHIPPENDALE ROAD APPROXIMATELY 764 FEET.

The public hearing was held on the subject petition.

Mr. Bryant, Assistant Planning Director, stated that the property is located to the rear of what was formerly the Hudson Hosiery Mill property on Monroe Road. The property is vacant, the adjoining property has two operations on it, Atlantic Wool Combing Company and the Woonsocket Spinning Company; the property adjoining the other side has on it a Beauty Shop, and the property is adjoined all along Chippendale Avenue by single family residences; to the east there is an area that is presently being developed for apartment uses. Along Monroe Road itself there is a mixture of industrial uses. The zoning of the property is R-9MF, as is the property to the north, west and east, and it is adjoined only on the south side by I-2 zoning that extends on out Monroe Road.

Mr. Robert Perry, Attorney for the Petitioner, stated that Amocal Industries, Inc., is the parent company of three corporations he is interested in talking about today, they are Woonsocket Spinning Company, Atlantic Wool Combing Company and a new corporation which hopefully will be the third company if their petition is approved. Amocal Industries also own Oakhurst Realty Company, which is the petitioner for this rezoning; therefore, the manufacturing companies involved are simply sister companies to the owner of the land. Atlantic Wool Combing Company has a completely different operation from Woonsocket Spinning Company; Woonsocket uses some of Atlantic products, but they are completely separated types of operation, and about the only thing these companies have in common is the fact they are owned by the same Corporation. The plan of Amocal Industries is to form a new Corporation which will engage in a different type of manufacturing, therefore it is not feasible even if the present Plant was adequate, for the companies to use joint facilities other than a joint warehouse. They are using the Old Hudson Hosiery Mill to its full capacity and there is no opportunity at all for either of the present companies to expand their operations; therefore, there is no room in the building for the new operation. Moreover, if they should add on to this building, rather than building a completely separate building, they would prevent the two present companies from expansion, and close off the service entrance and cut off Atlantic Wool Combing Company from its coal bin, together with a number of other reasons, such as cause the building to run into their sanitary sewer field, which is a special disposal unit, and would have to build on a filled area, which they are hesitant to do.

He stated that unless the petition is granted, it will be impossible to expand this operation; their only alternative would be to go somewhere else and find some other property that is suitably zoned, perhaps in this community, but he thinks they can see the problems involved there where the new corporation will be using some of the products of perhaps both of the sister companies; certainly some of Atlantic products. Not only that, they would have a problem of communication; they would not be able to use the same telephone facilities and all in all it would be very impractical for them to locate in any place other than this. That he hopes he has demonstrated that it is not practical to add on to the present building.

He stated further their company owns the property to the rear of this tract, but they have not made application to rezone all the property; they have left a very substantial area to the rear which they are not asking to be rezoned, and therefore, they are providing a buffer zone to the rear them-

selves. That on the right side of the property as you face it from the Old Monroe Road, the terrain is very rough, very low and falls off into a big swell which will act as an effective buffer between the property in question and the apartments which are being built. The apartments are hardly visible from this property although from a standpoint of distance they are not too far away.

Councilman Thrower asked what the Company is going to make and Mr. Perry replied that is a secret, but it is something they think is really going to be great; that it is a new process. They did say it would be as different from Atlantic and Woonsocket, as Woonsocket and Atlantic are from each other.

Councilman Tuttle asked Mr. Bryant the condition of the little houses immediately adjacent? Mr. Bryant replied they are frame homes reasonably well-kept. Councilman Tuttle asked if this property comes immediately up to these houses, and Mr. Bryant replied the request for rezoning would come immediately to the rear of this property. Councilman Tuttle asked if this would be a roaring type operation, and Mr. Perry replied he understands there will be a noise factor but it will not be any more obnoxious than the present operation.

Councilman Short asked Mr. Perry if the use planned here would be possible in I-2 but would not be possible in I-1? Mr. Perry replied he is sure that it will be the same general type of thing; some kind of dealing in textiles or wool, some processing of that type, and he would assume that they need whatever is the minimum zoning.

No objections were expressed to the proposed change in zoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 66-56 BY GENE JOHNSON'S REMODELING SERVICE, FOR CHANGE IN ZONING FROM R-9MF TO B-1 OF ELEVEN LOTS FRONTING 550 FEET ON THE SOUTHWEST SIDE OF EASTWAY DRIVE, BEGINNING 490 FEET NORTH OF SHAMROCK DRIVE.

The public hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, presented a map of the property and surrounding area, and stated this request consist of eleven lots on the southwest side of Eastway Drive, beginning just about opposite Michigan Avenue and extending towards Tryon Street along The Plaza and along Eastway, just past Audrey Street. The subject property has on it at least two houses and other that it is vacant; it is adjoined on the south side by the Shopping Center Area around Shamrock and Eastway Drives; adjacent to it is a Drive-in Restaurant with a number of retail stores. The business area across Eastway, beginning at Michigan Avenue and going back towards Shamrock is a series of small stores, beginning with a Doctor's office and then going into such things as a drapery store, barber shop, hardware store etc. A relatively new fire station is located on Frontenac, and directly across Eastway Drive from the property it is developed with single family residences all the way through to Michigan Avenue and Audrey Street.

Beginning at Shamrock Drive intersection, the zoning is B-1 on both sides of Eastway Drive to a point near Michigan Avenue where there are two lots zoned O-6, with one lot on one side of Eastway Drive zoned O-6, both being set up as a transitional area of Office between the business and residential area. Continuing out Eastway on both sides the zoning is R-9MF for the entire area, including all eleven lots which are being considered today.

Councilman Tuttle asked Mr. Bryant if this is going to be the beginning of another "Independence Boulevard" for Eastway Drive? Mr. Bryant replied he thinks this is a very serious consideration for it would begin extending business zoning along Eastway from the buffer that we now have.

Mr. A. Woodrow asked if B-1 will be for business as he does not know what B-1 is? He was told that it would be for business. Mr. Woodrow then stated his property is on the east side, and this states the subject petition is on the east side. Mr. Bryant replied that the property in question is on the southwest side. Mr. Woodrow stated he wants his property zoned the same thing. Mayor Brookshire advised him that he could make an application and petition Council for the change but he cannot say whether they would or would not approve his petition at this time.

Mr. Parker Whedon, attorney, stated he represents Gene Johnson's Remodeling Service and the other property owners of the property involved in this petition. That the property as shown on the map is located on Eastway Drive, the proposed Belt Road which has been celebrated in a controversy whose echos still reverberate in this Chamber, and the Belt Road is no longer in a proposal stage; work has already begun at both ends - and more recently Council has seen the pictures of tree cutters invading what was once actual residential property. That the last vestige of a residential character of this property is being taken away with the establishment of this thoroughfare, and it will have no more value, his clients contend, for any worthwhile residential use, the only value this property will have will be for some kind of commercial use and that is the reason they are asking that these eleven lots fronting on this thoroughfare be rezoned for business.

Councilman Whittington asked if there are any residences on this property, and Mr. Whedon replied there are two or three small frame residences on the property, pictures of which were mailed to the Council and Planning Commission. He stated that looking from the north in a southerly direction along the westerly side of the road are the houses belonging to the petitioner whose considered view of the economic situation is that he will be much better off to remove those houses and put the property to the use consistent with what is going on and has been going on at the intersection where there is a considerable cluster of business.

Mr. Whedon stated along the rear of this property is a very low area and a heavily wooded branch which will serve as a natural and effective buffer to the residential property on the rear. He advised that he has heard of no protest being made thus far.

Mr. Whedon called attention to the traffic situation along Eastway Drive which is well known to anybody who drives along Eastway Drive, and they anticipate that this will be increased tremendously with the completion of the Belt Road. That he understands it calls for a 60 foot width of pavement, 4 lanes, with a total right of way 100 feet. They say the values of their property for residential purposes has been taken away and will be taken away entirely by these developments. Mr. Whedon pointed out on a diagram a proposed super market building, containing 30,000 square feet, to be located at the north end of the property which will have adequate parking facilities surrounding it.

Councilman Short asked how definite this plan is, and Mr. Whedon replied the idea of Mr. Johnson was to construct the building and lease it to some company like the Kroeger Company from whom they have a letter expressing very definite interest in the rental of the building at this location.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 66-57 BY CHARLES E. HICKS, FOR CHANGE IN ZONING FROM R-9 TO R-6MF OF A 5.75 ACRE TRACT OF LAND FRONTING 546.37 FEET ON THE EAST SIDE OF PARK ROAD, BEGINNING 740.86 FEET NORTH OF TOWNES ROAD.

The subject petition was presented to be heard and the Council was advised that a petition protesting the change in zoning has been filed by owners of more than 20% of the area within 100 feet adjacent to one of the side lines of the property requested rezoned, and is sufficient to invoke the 20% rule requiring the affirmative vote of six Councilmen in order to rezone the property.

Mr. J. W. Kiser, City Attorney, advised that it has come to his attention that the protest petition referred to was filed on last Wednesday which was not two work days prior to the public hearing date, and was, therefore, not filed in time and in accordance with the requirements of the General Statutes with respect to the filing of protest petitions. Because of that, the Protest is not sufficient to invoke the 3/4 Rule. However, it may be considered as a general protest.

Councilman Short asked if this is on account of the holiday on last Friday, May 20th, and otherwise the petition would have been sufficient? Mr. Kiser replied that is correct.

Councilman Albea remarked that he does not think they should be penalized because the City Hall was closed that day.

Mayor Brookshire stated that Mr. Albea has raised the question as to whether or not Council should impose this penalty since Friday was a holiday, and Mr. Kiser replied that the General Statutes of North Carolina require that a petition protesting a zoning petition be filed at least two normal work days, excluding Saturdays, Sundays and legal holidays prior to the date established for public hearing.

Mr. Fred Bryant, Assistant Planning Director, stated he thinks we will have to admit to an error in the publication on this. When the legal notice was written and when the sign was placed on the property, none of us noticed the fact that there would be a holiday intervening, and therefore the legal notice and the signs on the property did state May 18th as the deadline for filing of a protest petition.

Mayor Brookshire asked Mr. Kiser if this would alter the situation, and Mr. Kiser replied we cannot by error violate the provisions of the Statutes.

Councilman Albea remarked that he has never wanted anything lost by default, and that is what we are doing here.

Councilman Tuttle asked Mr. Kiser what is meant by a legal holiday? Mr. Kiser replied in this case it is a legal holiday - Mecklenburg Independence Day - declared so by the General Statutes. Councilman Albea stated the City Council, itself, in years gone by made it a legal holiday as far as City Hall was concerned.

Councilman Alexander asked in view of what Mr. Bryant has said about the mistake that was made, is there anyway out - or are we legally bound, and there is no alternative? In light of the facts in the case perhaps we could claim an error on the advertisement? Mr. Kiser replied no.

Councilman Short asked if the hearing cannot be re-scheduled? Mr. Kiser replied we could perhaps readvertise the hearing for the petition, however, we have a zoning petition before us, a public hearing scheduled for the

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petition and in some manner that has to be disposed of. At the moment he does not know anything that can be done, except perhaps a withdrawal by the petitioner, that a continuance would do no good because it would be continuing the date of the public hearing from today until another day.

Councilman Alexander asked if Council could defer any action today to give Mr. Kiser time to give a definite legal opinion as to what action can be taken under the circumstances? Mr. Kiser replied that Council may defer a public hearing at any time. The rules with respect to the public hearing and the 3/4 Rule would have to be effective as of last Tuesday.

Councilman Tuttle asked in deference to these people who acted in good faith according to the Sign, could the Council not resolve that they would abide by the 3/4 Rule vote? Mr. Kiser replied we are talking about the rights of some other people involved in this petition, in addition to the rights of the Council to claim the 3/4 Rule, and he does not think we can get at the problem in that fashion.

Councilman Albea asked then what can be done to be fair to everyone? Mr. Kiser replied it is his opinion that we have to proceed with the public hearing as advertised and when the time comes to vote, the 3/4 Rule will not be in effect.

Mayor Brookshire stated on the basis of that ruling, the Council will proceed with the hearing of the Petition.

Mr. Bryant advised that the property is located on the east side of Park Road going out from town and Marsh Road leads to the left towards South Boulevard, and Yale Place comes off Park Road to the east. The subject property consists of a little more than 5 and 1/2 acres and is entirely vacant. It is bounded on the north, south and east by property that is developed in single family residences. Across Park Road, at the corner of Marsh Road is St. Luke's Lutheran Church, on the other corner is the Cimarron Apartments, then Catholic High School; then there are four single family houses going out Park Road, and then the new Y.W.C.A.

He stated the zoning in the area is entirely single family, with the exception of the corner of Marsh Road and Park Road on which Cimarron Apartments is located, and it is zoned R-6MFH.

Mr. Ben Horack, Attorney for the Petitioner, stated he is distressed about the 3/4 Rule as had he been on the other side, it could so easily have happened to him as it was a date so very notoriously outstanding, May 20th, but nevertheless it is pretty easy to overlook when you start anticipating things weeks in advance in a routine fashion. He regrets that, but he asked that the Council in their voting, which he presumes will be next week, and the Commission too, to take into account as it were, whatever weight they think normally would be generated by a protest of real consequence such as the one that has been filed, but for the single finger of faith, would have brought into play the 3/4 Rule.

Mr. Horack stated the protestants who have filed this petition are one or two on Park Road, but he does not think there is any on the opposite side of Park Road from the subject property over near St. Lukes and the YWCA building. That predominately the people affected are those back on Marlwood Terrace, which is the street that comes into the rear of this property; those are the people who are protesting, in addition to a Mrs Jones on the side of the property. That he does not suppose there is anybody who has a private single family residence that is particularly in love with the prospects of a multi-family use of property in the vicinity of their own.

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Mr. Horack stated he has sent to each of the Council a brochure. That the property is on Park Road and the reasons for the requested change were set forth in his brochure and he will elaborate on them again. That basically it is on Park Road and Park Road is sort of a dead-duck for something that fronts on it, as far as new construction. There is St. Luke's Lutheran Church, Cimarron Apartments, Catholic High and the YWCA, and like it or not, it might have been otherwise. But this segment of the Park Road artery running through the middle of Charlotte has already been earmarked for other than single family uses, and the Cimarron Apartments that are across diagonally from the subject property is already zoned R-6MFH and his request is for R-6MF. In addition to what is there and in spite of its effect on the people to the rear on Marlwood Terrace, and other property in the immediate vicinity, it cannot be used and will not be used as a practical matter for single family usage. The rear of the property is honey-combed with gulleys, ditches and sure enough running creeks. The property in the area is estimated 15 to 20 feet below the surface of Park Road and honey-combed as it is, it is not going to be used for single-family usage.

In the petition which was filed, the property was described as having been acquired in 1965 by deed which is true, but was actually deeded to Mr and Mrs Hicks in order to get the property in the joint name of husband and wife, rather than just his alone; the Hicks family has owned this property for years; Mr Hick's mother and her sister acquired it from J. K. Wolfe 30 years ago, and it has been in the family coming down to Mr. Hicks by Will.

Mr. Horack stated that Mr. Hicks does not have any specific plans for multi-family usage of this property; some petitioners can afford to get the architectural, engineering and designing work done in advance and say here is what we are going to do, and then if they do not get the zoning, that is part of their overhead; but Mr. Hicks is not in that favorable position. Nevertheless, it is hoped that the property is rezoned so that it can be used for something, and Mr. Hicks hopes to be able to swing it himself and hopes to be able to get the necessary finances to do it. That it cannot be used for single-family and although his sympathies are with the people at the rear, he does suggest that waiting for 30 years to do something for this property is waiting long enough and the time has come where they should have relief.

Mr. Joe Millsap, Attorney for the protestants, raised objection to the ruling by the City Attorney and asked Mr. Kiser if it is based on the City Code or State Statutes, and does the State Statutes show a time limit? Mr. Kiser replied that the Statutes and City Code read the same. That the Statutes provide "No protest against any change or amendment in a zoning ordinance or zoning map shall be valid or effective for purposes of G. S. 160-176 unless it be in the form of a written petition, actually bearing the signatures of the requisite number of property owners, and stating that the signers do protest the proposed change or amendment, and unless it shall have been received by the Municipal Clerk in sufficient time to allow the Municipality at least two normal work days, excluding Saturdays, Sundays, and legal holidays, prior to the date established for a public hearing on the proposed change or amendment." That the City Code provides "A protest against any proposed change which is intended to invoke the requirement of G. S. 160-176 for a 3/4 majority vote shall be filed with the City Clerk in sufficient time to allow at least two normal work days, excluding Saturdays, Sundays and legal holidays, prior to the date established for public hearing on the proposed change."

Mr. Millsap stated he is speaking in behalf of some 50 citizens who filed the protest and some other 18 to 20 citizens who have later signed a protest petition. That in July 1960, the Planning Commission changed the plan from

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a general development of the area of which the Hicks property is a part, and everything in the immediate vicinity is zoned R-9 except the Cimarron Apartments. That it is true there are schools and churches and the new YWCA in the area, and he thinks these are the types of establishments which any thinking citizen would want in his residential area. Within the past ten years the residences of the adjoining property immediately adjacent to this tract have been built, and some of them have cost considerable amounts of money in the \$25,000 to \$30,000 category; and it is true that most of these homes are behind the subject property we are talking about and not on Park Road; however a couple of signers of the petition reside on Park Road, and there are even names on the petition of persons behind St. Luke's Church on Marsh Road.

In May of 1963 Mr. Hicks joined in and signed a protest in opposition to Petition No. 63-30 for the rezoning of land immediately in front of the land which he seeks to rezone today - that is the land from Marsh Road going south on Park Road. He called attention to the map which he presented and stated the only apartments in the area are the Cimarron Apartments located directly across from the proposed apartments. That it is 3/4 of a mile down to the Park Road Shopping Center and 1/2 mile back up Park Road to anything other than a residential area; it is 3/4 miles across country to get to anything other than residential area and it is a mile and 1/4 down to Woodlawn Road, all of this general area following the general plan that it be used for residential purposes, the one exception being the Cimarron Apartments.

Mr. Millsap stated that in the Marlwood Street area alone there are some 60 children of high school age and under. The Cimarron Apartments in the area have shown the residents they are going to have a parking problem; not only that there will be Sunday afternoon parties that disturb the neighborhood considerably such as the one they had there Sunday a week ago, and the construction of another apartment building in the area would create more problems in a Residential R-9 district. The traffic on Park Road is already crowded and it will be more congested with this additional traffic. He presented a picture of the traffic at 7:30 Monday morning and stated it is backed up to Yale Place; the Traffic Engineering Department tells him that there are 15,000 cars traveling that street during a 12 hour day.

Mr. Millsap stated further that immediately behind the subject property there is a creek which is fed by two branches, and he is told by the people in the area that even today these branches flood and the river is quite broad at that point, and to put an apartment there would increase the flood hazards considerably. To put an apartment house in this area would devalue the property of these homeowners. That if the zoning law has any reason for being, he thinks it is there to protect the people who have invested their savings in their homes, and in this case the investment has been within the past ten years, and he asked that this fact be considered carefully. That less than three years ago, Council and the Planning Commission determined that this area should not be rezoned; and it was residential property at that time, and he submits that the character of the neighborhood has not changed. That we talk in terms of building up Downtown Charlotte, and he says we should also endeavor to maintain and keep in their present form the fine residential area which we have where it is possible to do so, and this is one that he thinks would certainly be devalued by the placing of apartments on this property and he requests that they not be put there. The rezoning of this land will create an additional traffic hazard; it will devalue the property; it will, in effect, constitute spot zoning, and the proposed use of this land is not in keeping with the uses in the surrounding area; he asked that they not let the mistake that was made with the Cimarron Apartments be repeated.

Mr. A. P. McMillan, resident of Marlwood Terrace, stated he would like to suggest that the hearing is failing for lack of notice; that if the notice was improper, then it was not a notice, and therefore the hearing is invalid.

Councilman Short asked Mr. Kiser to read the North Carolina Statutes concerning signs, if it is handy? Mr. Kiser replied the North Carolina Statutes with respect to public hearing advertisement simply states that notice of the advertisement should be given in the newspaper for two successive calendar weeks and for a certain length of time. It does not specify the contents of the advertisement and no where is there a requirement that the advertisement show the date by which a protest on the petition be filed. That the same thing applies to the City Code.

Councilman Albea stated the signs on the property were placed there at the request of Council some years ago to the Planning Board.

Mr. John Dunlap stated he lives across Park Road from the property, and he has an interest in what is going on across from him. That they already have the facts about the traffic conditions, the Cimarron Apartments face Park Road and run up Park Road and from his front porch he looks right into their parking lot, and he can testify to the amount of traffic. How did this apartment come about? It was placed in the zoning plan at the time of the overall plan in 1962 and there were no signs and no notices placed on the property, and the people in the neighborhood overlooked that any change had been made in the property until they were in the process of moving the house to build the apartments. Since that time, the property directly across from the subject property came up for rezoning, and the people in the neighborhood immediately appealed to the Planning Board and the Council and that petition was refused. They are ready to start again if he can judge by the fact that a month ago he had a call from a person interested in the other property who wanted to know if he would protest it if it came up again for rezoning, and he told him he would.

Mr. Dunlap referred to the map of the area and pointed out the property in question, the Church property consisting of two lots, and a private residence that was up for rezoning in the same fashion as the subject property but was denied; he pointed out the location of his home and stated he has lived here for 26 years and has watched the development with interest; that he looks onto the apartment parking lot from his front porch and the parking go so bad that within the last month or two an additional request was made to give them additional parking space so they could get their cars off the road. That he went to the Planning Board and was assured that changing the property to allow additional parking would not in any way change the zoning of the building allowed and for that reason no protest was made; getting the cars off the road and parking them back on the lot he approved.

Mr. Dunlap stated this is one of the nicest areas in Charlotte with it being unmarred with high rise apartments, high density apartments or commercial institutions. If the subject property goes to apartments, then it would almost naturally follow that the area was broken down and the parking would be almost at his property line. That the Petitioners use the argument that they have had the property for 30 years and cannot sell it for anything, but he believes there were plenty of times it could have been used for private residences.

Mr. Dick Hurley, resident of Marlwood Terrace, stated he is the father of six of those sixty children. That he sympathizes with Mr. Horack; however, he thinks he is asking them to buy a "pig in a poke" in that Mr. Hicks has no plans, he would just like to get it rezoned.

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Mr. Jerry Kennelly stated he is not a native Charlottean, he is an ex-yankee who came here as it is a beautiful and fine place, and one thing that impresses the city slicker from up north is the caliber of City and County government that we have here. The Council as the elected representatives are doing a tremendous job, and they together with the Planning Commission, are making Charlotte one of the prettiest cities not only in the South but in the entire country. That they have elected the members of Council and have faith in them, and here are fifty people who have signed a petition, and some of them live on Yale Place and they are the ones who are suffering today from the effects of Cimarron Apartments. That with no disrespect to Mr. Kiser, he thinks the law is making a mistake when fifty people such as they, can be disenfranchised.

Mr. J. D. Taylor, resident of Marlwood Terrace, stated he is one of the property owners adjacent to the property requested rezoned. That Mrs Jones whose property adjoins the subject property, could not be here due to an accident, and she has requested him to express her extreme opposition to the rezoning of the property. Mr. Taylor stated that ^{for} some years he worked with Mr. Dunlap and when he sought a place to live he selected this area - Marlwood Terrace - because it was R-1 zoning; and at that time those who built there realized that it would be a protected area or else they would not have assigned R-1 zoning to that area. They earnestly request that Council give serious consideration to the area keeping its present zoning.

Mr. Jim Carlton, resident of Marlwood Terrace, stated he is father of more than 10% of the sixty children. That he wants to speak in behalf of the 2½ to 5 year old toddlers, and he cannot even say how many there are. That all of the residents cooperate by parking their cars in their driveways at all time, and consequently Marlwood Terrace is usually free of parked cars unless someone is entertaining, and these 2½, 3, 4 and 5 year old children feel free to cross the street without being admonished to look right and left, and they play in Marlwood Terrace, and all they have to do is take a look at Yale Place at any hour and see what has happened to that street, and there is nothing more dangerous for a playing child than a parked car.

Council decision was deferred for one week.

APPOINTMENT OF JOHN E. INGERSOLL AS CHIEF OF POLICE.

Mayor Brookshire remarked that he would recognize Councilman Whittington, our Mayor pro tem, at this time on a matter of considerable community importance and interest.

Councilman Whittington prefaced his remarks by saying this is a long statement and he made it that way because of its importance, and he would hope that the news media would attempt to see to it that the entire statement is made available in their news media, either Television, Radio or Newspaper.

Councilman Whittington stated that on behalf of the City Council he would like to make the following statement, which has to do with the office of Chief of Police:

"Chief John S. Hord informed Council on January 4, 1966, that he planned to retire on June 30, 1966. Since Chief Hord made that announcement, the City Council has been actively seeking the best qualified man available to serve as Charlotte's next Chief of Police.

Our first official action was on January 10 when the Council made the following statement:

'The services of the International Association of Chiefs of Police will be used to assist in the selection of the next Chief of Police. The IACP, through its publications and contacts, will inform the law enforcement profession throughout the nation of the position that will be available in Charlotte. The IACP will receive applications for the position and will conduct an examination of all candidates. Following this examination process, the Council will be provided with the names and an evaluation of each of the top candidates. The selection process will be completed by the Council.

The Council's objective is to obtain for Charlotte the best qualified Chief of Police who is available.

Members of the Charlotte Police Department who want to be considered for the position are urged to submit applications to the IACP. Others in the community who want to be considered are also urged to submit applications to the IACP.

All applicants will receive equal consideration.'

The International Association of Chiefs of Police, following our request, proceeded to advertise the position. The examination was preceded by nationwide publicity, announcing the upcoming vacancy. Announcements were published in two issues of The Police Chief (circulation 10,000). In addition, the announcement was sent to Police Associations in fifty states; to every four-year college or university in the country known to offer a police science or criminology degree program; and to selected two-year colleges.

Thirty eight (38) applications were submitted to the International Association of Chiefs of Police from all sections of the country. Twenty eight (28) applicants were admitted to the written examination, and thirteen (13) were deemed to have performed sufficiently well on the written test to be invited to the oral examination which was held in Washington, D. C. The oral board was composed of: Quinn Tamm, Executive Director, International Association of Chiefs of Police, Charles W. Woodson, Jr., Superintendent of the Virginia State Police, and William H. T. Smith, Chief of Police, Syracuse, New York.

The International Association of Chiefs of Police informed us that the oral examination and the written test produced only two candidates for consideration by the City Council. Neither of these men are from Charlotte. Both of them were invited to Charlotte and have been interviewed by all members of the City Council. While both of these men are ranking police executives with fine police experience, it was the opinion of Council that they did not meet the needs of the Charlotte Police Department. This meant that the process initiated on January 10 was completed and our conclusion was that we must look elsewhere for the next Chief of Police.

The majority of Council instructed City Manager William Veeder to invite John E. Ingersoll, Director, Field Operations Division, International Association of Chiefs of Police, to come to Charlotte to discuss the vacancy.

This was done.

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The Council also sent two of its members to Chicago to seek advice from Mr. O. W. Wilson, Chicago Superintendent of Police. The two Councilmen, Mr. Thrower and Mr. Tuttle, reported that Mr. Wilson spoke highly of Mr. Ingersoll, giving him an unqualified endorsement.

Now is an appropriate time to share Mr. Ingersoll's background with the citizens of Charlotte.

Mr. Ingersoll has a Bachelor's degree of Criminology from the University of California. He has completed the graduate residence and course requirements for the degree of Master of Criminology. His past experience includes service as Special Agent, Counter Intelligence Corps, United States Army, and service with the Oakland, California, Police Department from early 1957 to 1961. During a portion of his service with the Oakland Police Department, he served as Administrative Assistant to the Chief of Police and Officer in Charge of the Planning and Research Division. He has served as an instructor in Police Science at Oakland City College and as a lecturer in criminology at the University of California. In 1961, Mr. Ingersoll was employed by the International Association of Chiefs of Police to serve as a Consultant in Police Administration. In 1962 he was appointed Assistant Director for Field Operations of the Field Service Division for IACP. He currently serves as Director of the Field Operations Division with the responsibility of direction of all field assignments and survey projects undertaken by the Association. He has participated in or directed surveys in over eighty (80) police departments in the United States. Mr. Ingersoll is 36 years old and resides in Falls Church, Virginia, with his wife and four children.

The citizens of Charlotte will also be interested in knowing why Mr. Ingersoll thinks highly of Charlotte. He has expressed the viewpoint that the Charlotte Police Department presents a real opportunity. Among other things he has mentioned are: the new building that is to be constructed, the stable record of good government, the pending consolidation of City and County Police records, and the availability of computers for police purposes.

This process has been a long and tedious one for Council, and the Citizens of Charlotte can be assured that Council has not treated it lightly. We have spent a great deal of time on the subject and have given it much very serious thought. Our conclusion is that Mr. John E. Ingersoll can provide the Charlotte Police Department with the type of leadership that will make a good police department even better.

We believe the public wanted the Council to select the best man available as Charlotte's next Chief of Police. We believe we have done so. Now we ask the public to give Mr. Ingersoll and all members of the Police Department their wholehearted support."

Councilman Whittington stated that at the request of Council, he moves the appointment of Mr. John E. Ingersoll as Chief of Police, effective as near July 1st as possible, at an annual salary of \$17,880.00, and he is pleased to make this motion. The motion was seconded by Councilman Tuttle.

Councilman Thrower stated he is probably expected to make a public statement, but he is not going to do it because he does not think it would do anything but hurt the situation. He is going to do the only thing he can do, as he

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feels he has a moral responsibility here, he cannot vote for this man, and again there is no point in elaborating on why, he has a hard enough job to do to start with.

The question was called for, and the vote was taken with the following results:

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

Mayor Brookshire remarked that he thinks they can assure the public that the new Chief has not been chosen on the basis of political expediency, but rather on his qualifications, after a long and exhaustive study. Mr. Ingersoll impressed all of them, that is six members of the Council and the Mayor, as being a christian gentleman interested in community and civic affairs and highly qualified on the basis of training and experience. And he and the Council ask the public to give this new Chief of Police its full support and cooperation.

RESOLUTION ORDERING THE MAKING OF CERTAIN PERMANENT IMPROVEMENTS ON CHESTERFIELD AVENUE, FROM BASCOM STREET TO HANOVER STREET.

The public hearing was held on the Petition of 55% of the abutting property owners on Chesterfield Avenue, from Bascom Street to Hanover Street, for improvements by constructing roll type curb and gutter for a total distance of 1,100 front feet. The total project cost being estimated at \$6,785.00 of which amount the City's share is estimated at \$2,756.00, and the amount to be assessed against the owners of property abutting upon the improvement estimated at \$4,029.00, at an estimated \$3.66 per front foot.

No objections were expressed to the improvements being made.

Councilman Albea moved the adoption of a resolution entitled: Resolution Ordering the Making of Certain Permanent Improvements on Chesterfield Avenue, from Bascom Street to Hanover Street, which was seconded by Councilman Short, and unanimously carried.

The resolution is recorded in full in Resolutions Book 5, beginning at Page 267.

REQUEST OF CHAMBER OF COMMERCE FOR THE CONTINUATION OF APPROPRIATION OF \$30,000 FOR THE NEXT THREE YEARS FOR THEIR NATIONAL INDUSTRIAL ADVERTISING PROGRAM TO BE CONSIDERED WHEN 1966-67 BUDGET PREPARED.

Mr. W. T. Harris, President of the Chamber of Commerce, stated that he is here with the officers of the Chamber of Commerce, to discuss Charlotte-Mecklenburg's national industrial advertising program. As the Mayor and Council are aware, three years ago the city, county and the Chamber of Commerce joined hands to tell the "Great Charlotte-Mecklenburg Story". This story has been told as completely as the allotted monies would permit, and the figures he will give will show that the accomplishments during that period are no less than astounding:

Our Industrial Development for the 30 months period prior to our Advertising Program was that 176 firms came to Charlotte, they employed in the beginning 3,949 people, the areas they occupied were 1,811,120 square feet, and their total investment was \$24,120,000 in plants, buildings, etc.

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Now, our Industrial Development for the last 2½ years up to May 1st, after our Advertising Program began has only one negative figure, only 144 firms came to Charlotte, but these firms were larger and they provided jobs for 5,251 people, and their square footage was 2,655,450 and their total investment was \$30,380,000.

The capital investment during this period had an increase of over \$6,000,000 or a 26% increase over the same period prior to our Advertising Program.

And, as he has said, employment during the Advertising Program was 5,250, an increase of over 1,300 or 33% over the same period prior to this program.

Now, we have an even greater story for the next three years because the accomplishments he has just covered can only strengthen us in every way. As in every advertising program, the dollars spent today insure greater returns on the invested advertising dollars of yesterday. It has long been proven that continuity in advertising is far more effective than "on and off" splurges, therefore, he is requesting that the Council again join hands with the Chamber, making possible the writing of another chapter in "The Charlotte-Mecklenburg Story", that more and more people in industry and distribution can be aware of: our strategic location, our plentiful water supply, our attractive business sites, our healthy climatic conditions and our social and civic atmosphere. We do, indeed, have a wonderful story to tell and a fine harvest to reap from this job being well done, not just monetary gains for a community, or City, but a wholesome and inviting future for the youth of our area, providing employment opportunities that they may remain here successfully instead of having to transplant to areas offering more. It is not difficult to see the results of the failure in many areas of our own state, as well as other parts of our nation, that leads to our young people going somewhere else to procure a livelihood.

It is only through the combined efforts of government and the business community that we can grow and perform in all phases necessary to insure another successful chapter in our story that can be told three years hence. Our neighbor to the south (Atlanta) will be shouting their story in every possible way with a budget of one and one-half million dollars for the next three years, and they will be attempting to persuade those same people and firms that we need and want and must have to guarantee our future growth. We contend that we cannot afford to remain silent when we have such a wonderful story to tell.

We therefore, strongly urge the Council to continue the appropriation of \$30,000 for the next three years, so that the Charlotte Chamber of Commerce may continue to advertise our wonderful community and area in national trade magazines.

Mr. Harris stated that they also have 161 firms at this time that they have been negotiating with on one level or another - people who are interested in coming to Charlotte, not necessarily today but over the next five years.

As the Mayor and Council know, the Charlotte Chamber of Commerce spends \$60,000 a year of its own money that the business leadership of this community believes is worth it. We think it is the finest dollar that you can ever spend.

He stated he is reminded of one of our better known soft-drink bottlers about thirty years ago, he asked him why he continued to have billboards, newspaper, radio and television advertising when he has 80% of the business already, and his answer was very simple - he said when you are on top, you stay on top and you keep moving and you keep advertising. We people of

the retail business world would starve to death if we did not have a continuous, fluid advertising program selling our wares to any person who will read our Ads and come to us.

So, they are saying that the southeast has the greatest possibilities of any area within the next twenty-five years, and Charlotte, North Carolina, is the Queen City of all of this area and we ask the Mayor and Council of this city to cooperate with the Chamber and furnish this \$30,000 for the next three years so that we may continue this very fine program.

Mayor Brookshire asked if it will satisfy Mr. Harris if the City promises to give his request serious consideration as they prepare the new Budget for 1966-67? Mr. Harris replied that it will, indeed.

Mayor Brookshire commented that he thinks the Chamber people have been real good stewards of the money the City has placed in their hands for this purpose, returning it to this community many times over in the facilities, job opportunities and taxes, and he thanked them for a job well done.

MEETING RECESSED AT 4:25 P.M. AND RECONVENED AT 4:35 P.M.

Mayor Brookshire recessed the meeting for a ten minute period at 4:25 p.m., and it was reconvened at 4:35 p.m., and called to order by the Mayor.

ALBERT PEARSON EXPRESSES OBJECTIONS TO THE CITY APPROPRIATING FUNDS TO THE CHAMBER OF COMMERCE NATIONAL INDUSTRIAL ADVERTISING PROGRAM.

Mr. Albert Pearson stated that three years ago he had something to say about the Advertising that has just been discussed. Three years ago the Chamber of Commerce wanted to handle it entirely, it was notified to have two members of the City Council and two members of the Board of County Commissioners on the Committee, and he does not know whether they had meetings or not. He would like to say that this is just another time the City Council and Board of County Commissioners abdicated their responsibility to an outside group. He stated it is pretty easy to have a City like Charlotte in times like today when national economy is high anyway, and it is easy to show growth, and for any group to take credit for the growth of the City of Charlotte based on \$60,000 of Advertising, is pure bunk - it is just like one person having a franchise to sell all the insurance in Charlotte and then say, "look at me, I've done a perfect job." He stated what the President of the Chamber of Commerce has said here today could have been said just as easily three years ago. And he says if we need an Industrial Development Board, the Chamber of Commerce is neither qualified nor does it represent the whole population of Charlotte. That the trouble with the Chamber of Commerce is they believe in total power, and they are going to wake up one of these days and find that their total power has been spread. They will lose it.

He suggested that the Council not go on record appropriating any more money for this Advertising until the State Legislature passes another Bill approving such appropriations for this purpose.

Mr. Pearson stated that it does not matter who Council selects as Chief of Police unless they let the City Manager and the Mayor of Charlotte accept their responsibility for the Police Department, and they tell the City Manager publically that he has the authority to tell the Chief of Police what to do and what not to do. That the Mayor of Charlotte has the responsibility and authority to find out what is going on in the Police Department and make recommendations to the Council.

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DECISION ON PETITION NO. 66-43 BY JAMES L. HIGHSMITH & COMPANY FOR CHANGE IN ZONING OF A LOT LOCATED AT 3733 MONROE ROAD, FROM B-2 TO I-1, DEFERRED FOR FURTHER STUDY BY THE PLANNING COMMISSION.

Motion was made by Councilman Thrower, seconded by Councilman Tuttle, and unanimously carried, deferring action on the subject petition, pending a recommendation by the Planning Commission after their further study of the petition.

PETITION NO. 66-44 BY SPANGLER LAND COMPANY FOR CHANGE IN ZONING OF A TRACT OF LAND LOCATED ON THE WEST SIDE OF BEATTIES FORD ROAD, 140 FEET SOUTH OF KELLER AVENUE, FROM B-1 TO B-2, DENIED.

Upon motion of Councilman Albea, seconded by Councilman Tuttle, and unanimously carried, the subject petition for change in zoning classification was denied, as recommended by the Planning Commission.

ORDINANCE NO. 479-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING THE ZONING OF A LOT FRONTING ON THE EAST SIDE OF SHARON AMITY ROAD, BEGINNING 185 FEET NORTH OF ALBEMARLE ROAD, FROM R-9 TO B-1, ADOPTED.

Councilman Jordan moved the adoption of the subject ordinance, changing the zoning from R-9 to B-1 as recommended by the Planning Commission. The motion was seconded by Councilman Tuttle, and unanimously carried.

The ordinance is recorded in full in Ordinance Book 14, beginning at Page 330.

DECISION ON PETITION NO. 66-46 BY ERVIN CONSTRUCTION COMPANY FOR CHANGE IN ZONING OF THE BLOCK BOUNDED BY CEDARHURST DRIVE, WOODSTONE DRIVE AND DALECREST DRIVE, AND OF A LOT ON THE SOUTHEAST CORNER OF DALECREST DRIVE AND WOODSTONE DRIVE, FROM R-9MF AND I-1 TO R-6MF, DEFERRED PENDING THE FURTHER STUDY OF THE PLANNING COMMISSION.

Motion was made by Councilman Alexander, seconded by Councilman Whittington, and unanimously carried, deferring action on the subject petition, pending a recommendation of the Planning Commission after their further study of the petition.

ORDINANCE NO. 480-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE CHANGING THE ZONING FROM R-6MF AND B-1 TO B-2 OF FIVE TRACTS OF LAND AS FOLLOWS: (1) 3 LOTS 60' X 160' ON THE NORTH SIDE OF SUGAR CREEK ROAD BEGINNING 79 FEET WEST OF THE PLAZA. (2) A LOT 100' X 150' ON THE SOUTHEAST CORNER OF SUGAR CREEK ROAD AND HANSEL TERRACE. (3) PROPERTY ON THE NORTHEAST CORNER OF SUGAR CREEK ROAD AND REDWOOD AVENUE FRONTING APPROXIMATELY 300 FEET ON SUGAR CREEK ROAD AND 230 FEET ON REDWOOD AVENUE. (4) 4 LOTS ON THE SOUTHEAST CORNER OF BEARWOOD AVENUE AND SUGAR CREEK ROAD FRONTING 193 FEET ON BEARWOOD AVENUE AND 93.3 FEET ON SUGAR CREEK ROAD. (5) 4 LOTS AT THE NORTHEAST CORNER OF BEARWOOD AVENUE AND SUGAR CREEK ROAD FRONTING 198.5 FEET ON BEARWOOD AVENUE AND 161.7 FEET ON SUGAR CREEK ROAD, ADOPTED.

Upon motion of Councilman Jordan, seconded by Councilman Tuttle, and unanimously carried, the subject ordinance was adopted and is recorded in full in Ordinance Book 14, beginning at Page 331.

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DECISION ON PETITION NO. 66-49 BY V. R. SNIDER AND A. P. PERKINSON, JR. FOR CHANGE IN ZONING OF A LOT LOCATED AT 2934 COMMONWEALTH AVENUE, FROM R-9 TO R-6MF DEFERRED FOR TWO WEEKS.

The subject Petition was considered and the City Council was advised that a protest petition to the change in zoning had been filed by owners of more than 20% of the area within 100 feet adjacent to one of the side lines of the property, and is sufficient to invoke the 20% rule, requiring the affirmative vote of six Councilmen to rezone the property.

Councilman Albea moved that the subject petition for the change in zoning be denied as recommended by the Planning Commission. The motion was seconded by Councilman Tuttle.

Councilman Whittington offered a substitute motion that action on the Petition be deferred for two weeks. The motion was seconded by Councilman Short.

Councilman Albea asked the reason for requesting the deferment, and stated that every time we have a 6 to 1 vote it seems someone wants to defer it either before or after the hearing and he cannot say that he is dead set against deferring things but at almost every meeting when Zoning Petitions are heard this comes up.

Councilman Whittington remarked that his asking for deferment of action on the petition in no way indicates how he would vote on it. He was asked to defer it today because the adjoining property owners are considering joining in the petition, and that is all that he knows and he has nothing personal involved at all, and he is just acting on the request of the petitioner. Councilman Albea replied that his opposition there is that they should have joined in the Petition when it was filed. That he cannot say that he is dogmatic about this, but he is getting fed up on deferments after the Planning Board has made its recommendation.

The vote was taken on the substitute motion, and carried unanimously.

DECISION ON PETITION NO. 66-50 BY A & G INVESTMENT COMPANY FOR CHANGE IN ZONING OF A LOT LOCATED AT 4101 CENTRAL AVENUE FROM R-6MF TO O-6 DEFERRED FOR RECOMMENDATION OF THE PLANNING COMMISSION AFTER THEIR FURTHER STUDY OF THE PETITION.

Upon motion of Councilman Thrower, seconded by Councilman Whittington, and unanimously carried, decision on the subject petition was deferred pending the recommendation of the Planning Commission after their further study of the petition.

PETITION NO. 66-51 BY MRS JOHN H. LITTLE AND MISS SARA LITTLE FOR CHANGE IN ZONING FROM B-1 TO B-2 OF A TRACT OF LAND ON THE NORTHWEST CORNER OF ALBEMARLE ROAD AND DRIFTWOOD DRIVE DEFERRED FOR ONE WEEK.

Councilman Jordan moved the adoption of an Ordinance changing the zoning of a tract of land on the northwest corner of Albemarle Road and Driftwood Drive, from B-1 to B-2 as recommended by the Planning Commission. The motion was seconded by Councilman Albea.

A substitute motion was offered by Councilman Whittington that the Petition be denied. He remarked that he cannot imagine allowing a contractor to have a building and a warehouse fenced in next to the property on Driftwood Drive

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in less than 30 feet from a home on Driftwood Drive according to Mr. Bryant's statement last week. That he can see the logic for what the Planning Commission has stated in regard to their recommendation, but he thinks the Council would be allowing a facility out there that is certainly not conducive to good residential zoning.

Councilman Albea commented that he would like to go out and look at the property as he has not seen it, but he would not vote to deny the petition; that he has not seen it but the Planning Board has and he took their word for it.

The motion did not receive a second and lost.

Councilman Whittington remarked that Mr. Albea says he has not seen the property, and he will offer a substitute motion that action on the petition be deferred for one week, so that any Councilmen who have not seen the property may do so. Councilman Short remarked that he will second the motion, provided that Mr. Albea would like to have a deferment. Councilman Albea replied that he did not say that.

The vote was taken on the substitute motion to defer action on the petition for one week, and carried by the following vote:

YEAS: Councilmen Whittington, Short, Alexander, Jordan, Thrower and Tuttle.
NAYS: None.

Councilman Albea abstained from voting.

ORDINANCE NO. 481-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING THE ZONING FROM R-6MF TO B-1 OF A LOT AT THE NORTHEAST CORNER OF MARVIN ROAD AND BEAL STREET, FRONTING 326 FEET ON MARVIN ROAD AND 174 FEET ON BEAL STREET, ADOPTED.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and un-animously carried, the subject ordinance was adopted, changing the zoning of the lot from R-6MF to B-1 as recommended by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 14, beginning at Page 332.

RESOLUTION DESIGNATING THE LOCATION OF THE LAW ENFORCEMENT FACILITY.

A Resolution Designating the Location of the Law Enforcement Facility to be built by the City of Charlotte on the land comprising the eastern half of the block bounded by East Trade Street, South McDowell Street, East Fourth Street and South Myers Street, was introduced and read.

Councilman Jordan moved the adoption of the Resolution, which was seconded by Councilman Tuttle.

Councilman Thrower asked the City Manager what the building will cost? Mr. Veeder, City Manager, replied that he can only say the property has not been appraised, the next step would be to have it appraised jointly with the County because they would be having some of the adjoining property appraised.

Councilman Thrower asked if the City Manager does not think this should be done before the Council votes on the location as they might be voting \$2,000,000 or \$200,000. Mayor Brookshire remarked that he thinks it will

be at prevailing real estate prices in Charlotte, and he thinks this is the logical location and everyone has agreed on that because of its proximity to the Court House and Jail. Councilman Thrower remarked that he is not assuming anything after the vote down here today.

The City Manager commented that he thinks the distinction should be made that we are not voting to acquire the property, that will come at a later date; after the appraisals have been had, then Council could act accordingly. And he would hope there is some way that we would be able to realize some outside sources to help with this, but he does not know if this is possible.

Councilman Whittington asked the City Manager what the target date is for beginning construction? Mr. Veeder replied that he does not think there is one, as such, except that he knows the viewpoint of Council is that the work be started as soon as possible, and he would hope this could be done.

Councilman Whittington stated that he would ask, and hope that Council would concur, that the City Manager go back to the Architects and get whoever now is responsible for getting this property appraised and tell him that we want this property appraised with all haste and tell him to give us the target date when construction will begin. The City Manager stated that Mr. Toy, the Architect, has done a great deal of work on this; he has met with him on numerous occasions and he is making real progress. He thinks that a lot of the time that is being spent now is not time that shows in terms of construction drawings, in fact this is the "pick and shovel" work that is going to result in the building being a real credit to Charlotte. A great deal of work has gone on and a great deal must go on before we get to the point of actual construction drawing, and he is satisfied that this work is proceeding in good fashion and he will certainly do everything to see that it keeps moving at a very fast rate.

Councilman Thrower asked if the City Manager will expedite the appraisals, and Mr. Veeder replied that he most certainly will.

The vote was taken on the motion, and carried unanimously.

The resolution is recorded in full in Resolutions Book 5, at Page 268.

CONSTRUCTION OF SANITARY SEWER MAINS IN FORT STREET AND IN CHARLESTON DRIVE AUTHORIZED.

Upon motion of Councilman Thrower, seconded by Councilman Albea, and unanimously carried, the construction of sanitary sewer mains were authorized as follows:

- (a) Construction of 430 feet of sewer main to serve a portion of Fort Street, at the request of John S. and Katherine B. Edwards, 2801 Fort Street. The estimated cost of the construction is \$2,535.00 to be paid by the applicant, whose deposit in this amount has been received and will be refunded as per terms of the contract.
- (b) Construction of 200 feet of sewer main in Charleston Drive, inside the city limits, at the request of Jordan Volkswagon, Inc. The estimated cost of the construction is \$2,010.00, to be paid by the Applicant whose deposit in this amount has been received, and will be refunded as per terms of the contract.

RIGHT OF WAY AGREEMENT WITH STATE HIGHWAY COMMISSION FOR CONSTRUCTION OF
SANITARY SEWER TRUNK ALONG EDWARDS BRANCH UNDER INDEPENDENCE BOULEVARD.

Councilman Alexander moved approval of a Right of Way Agreement with the State Highway Commission for the City to construct an 18 inch sanitary sewer trunk along Edwards Branch under Independence Boulevard. The motion was seconded by Councilman Albea, and unanimously carried.

AGREEMENT AUTHORIZED TO LEASE WITH FEDERAL AVIATION AGENCY DELETING ROOMS
15 AND 17 AT DOUGLAS MUNICIPAL AIRPORT FROM LEASE.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, the Lease with the Federal Aviation Agency, dated January 17, 1964 for space at the Airport Terminal, was authorized amended to delete Rooms 15 and 17 from the Lease and their rental be reduced to the total amount of \$11,284.00 per year.

EXECUTION OF DEED FOR PERPETUAL CARE ON LOT 43 AND LOT 43, 7-FRACTION,
SECTION I, ELMWOOD CEMETERY, AUTHORIZED.

Councilman Alexander moved that the Mayor and City Clerk be authorized to execute a deed for Perpetual Care on the plots of Mrs A. L. Shepard and M. H. Cone, being the North half of Lot No. 43 and the East half of Lot No. 43, 7-Fraction, Section I, Elmwood Cemetery, at \$100.80. The motion was seconded by Councilman Albea, and unanimously carried.

CONFIRMATION OF SALE OF STEEL BUILDING AT DOUGLAS MUNICIPAL AIRPORT TO
EDWARD L. MILLS.

Councilman Jordan moved that the sale of a steel building, approximately 43' x 50' in size, at Douglas Municipal Airport be confirmed to the high bidder, Edward L. Mills, at his bid price of \$1,710.00. The motion was seconded by Councilman Tuttle, and unanimously carried.

The following bids were received:

Edward L. Mills	\$1,710.00
Paul M. Bost	1,500.25
Joe Keistler	1,334.56
David C. Braswell	1,225.00
Kenneth B. Knox	1,000.00
C. B. Wuertenberger	751.00
Auto-Mechanical Industries, Inc.	660.00
George C. Thrower	535.00
Gene Widenhouse	454.00
Wm. C. Brown	300.00
Morris J. Dimsdale	210.00

THREE 3-MONTHS LONG SUMMER INTERSHIPS APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Alexander, and unanimously carried, three 3-months long summer Internships were approved, as recommended by the City Manager.

ACQUISITION OF PROPERTY FOR RIGHTS OF WAY FOR SHARON AMITY ROAD AND EASTWAY DRIVE WIDENING PROJECTS, AND EASEMENTS IN CONNECTION WITH SHARON AMITY ROAD AND EASTWAY DRIVE WIDENING PROJECTS, NORTHWEST EXPRESSWAY AND MAIDEN STREET.

Motion was made by Councilman Thrower, seconded by Councilman Whittington, and unanimously carried, authorizing the following property transactions:

- (a) Acquisition of 9.96 sq. ft. of property at 2517 Sharon Amity Road, from Henry D. Price and wife, Odessa, at \$150.00, for Sharon Amity Road Widening.
- (b) Acquisition of 52.3 sq. ft. of property at 2123 N. Sharon Amity Road, from William E. Browning and wife, Carolyn, at \$102.00 for Sharon Amity Road Widening.
- (c) Acquisition of 1,882 sq. ft. of property at 3422 Eastway Drive, from E. E. Woodwin and wife, Zada, at \$1,600.00, for Eastway Drive Widening.
- (d) Purchase of Construction and Drainage Easements over 61.31' x 25' of property at 912-14 North Poplar Street, from Industrial & Commercial Inc., for the Northwest Expressway.
- (e) Payment of \$250.00 damages in construction and drainage easements over property of Verlin V. Long, at 1300 N. Sharon Amity Road, for Sharon Amity Road Widening.
- (f) Payment of \$25.00 damages in construction easement over property of Johnny M. Phillips, at 1312 North Sharon Amity Road, for Sharon Amity Road Widening.
- (g) Payment of \$10.00 damages in construction easement over property of Bobby Horne and wife Katherine, at 2513 North Sharon Amity Road, for Sharon Amity Road Widening.
- (h) Payment of \$25.99 damages in construction easement over property of Bryte G. Alexander, at 2020 Eastway Drive, in Eastway Drive Widening.
- (i) Purchase of easement 10' x 463.44' on south side of Maiden Street, from W. S. Clanton and wife Ivonia, for the construction of a sanitary sewer to serve Maiden Street.

CONTRACT AWARDED SUGGS WRECKING COMPANY, INC. FOR DEMOLITION OF STRUCTURES IN THE NORTHWEST EXPRESSWAY RIGHT OF WAY.

Upon motion of Councilman Albea, seconded by Councilman Short, and unanimously carried, contract was awarded the low bidder, Suggs Wrecking Company, for the demolition of structures in the Northwest Expressway Right of way, as specified, in the amount of \$8,005.00.

The following bids were received:

Suggs Wrecking Company	\$ 8,005.00
Richland Wrecking Company	8,910.00
S. E. Cooper Company	9,525.00

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CITY MANAGER ADVISES THAT CITIZENS ARE AT LIBERTY TO PERSONALLY DISPOSE OF GARBAGE AND TRASH AT CITY'S LANDFILLS DURING HOURS LANDFILLS ARE OPEN FOR OPERATION.

Councilman Short advised that he has been asked last week by a citizen where he could personally dispose of his trash and garbage; that he was completely happy with the City's operations but there were times he would like to dispose of it himself and get rid of it ahead of time. He stated he thinks there would be more of this sort of thing if people knew where to go.

The City Manager replied that residents are at liberty to dispose of garbage and trash at the City's Landfills during hours that the Landfills are open for operation, but it would not be feasible to do so over the weekend and at other hours that the Landfill was not open. He remarked that many citizens dispose of trash and/or garbage themselves in this manner. He stated that he will be glad to advise the citizen to whom Mr. Short refers regarding the Landfills hours if he will give him his name.

J. B. FENNEL, FINANCE DIRECTOR, CONGRATULATED BY THE MAYOR AND CITY COUNCIL UPON RECEIVING THE GEORGE C. FRANKLIN AWARD FOR HAVING LEAD THE CLASS IN MUNICIPAL ADMINISTRATION, AT THE INSTITUTE OF GOVERNMENT, CHAPEL HILL.

On behalf of the City Council, Mayor Brookshire commended and congratulated Mr. J. B. Fennell, the City's Finance Director, upon receiving the George C. Franklin Award by the North Carolina League of Municipalities, having lead the class in Municipal Administration that is conducted annually by the Institute of Government at Chapel Hill.

Mayor Brookshire stated the Award is sponsored by the N. C. League of Municipalities, having been established in honor of the late George C. Franklin who served as General Counselor to the League from 1942 until his death in 1954. The award carried a stipend of \$50, which he presumes Mr. Fennell has been given, and he will be given the award Plaque itself at the Annual Convention of the League of Municipalities in Durham in October. He offered the Council's felicitations and remarked that we are all very proud that this award has been brought back to Charlotte, which is the 3rd award earned by members of the Charlotte City Government in the past six years.

Mr. Fennell expressed his appreciation to the Mayor for this recognition.

CITY MANAGER REQUESTED TO MAKE EVERY EFFORT TOWARDS GETTING THE STATE HIGHWAY COMMISSION TO DELINEATE THE LOCATION OF THE CROSSTOWN BOULEVARD IN THE SOUTH TRYON STREET AREA.

Councilman Tuttle stated some months ago, Council suggested to the City Manager that he make some effort towards the delineation work with the State and delineate the route of the crosstown boulevard in the ^{McAlpine} South Tryon ~~Street~~ ^{Creek} area. He asked Mr. Veeder if anything has been done, and if not, can something be started? Mr. Veeder replied there has been some things done, and numerous discussions have been had on this with the appropriate state officials. That the problem the State has is one of more projects than it has time or money to cope with at one time, and because of this, this type of project delineating a location is not one they are able to give the highest priority. There was, however, a meeting related directly to this last week with State and Federal Roads personnel who met with our Planning and Engineering personnel to establish some criteria which would relate directly to this; progress is being made but it is not as fast as a lot of people would like to see it, including himself. At the same time, he has to be cognizant of the other things that the Highway Department is involved in.

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CITY MANAGER REQUESTED TO ADVISE COUNCIL REGARDING THE RECENTLY ESTABLISHED POLICY OF REQUIRING BUILDING CONTRACTORS TO SECURE MULTIPLE BUILDING PERMITS FOR THE CONSTRUCTION OF TWO OR MORE STRUCTURES.

Councilman Thrower requested the City Manager to take a closer examination of our building permits. It appears that building contractors are required to secure more than one permit when they are building two or more structures. He knows the purpose of the Department is to try to break even, but a lot of times these things are not anticipated by the contractors when they bid. That he understands the multiple permits has only recently started, and he would like for Council to be cognizant of the whole situation.

ADJOURNMENT.

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

Lillian R. Hoffman
Lillian R. Hoffman, City Clerk