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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 30, 1966, at 3 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.

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#### INVOCATION.

The invocation was given by the Reverend Danny Griffin, Pastor of Wilmont Baptist Church.

#### MINUTES OF LAST MEETING APPROVED AS CORRECTED.

Upon motion of Councilman Albea, seconded by Councilman Thrower and unanimously carried, the Minutes of the last meeting on May 23rd were approved with the following correction as requested by Councilman Tuttle: On Page 199, in the last item, in lines 13 and 14 from the bottom of the page, change the words "South Tryon Street area" to "McAlpine Creek area."

CITY MANAGER DIRECTED TO DISCUSS WITH THE TRAFFIC ENGINEER THE PROTEST OF RESIDENTS TO THE PROPOSED BANNING OF PARKING ON EAST BOULEVARD NEAR THE KENILWORTH AVENUE AREA, AND GIVE REPORT TO COUNCIL AT THE NEXT MEETING.

Mr. S. T. Broome, Dilworth Food Store, 1251 East Boulevard appeared before Council and presented a Petition, signed by approximately 110 residents protesting the proposed discontinuance of parking on East Boulevard in the Kenilworth Avenue area. The Petition states that in this area the businesses have been established a long time and no arrangements were made for off-street parking; some of the Stores can receive merchandise and send out orders only through the use of the front doors, with parking on East Boulevard. The Petitioners requested the City Council not to handicap this area, and probably put some places out of business when the question of parking on the Boulevard could be improved so much by a few changes.

Councilman Jordan requested the City Manager to take the matter up with Mr. Hoose, Traffic Engineer, and bring Council a report at its next meeting.

PETITION NO. 66-51 FOR CHANGE IN ZONING OF A TRACT OF LAND ON THE NORTHWEST CORNER OF ALBEMARLE ROAD AND DRIFTWOOD DRIVE, FROM B-1 TO B-2, REFERRED BACK TO PLANNING COMMISSION FOR DISCUSSION WITH THEM AT THE NEXT HEARING.

The subject Petition was presented for consideration, the Planning Commission having recommended that it be approved.

Mrs. Elizabeth P. Holt, stated she resides on Driftwood Drive, and the reason there was no protest to the original Petition a few months ago for a change in zoning of the property at the corner of Driftwood and Albemarle from Residential to Business was because the residents were misled by the seller's daughter, who told them they wanted to put a Medical Clinic on the property. Now she is pulling a fast one and is trying to get it rezoned from B-1 to B-2.

Mayor Brookshire advised Mrs. Holt that the public hearing on the petition was held two weeks ago, and the hearing cannot be reopened, and they cannot enter a legal protest with the Council at this time. That he wishes she had been here for the public hearing itself.

Councilman Whittington advised Mrs. Holt that Council has their Petition with all their names on it.

Councilman Whittington remarked that before Council votes on the Petition, in deference to Mrs. Holt and the other people who presented a protest petition, he requested Mr. McIntyre, Planning Director, to be here and he would like for him to be heard on the subject. He told Mr. McIntyre that he would like for them to be told just what has taken place on this matter, because he was as confused as they are; he was told the owners planned to put a Doctors Office on the property, and his original motion was to deny the Petition, but his motion did not get a second, and then he made a motion to defer action because one or two members of Council had not seen the property.

Mr. McIntyre stated as he recalls it the basic reason for the Planning Commission's recommendation was the property adjoins an established Business zone district and it was simply a matter of continuity.

Councilman Tuttle stated that they were very busy a couple of weeks ago and he is guilty of something he has advocated so much - that is looking at the property petitioned for rezoning - that he did not see the property week before last, and, frankly, it seemed to be a cut and dried case. There was no objection to the change in zoning at the public hearing and he was ready to vote for it to agree with the Planning Commission. Had he done so, he would have made a grave mistake. He saw the property last week, and he frankly thinks if the Planning Commission ever made an error, this is one, and he is going to vote against the change in zoning. He stated he wants to emphasize this, as a case in point - always see the property.

Mr. McIntyre presented a Map of the property and explained the land use and zoning of the area to Council and to Mrs. Holt and Mrs. Crider. In the discussion Mrs. Holt remarked that it was a surprise to her that all four corners are zoned for Business. She also stated that the Sign placed on the property by the Planning Commission when the property was rezoned from B-2 to B-1 was near the corner, which led them to believe that only the small area at that location was requested rezoned; that the sign with regard to the present request was put way back at the very end of the lot, which again was misleading. Mr. McIntyre advised they like to put the Sign as close to the affected property as possible, and Councilman Thrower suggested that they put up two Signs if it would make it clearer to the residents what is contemplated. Councilman Tuttle remarked to Mr. McIntyre that he went out there twice, they described it as being at the northwest corner, and the first time he looked at what he thought was the property in question, there was no Sign on it, the Sign was around the corner, and it is the southwest corner instead of the northwest, and these ladies could go months without going around the curve out there and discovering the sign.

Councilman Alexander stated that his understanding was that a Construction firm office was proposed to be erected on the property, and he raised the question at the hearing if there would be stored on the property the general run of equipment used by Construction Firm, and the answer was that it would be used for storing only small items. That he understands since that time the Construction Firm interested in the property is going to move all of their activities to the site - that if this is true then the voting situation will be different.

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Mrs. Holt called attention that her main objection is that the Construction firm trucks will be coming in and out of Albemarle Road, plus the fact that they will use Driftwood Drive to get across to Central Avenue and down at Winterfield there are over 100 homes, with small children - they can use Driftwood, Winterfield Drive and Rose Haven going to Central Avenue, which not only will affect these residents but also all of the school children at Winterfield School. She advised the School Board wanted to send representatives here today, and she talked with the School Principal, Mr. Morgan, but everyone was tied up and could not come.

Councilman Alexander asked Mr. McIntyre if when the Planning Commission voted on this they had knowledge that the Construction Firm intended moving all of their operation to this property, and Mr. McIntyre replied that he does not know. That one of the main factors considered by the Commission he understands, as he was not in the meeting, was the fact that B-2 zoning comes right up to this property; in fact, the whole frontage along there is zoned for Business and B-2 zoning extends from Independence Boulevard out Albemarle Road. In fact, the Planning Commission recommended some years ago against business zoning in this whole area, because they did not think it was a good idea.

Councilman Whittington asked Mr. McIntyre to explain to these ladies and anyone else present that is interested, what could be put on the property if it is left zoned B-1 in comparison with what could go on it if it were changed to B-2. Mr. McIntyre replied that the B-2 district allows some things that the B-1 does not: Drive-in Restaurants, Wholesale establishments and certain other activities.

Councilman Short asked Mrs. Holt if her understanding that a doctor's office was contemplated for the property was a misconception on her part about a year ago or was it in connection with the immediate situation? Mrs. Holt replied that was when the property was changed from B-2 to B-1 some few months ago - and that is the reason they did not file a protest to that change - that was their first mistake.

Councilman Short asked Mr. McIntyre whether a Service Station, Dry Cleaners, Motel, Restaurant or Retail Store could be erected on the property under its present B-1 zoning, with no screening? Mr. McIntyre replied that all of these things can be put on the property under its present zoning but screening has to be established along the line between the residential zone and business zone. Mrs. Holt remarked that they are not worrying about the screening, they can put that up themselves, but as she has said, their big worry is the big trucks coming in and out on Driftwood Drive, and the danger to the school children.

Councilman Short asked Mrs. Holt if she would prefer a Service Station on the property to what is proposed, and she replied that she would, indeed, because their entrance would not be on Driftwood Drive and, too, all the Service Stations going up now in the Charlotte area are well-kept and landscaped and beside a Service Station would not want to use all of the property requested rezoned.

A gentleman remarked that his residence is only 500 feet from this property, and he objects to a Construction firm being within 500 feet to him, that he never dreamed of such a thing happening when he built way out there, and he asked Council to please keep this in mind.

Councilman Whittington stated that this is an area where the Council and Planning Commission evidently disagree, and it was the Commission's request that when this happened that they be brought in for a conference on the question - he, therefore, moved that the Petition be referred back to the Planning Commission and the Council discuss it with them at the next zoning hearings and then make a decision. The motion was seconded by Councilman Alexander.

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Councilman Tuttle remarked that the property is now zoned B-1, and he asked Mr. McIntyre what could be proposed for it? Mr. McIntyre replied they could look into the possibility of leaving it as it is or making some change in what is requested that would be more acceptable.

Councilman Tuttle offered a substitute motion that the Petition be denied. The motion did not receive a second and lost.

The vote was then taken on the original motion and carried unanimously.

ORDINANCE NO. 482-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING 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 FEET, ADOPTED.

Councilman Short moved the adoption of the subject Ordinance, as recommended by the Planning Commission. The motion was seconded by Councilman Jordan and unanimously carried.

The ordinance is recorded in full in Ordinance Book 14, beginning at Page 333.

ACTION DEFERRED, PENDING RECOMMENDATION OF THE PLANNING COMMISSION, 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 5TH STREET AND EAST 7TH STREET.

Upon motion of Councilman Jordan, seconded by Councilman Tuttle and unanimously carried, consideration of the subject Petition was deferred pending the recommendation of the Planning Commission.

ORDINANCE NO. 483-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING THE ZONING FROM R-9MF TO I-2 OF A 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, ADOPTED.

Councilman Whittington moved the adoption of the subject ordinance, changing the zoning of the property of Oakhurst Realty Company, Inc., from R-9MF to I-1 with the exception of a strip 25 feet wide along the rear of the residential lots facing Chippendale Road, 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 334.

ACTION 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 ON THE WEST SIDE OF EASTWAY DRIVE DEFERRED FOR ONE WEEK.

Councilman Albea moved that the subject Petition be denied, as recommended by the Planning Commission. The motion was seconded by Councilman Tuttle.

Councilman Short offered a substitute motion that the matter be deferred for one week. The motion was seconded by Councilman Alexander and unanimously carried.

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ACTION DEFERRED FOR ONE WEEK ON PETITION NO. 66-57 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.

The Petition by Mr. Charles E. Hicks for change in zoning from R-9 to R-6MF of a tract of land fronting on the east side of Park Road, was presented for consideration, the Planning Commission having recommended that the petition be disapproved. ✓

Councilman Short stated he is of the opinion that an apartment of something less than the greatest density might be about right for this particular spot on this particular street. There are quite a variety of uses along Park Road other than single family homes; however, he does not think the area is so crowded that the difference between R-9 and R-9MF of this lot would be an unmanageable traffic situation. He moved that Council action be deferred for one week and that Mr. Sibley, Chairman of the Planning Commission, be asked to come to the Council Meeting next Monday, or send someone on the Commission, because they have asked for this privilege whenever Council has in mind the possibility of overruling them, and give Council an opinion concerning changing this zoning to R-9MF instead of R-6MF, with a 45-foot buffer zone all around the perimeter, and with a restrictive instrument on record preventing the cutting through of Marlwood Circle. The motion was seconded by Councilman Alexander.

Mayor Brookshire stated the owners have agreed to a greater restriction than was contained in the original petition, and that is the reason Mr. Short has asked that the Planning Commission be apprised of it and be given an opportunity to come and discuss the revised petition with Council.

Mr. Joe Millsap, Attorney for the opposition to the change in zoning, stated the people he represents wish him to say that the matter which was discussed last week did not include the matter which has been mentioned today, and if he understood it correctly, the matter was to be closed at that time as far as the hearing was concerned. And there was no mention at that time of R-9MF zoning. Mayor Brookshire replied that is correct, but Council has the right to grant a more restricted change in zoning than is asked for. Mr. Kiser, City Attorney, stated Council may rezone a part of the property requested in the original petition, or all of it, to the zoning requested, or to a higher classification.

The vote was taken on the motion and carried unanimously.

ORDINANCE NO. 484-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING THE ZONING OF THE EASTERN PORTION OF THE PROPERTY OF P. O. WILSON FRONTING 160 FEET ON BELHAVEN BOULEVARD, FROM R-9 TO I-1, ADOPTED.

Councilman Alba moved the adoption of the subject ordinance, changing the zoning from R-9 to I-1 of the eastern portion of the property of Mr. P. O. Wilson fronting 160 feet on Belhaven Boulevard, as recommended by the Planning Commission, in lieu of the entire 445.85 feet requested rezoned. The motion was seconded by Councilman Thrower and unanimously carried.

The ordinance is recorded in full in Ordinance Book 14, beginning at Page 335.

ACTION ON MARCH 7, 1966, RESCINDED, AUTHORIZING THE CHAIRMAN OF THE REDEVELOPMENT COMMISSION TO FILE AN APPLICATION WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR CODE ENFORCEMENT GRANT IN THE REID PARK AREA.

Upon motion of Councilman Whittington, seconded by Councilman Jordan and unanimously carried, action of the Council on March 7, 1966, authorizing

the Chairman of the Redevelopment Commission to file an Application with the Department of Housing and Urban Development for Code Enforcement Grant in the Reid Park Area, was rescinded. The Department of Housing and Urban Development had advised that such application may be submitted only by the City and a City Official must act for the City in filing an application.

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION BY THE CITY MANAGER ON BEHALF OF THE CITY OF CHARLOTTE WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR CODE ENFORCEMENT GRANT IN THE REID PARK AREA.

Upon motion of Councilman Alexander, seconded by Councilman Thrower and unanimously carried, a resolution entitled: Resolution Authorizing the Filing of an Application by the City Manager on Behalf of the City of Charlotte with the Department of Housing and Urban Development for Code Enforcement Grant in the Reid Park Area, was adopted.

The resolution is recorded in full in Resolutions Book 5, beginning at Page 269.

RESOLUTION FIXING THE DATE OF PUBLIC HEARING ON JUNE 20, 1966, ON THE PETITION OF JOHN CROSLAND COMPANY FOR THE ANNEXATION TO THE CITY OF CHARLOTTE OF 60.79 ACRES OF PROPERTY IN CRAB ORCHARD TOWNSHIP.

Councilman Thrower moved the adoption of a resolution entitled: Resolution Fixing the Date of Public Hearing on June 20, 1966, on the Petition of John Crosland Company for the Annexation to the City of Charlotte of 60.79 acres of Property in Crab Orchard Township, which was seconded by Councilman Whittington.

Councilman Short stated when Council adopted its policy of temporarily withholding annexation no comment was made with reference to whether or not the City's money might be used this year in this connection, and everyone has been made to wait on these annexations without any reference to this. He commented that it might very well be that we are so close to the end of the fiscal year that we could simply abandon entirely our temporary delay of annexations, and if this is possible, he thinks it is what we should do rather than making an exception in behalf of one petitioner.

The City Manager advised that no exception has been made. John Crosland Company filed both of these petitions several weeks in advance of the date the Council acted to slow down annexations temporarily so these are unfinished business, they are not new business. These were in the mill and Council agreed at that time that anything that was in the mill would have to be considered. These are in that category and are the only two that remain in the original category.

The vote was taken on the motion and carried unanimously.

The resolution is recorded in full in Resolutions Book 5, at Page 271.

RESOLUTION FIXING THE DATE OF PUBLIC HEARING ON JUNE 20, 1966, ON THE PETITION ON JOHN CROSLAND COMPANY FOR THE ANNEXATION TO THE CITY OF CHARLOTTE OF 30.46 ACRES OF PROPERTY IN CRAB ORCHARD TOWNSHIP.

Upon motion of Councilman Jordan, seconded by Councilman Short and unanimously carried, a resolution entitled: Resolution Fixing the Date of Public Hearing on June 20, 1966, on the Petition of John Crosland Company for the Annexation to the City of Charlotte of 30.46 Acres of Property in Crab Orchard Township, was adopted.

The resolution is recorded in full in Resolutions Book 5, beginning at Page 272.

SETTLEMENT OF CLAIM OF JAMES STITT FOR PERSONAL INJURIES.

Councilman Albea moved that the claim of Mr. James Stitt, in the amount of \$166.60 be paid as recommended by the City Attorney, covering personal injuries to the claimant from falling into an open hole 2½ feet deep, where a utility pole had been removed, near the intersection of East 9th and North Davidson Streets. The motion was seconded by Councilman Alexander.

Councilman Thrower asked if it would not be the obligation of the Company owning the utility pole to settle this claim?

Mr. Kiser, City Attorney, replied the pole had been removed many years ago. That perhaps there is a concurrent negligence on the part of the persons who removed the pole, but the fact that the hole had existed for such a long period of time in the sidewalk makes the City liable for failing to discover the hole. For that reason, it is his recommendation that the claim be paid by the City.

Councilman Short asked Mr. Kiser if he feels the City should ask for a contribution from the Telephone Company or Duke Power Company in view of the City not owning any utilities? Mr. Kiser replied he has talked with the Telephone Company and Duke Power Company and neither of them admits to ownership of the telephone pole, and he is asking for a contribution from one or perhaps both on the matter.

The vote was taken on the motion and carried unanimously.

CONTRACT AUTHORIZED WITH L. H. GRIFFITH FOR APPRAISAL OF PROPERTY FOR THE SHARON AMITY ROAD WIDENING.

Councilman Albea moved approval of a contract with Mr. L. H. Griffith for the appraisal of three parcels of land on Sharon-Amity Road for the Sharon Amity Road Widening Project. The motion was seconded by Councilman Alexander and unanimously carried.

CHANGE ORDER NO. G-10 IN CONTRACT WITH REA CONSTRUCTION, AUTHORIZED.

Upon motion of Councilman Tuttle, seconded by Councilman Short and unanimously carried, Change Order No. G-10 in the contract with Rea Construction Company for the general construction of the McAlpine Creek Waste Water Treatment Plant was authorized representing various deductions and additions in the work, based on unit prices established in the contract, representing a deduction in the contract price in the amount of \$12,897.65.

CONSTRUCTION OF SANITARY SEWER MAIN AND TRUNK IN HUNTINGTOWN FARMS & BEVERLY WOODS SUBDIVISIONS, AUTHORIZED.

Councilman Whittington moved approval of the construction of 7,628 feet of sanitary sewer trunk and 6,018 feet of sewer main in Huntingtown Farms and Beverly Woods Subdivisions, at the request of John Crosland Company, at an estimated cost of \$82,620.00 which will be born by the applicant whose deposit of the amount has been received and will be refunded as per terms of the contract. The motion was seconded by Councilman Thrower and carried unanimously.

CONTRACTS FOR THE INSTALLATION OF WATER MAINS TO SERVE K-MART PLAZA SHOPPING CENTER ON FREEDOM DRIVE AND GRIFFITH PROPERTY SUBDIVISION, AUTHORIZED.

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

- (a) Contract with Freedom Imperial, Inc. for the installation of 1,930 feet of water mains and three hydrants, to serve K-Mart Plaza Shopping Center on Freedom Drive, inside the city limits, at an estimated cost of \$17,100.00. The City to finance all construction costs and the applicant will guarantee an annual gross water revenue equal to 10% of the total construction cost.
- (b) Contract with Sharon Utilities, Inc., for the installation of 17,910 feet of water mains and fourteen hydrants, to serve Griffith Property Subdivision with a Master Meter, outside the city limits, at an estimated cost of \$75,500.00. The Applicant will finance all pipe lines and system and own and operate same, and retain all revenues derived therefrom until such time as any part or all of the mains or system are incorporated into the City, at which time they will become the property of the City without cost to the City.

TRANSFER OF CEMETERY LOT.

Councilman Alexander moved that the Mayor and City Clerk be authorized to execute a deed with Mr. D. N. Polyzos, for Lot 110, Section 4-A, Evergreen Cemetery, at \$189.00. The motion was seconded by Councilman Albea, and carried unanimously.

CONTRACT AWARDED A. V. BLANKENSHIP COMPANY FOR CONSTRUCTION OF SANITARY SEWER FACILITIES, TO SERVE CENTRAL PARK.

Councilman Albea moved award of contract to the low bidder, A. V. Blankenship Company, in the amount of \$17,118.00 on a unit price basis for the construction of sanitary sewer facilities to serve Central Park. The motion was seconded by Councilman Jordan, and carried unanimously.

The following bids were received:

A. V. Blankenship Co.	\$ 17,118.00
Crowder Construction Co.	18,208.00
Howie Crane Service Co.	18,882.00

CONTRACT AUTHORIZED WITH WILBUR SMITH & ASSOCIATES FOR ENGINEERING DESIGN SERVICE ON DOWNTOWN STREETS.

Councilman Short moved that a contract be authorized with Wilbur Smith & Associates for Engineering Design Service on the following Downtown Streets:

- Third Street - From Independence Boulevard to the Northwest Expressway including a connection along Cherry Street to East Fourth Street.
- Third Street - From Mint Street to Graham Street and continuing along new location to a connection with Fourth Street at the Southern Railway Overpass.

- Fifth Street - From College Street to Brevard Street
- Pine Street - From the Pine-Fifth Street Intersection via new location to the intersection of Trade Street and Mint Street.
- Poplar Street - From Trade Street to Second Street and continuing on new location to the intersection of Mint and First Streets.
- Sixth Street - From Myers Street to Graham Street.

The motion was seconded by Councilman Alexander, and carried unanimously.

Councilman Short asked that the record show that in passing the motion, the City Council urges Wilbur Smith Company to attempt to complete their work within four months rather than the six months stipulated.

APPLICATION OF MECKLENBURG ENGINEERS AND CONTRACTORS, INC. FOR THE CITY FURNISHING TEMPORARY SERVICE TO KINGSWOOD SUBDIVISION APPROVED.

Councilman Whittington moved that the application of Mecklenburg Engineers and Contractors, Inc. for the city furnishing temporary water service in the Kingswood Subdivision, outside the city limits, be approved in order to alleviate an emergency water situation until such time as the Corporation brings its water system up to City of Charlotte standards and enters into a contract with the City for furnishing water on a permanent basis. The motion was seconded by Councilman Jordan, and unanimously carried.

ACQUISITION OF PROPERTY IN CONNECTION WITH SHARON-AMITY ROAD WIDENING PROJECT, SHARON-AMITY ROAD REALIGNMENT, EASTWAY DRIVE WIDENING PROJECT, NORTHWEST EXPRESSWAY PROJECT, SANITARY SEWER EASEMENTS TO SERVE SPRING VALLEY AND IRWIN CREEK OUTFALL.

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

- (a) Acquisition of 381.02 sq. ft. of property at N. Sharon-Amity Road, from Colonial Stores Properties, Inc., at \$100.00 for Sharon Amity Road Widening Project.
- (b) Acquisition of 484 sq. ft. of property at 920 Sharon Amity Road, from Melvin B. Case and wife, at \$350.00, for Sharon Amity Road Realignment.
- (c) Acquisition of 2,673 sq. ft. of property at 710 N. Sharon Amity Road, from E. B. Dickson and wife, at \$1,000.00, for Sharon Amity Road Realignment.
- (d) Acquisition of 398 sq. ft. of property at 3338 Eastway Drive, from Robert E. Rea and wife, at \$700.00, for Eastway Drive Widening Project.
- (e) Acquisition of 1,095 sq. ft. of property at 2812-18 Eastway Drive, from Mrs Ada House Newton (widow), at \$1,500.00, for Eastway Drive Widening Project.
- (f) Construction easement at 1229 North Sharon Amity Road, from Charles C. Shumaker and wife, at \$125.00, for Sharon Amity Road Widening Project.

- (g) Construction easement at 1400 N. Sharon Amity Road, from Joseph E. Burns, at \$400.00, for Sharon Amity Road Widening Project.
- (h) Construction easement at 1825 North Sharon Amity Road, from Robert Banner and wife, at \$75.00, for Sharon Amity Road Widening Project.
- (i) Construction easement at 2110 N. Sharon Amity Road, from Daniel E. Thompson and Sara S. Thompson, at \$650.00, for Sharon Amity Road Widening Project.
- (j) Construction easement at 5400 Buena Vista, from Melvin G. Hatley and wife, at \$25.00, for Sharon Amity Road Widening Project.
- (k) Construction easement at 2405 North Sharon Amity Road, from Brooks John Aycoth and wife, at \$50.00 for Sharon Amity Road Project.
- (l) Purchase of drainage easement 16.68' x 24' x 2.08' x 31.26', at 914 North Poplar Street, from Leon Laird Hackney estate, at \$1,600.00 for Northwest Expressway.
- (m) Purchase of easement 15' x 204.5' on Archdale Drive, from H. M. Johnston and wife, at \$204.00, for construction of sanitary sewer to serve Spring Valley.
- (n) Purchase of easement 15' x 150' at northeast corner of Park and Round Oaks Roads, from Howey Development Co., Inc., at \$1.00 for construction of sanitary sewer to serve Spring Valley.
- (o) Purchase of easement 15' x 247' on Park Road, from W. S. Berryhill, at \$200.00, for construction of sanitary sewer to serve Spring Valley.
- (p) Purchase of easement 30' x 1327.47' off Statesville Road, from Marchus L. Mauney and wife, at \$1,327.47, for construction of sanitary sewer to serve Irwin Creek Outfall.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR ACQUISITION OF PROPERTY OF DR. AMOS BUMGARDNER LOCATED AT THE NORTHEAST CORNER OF EAST 7TH AND NORTH ALEXANDER STREETS FOR ALEXANDER STREET WIDENING PROJECT.

Upon motion of Councilman Albea, seconded by Councilman Jordan and unanimously carried, a Resolution entitled: Resolution Authorizing Condemnation Proceedings for Acquisition of property of Dr. Amos Bumgardner Located at the Northeast Corner of East 7th and North Alexander Street for Alexander Street Widening Project, was adopted.

The resolution is recorded in full in Resolutions Book 5, at Page 273.

CITY MANAGER ASSURES COUNCIL THAT THE REQUESTED TRAFFIC COUNT AT COLVILLE ROAD AND PROVIDENCE ROAD WILL BE MADE PRIOR TO THE CLOSING OF SCHOOLS.

Councilman Tuttle asked the City Manager if Mr. Hoose, Traffic Engineer, has made the study of Colville and Providence Roads, as school will be out before long.

Mr. Veeder replied he is not sure whether the count has been made at this location, but if it has not, he is sure Mr. Hoose will get it before school is out.

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CITY MANAGER INSTRUCTED TO ARRANGE FOR THE CITY ENGINEER TO PRESENT AND EXPLAIN THE SOUTHERN RAILWAY UNDERPASS STUDIES THAT HAVE BEEN MADE IN THE PAST IN THE VICINITY OF NORTH CHARLOTTE, AT A COUNCIL CONFERENCE SESSION DURING THE MONTH OF JUNE.

Councilman Short moved that the City Manager be instructed to schedule for one of Council's Monday Conference Sessions during the month of June a presentation by the City Engineer, and any other appropriate city personnel explaining the Southern Railroad Underpass studies that have been made in the past in the vicinity of North Charlotte. He understands a number of such studies have been made but have not been comprehensively explained to this Council, or at least not to the newer members, and in his opinion this ranks, perhaps not quite in size moneywise, but in urgency with the Uptown Plan or the Water and Sewer Extensions which they have been briefed on many times. That he feels that all of the Council wants to be thoroughly briefed on these studies. The motion was seconded by Councilman Whittington and carried unanimously.

Councilman Short stated he hopes the City Manager will ask Mr. Cheek and arrange that Council have some discussion of the various streets that might conceivably be possible there - Twenty-Eighth Street is frequently mentioned - and he has been over this area extensively in the last several weeks and he would like some explanation concerning Herrin Avenue, which runs up against a bank with the railroad track on top of the bank; the possibilities of Craighead Road, and the possibility of connecting Atando Avenue with Thirty-Fifth Street, and, of course, Thirty-Sixth Street which has been frequently mentioned. Councilman Short stated further that many of these streets can run on through with little connections, and many of them can run on through into the Belt Road. That he feels it would be valuable for all of the Council to have this understanding. He stated that he is omitting Sugar Creek Road because of the discussions and visits there for various reasons.

COUNCILMAN ALEXANDER REQUESTS THAT A DEFINITE ANSWER BE OBTAINED FROM THE SOUTHERN RAILWAY COMPANY AS TO WHETHER THEY WILL UNCOUPLE TRAIN CARS AT THEIR CROSSINGS IN CHARLOTTE WHEN THE TRAIN WILL BLOCK THE CROSSING BEYOND THE TIME LIMIT.

Councilman Alexander asked the City Manager if he has received any response from the Railroad regarding the time limitation they can tie up traffic - as it was some four weeks ago he brought up the problem at North Tryon Street Crossing. Mr. Veeder replied he has had a response from Mr. Martin the gentleman who appeared here, and he acknowledged there was a need for further improvement, and assured us of his interest in further improving this situation, and at the same time he pointed out that the real answer lies in grade separation.

Councilman Alexander asked if he made any comment about the possibility of uncoupling trains when one has to stand that long? Mr. Veeder replied that Mr. Martin was not specific but said there was room for further improvement on the part of the trains. Councilman Alexander stated this is a point he thinks we should get a definite answer on; the Railroad Company should be able to tell us whether or not they can cooperate to that extent where trains have to stand for that long. They could at least uncouple the cars and let traffic go on until their movement can take place. This is the one thing the City should get a definite answer on, and not merely a general statement like Mr. Martin gave Council when he was here.

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Mayor Brookshire stated he thinks the Railroad is trying to move their trains through the streets a little faster. That he was stopped by a moving train on North Tryon Street at the Vinegar Plant the other day, and it only took a very long train about four minutes to clear the crossing, and it was making good time.

ADJOURNMENT.

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

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Lillian R. Hoffman, City Clerk