

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Tuesday, April 27, 1965, at 3 o'clock p.m., with Mayor Brookshire presiding, and Councilmen Albea, Bryant, Jordan, Smith and Whittington present.

ABSENT: Councilmen Dellinger and Thrower.

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#### INVOCATION.

The invocation was given by the Reverend Harry L. Thomas, Pastor of Statesville Avenue Baptist Church.

#### MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Whittington, and unanimously carried, the minutes of the last meeting of the City Council on April 20th were approved as submitted.

#### W. J. ELVIN EXPRESSES HIS OPINION OF THE COUNCILMEN.

Mr. W. J. Elvin, who attends Council Meeting frequently, commented that he thinks on the whole this Council has done a very good job; mistakes have been made but being human they were human mistakes. That the thing that strikes him most favorably in this administration is getting the two races together, and it will probably go down in the annals of history of Charlotte. That he has always had the feeling that his remarks were accepted in the way they were presented, which was for the benefit of the city.

That Councilman Bryant and he have rarely seen eye to eye; that he does not know his political affiliations but he thinks there should be no politics in City Hall nor in the Court House. That Mr. Bryant has been disappointing to him in regard to his view on urban redevelopment. That on one occasion he recommended one of his favorite baseball players for the Hall of Fame but he did not hear him say anything when the great tragedy happened to John F. Kennedy nor did he say anything when we lost a great Senator from Tennessee. That perhaps the evaluations that he and Mr. Bryant put on things are different, and everybody has the right to his own opinion. That he hopes the time will come when Mr. Bryant sees things differently in this changing world.

Councilman Bryant remarked that he appreciates the free advice he has given him.

Commenting on Councilman Dellinger, Mr. Elvin said he does not think there has been a more dedicated Councilman than Steve Dellinger in the six years he has been coming to these meetings, and he thinks what Mr. Dellinger did was not done for selfish interest but he was doing it for the people of Charlotte. That he is very fond of Steve. That he is a country boy at heart, and Steve is a country boy, so perhaps they have something in common.

That Councilman Smith, who is a very good friend of his, in his opinion is the type man that Charlotte should have in the Mayor's chair, but it has been very well filled by our present Mayor. Some of us have that special faculty for doing the right thing, for picking out the things that really matter - Gibson Smith is that kind of fellow that can meet with the English Ambassador.

That Mr Smith, in his opinion, more than 100 Senators in Washington, would be well received in the House of Commons, and he is very sorry that he is leaving the Council.

Regarding Councilman Jordan, he has never gotten to know him well, but he has always had the courage of his convictions - even when he changed his mind on the Belt Road question, he did so because his conscience told him to. That he is sure Mr. Jordan is a very dedicated Councilman, and he hopes that he will take a more active part in Council Meetings.

He stated that Councilman Jim Whittington belongs to an entirely different class than Gibson Smith, he does his homework and he does it well. He has that faculty of judging the right thing to do at the right time, which is something that he might have inherited from President Lyndon Johnson, who is a master of the art.

That Councilman Albea, like himself, is getting up there, but he thinks the best tribute that was paid to Mr. Albea was by the City Editor of the Charlotte Observer, when he said, whatever shortcomings Mr. Albea might have he has the facility of determining rapidly the correct way to vote.

Mayor Brookshire asked if he did not wish to comment on Councilman Thrower even though he is absent and Mr. Elvin replied that whatever he has to say about Mr. Thrower is better said direct.

Councilman Bryant remarked that since he and Mr. Elvin have a difference of opinions he would say that his grandfather was a Cameron from the Highlands of Scotland so the Elvins must have been from the Lowlands.

PETITION NO. 65-32 BY LINCOLN COMPANY FOR CHANGE IN ZONING OF TWO LOTS AT SOUTHWEST CORNER OF WEST FOURTH STREET AND VICTORIA AVENUE, DENIED.

Upon motion of Councilman Albea, seconded by Councilman Whittington, and unanimously carried, Petition No. 65-32 by the Lincoln Company for change in zoning from R-6MF to B-1 of two lots at the southwest corner of West Fourth Street and Victoria Avenue, was denied as recommended by the Planning Commission.

ORDINANCE NO. 333-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING ZONING OF LOT AT NORTHWEST CORNER OF SEABOARD AND HAMILTON STREETS, ADOPTED.

Councilman Jordan moved the adoption of Ordinance No. 333-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 northwest corner of Seaboard Street and Hamilton Street, on petition of H. H. Orr, Jr., and recommended by the Planning Commission. The motion was seconded by Councilman Smith, and unanimously carried. The ordinance is recorded in full in Ordinance Book 14, at Page 158.

PETITION NO. 65-34 FOR CHANGE IN ZONING OF TRACT OF LAND ON WEST SIDE OF SHARON ROAD.

Councilman Bryant moved approval of the Petition by Mrs Bonnie Lucy Little for change in zoning from R-12 to R-12MF of a tract of land on the west side of Sharon Road. The motion was seconded by Councilman Smith.

Councilman Jordan stated he understands from the City Attorney that we have

no plans nor anything else pertaining to what might be constructed on the property, and there is certainly a very fine residential section out there. That he is not against a home for the aged, rather he thinks it is a wonderful thing no matter how many buildings they might have, at the same time he feels this is not the proper location for the Home. This very fine residential area has been built, and he feels that since the Methodist Home was constructed many years before the homes were built around it, it is a different situation. He is of the opinion that a Home such as this should be in a location where they would have more area and be able to expand, and for this reason he will have to oppose the change in zoning.

Councilman Bryant remarked that he understands that by the Planning Commission's standards they are proposing less than 2/3 of what would ordinarily be allowed on a like piece of property. That as far as Mr. Jordan's remark that they should have room to expand, he thinks they are well within these regulations as set out and approved by the Council in the Zoning Ordinance.

Councilman Smith remarked that he thought the petition was very poorly presented and he has talked with members of the Presbyterian Home Committee about the type of building they plan to erect and the screening they would do to protect the homes, and they seemed aware of the objections and they assured him they will screen it properly, have plenty of area for the old folks to walk, etc. and they convinced him after a debate with himself that this is what they are going to do, and he thinks they will assume a community responsibility and that is the reason he has decided to vote in favor of the petition.

Councilman Whittington stated he would like to say to the people who are here in opposition to the building, that he has not had the opportunity that Mr. Smith has had to talk to the people representing the Presbyterian Home for the Aged; that he has talked with people who live in Laurelwood and Beverly Woods who are both for and against the building, and he talked with Mr. Cole by phone last week. That he was hoping today that Council would ask the Presbyterian Committee to give us a plan to have something to vote on - where the building would be located on the property, the type screening they would provide. That he used the word "Conditional Zoning" and Mr. Bryant quickly pointed out that the zoning could not be done in that way and so did the City Attorney, so it cannot be done in that light. He stated he has always tried to find out as much as he could about any problems concerning zoning, and any other matter, particularly where people by a great number were for and against the question, and he thinks that is true today, the Presbyterian people are interested in building and the residents in the area are opposed to it, so he is not prepared to vote on the petition today, and he thinks he is entitled to have more information before he votes and he will do his best to try to get the information by Monday, and he moved that it be postponed for one week. The motion did not receive a second.

Councilman Bryant remarked that he believes both the petitioners and those opposed to the petition have been heard, and he does not think there is any additional light that could be shed on it. That the Petitioners have done everything they are supposed to do and have gone strictly according to the ordinance, and he thinks a decision should be made today.

The following votes were cast on the motion:

YEAS: Councilmen Bryant, Smith and Albea.  
NAYS: Councilmen Jordan and Whittington.

Mayor Brookshire stated to the City Attorney that the motion did not receive the required four affirmative votes, and the motion is lost, and he will

raise the question as to where that leaves the decision?

Mr. Morrissey replied that it means the change cannot be made.

Mayor Brookshire remarked that the matter is closed until or unless there is another petition.

PETITION NO. 65-35 BY JACK'S COOKIE CORP. FOR CHANGE IN ZONING OF PROPERTY ON NORTHWEST SIDE OF LOUISE AVENUE, DENIED.

Councilman Albea moved that Petition No. 65-35 by Jack's Cookie Corporation, for change in zoning from R-6MF to I-2 of property on the northwest side of Louise Avenue, be denied as recommended by the Planning Commission. The motion was seconded by Councilman Jordan, and unanimously carried.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON MAY 24, 1965 ON PETITION NO. 65-58 FOR CHANGE IN ZONING FROM R-6MF TO I-1 OF PROPERTY ON THE NORTHWEST SIDE OF LOUISE AVENUE, ADOPTED.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, a Resolution Providing for a Public Hearing on May 24, 1965 on Petition No. 65-58 by Charlotte-Mecklenburg Planning Commission for change in zoning from R-6MF to I-1 of property on the northwest side of Louise Avenue, was adopted.

The resolution is recorded in full in Resolutions Book 5, at Page 24.

PLANNING COMMISSION REQUESTED TO MAKE RECOMMENDATIONS BY NEXT MONDAY ON PETITION NO. 65-36 FOR CHANGE IN ZONING OF PROPERTY ON ALBEMARLE ROAD AND ON PETITION NO. 65-37 FOR CHANGE IN ZONING OF PROPERTY ON NATIONS FORD ROAD.

Petition No. 65-36 by Ervin Construction Company for change in zoning from R-12MF to B-2 and R-6MF of a tract of land on the north side of Albemarle Road, and Petition No. 65-37 for change in zoning from R-9 to B-2 of a tract of land on the west side of Nations Ford Road, on which the Planning Commission has recommended that action be deferred for their further study, were presented for consideration.

Mr. Ben Horack, Attorney for Ervin Construction Company, advised that he was concerned about the recommendation of the Planning Commission that action be deferred for their further study of the petitions. That the Petitioner is glad for the Planning Commission to have adequate time to study the petitions but an odd situation would arise if a decision on the petitions were postponed beyond next Monday, when the last meeting of the present Council will be held, in which case some of the members of the Council will be members who did not participate in the hearings on the petitions. Therefore, he urged if there is any way that he can be assured that a decision will be made next Monday so that the same Council who heard the petitions can also be the same Council who decides them, he thinks it would be proper and certainly most appreciated.

Councilman Jordan suggested that the City Manager ask the Planning Commission to make their recommendations on these petitions by next Monday for this Council to act on them.

Mayor Brookshire remarked that this would necessitate a call meeting of the Planning Commission as they do not meet in regular session until the 11th,

but he sees no reason why they cannot be requested to meet and give Council their recommendations. Councilman Jordan moved that this be done, which was seconded by Councilman Albea.

Councilman Bryant stated that he checked with Mr. McIntyre before he went out of town about this and he said they had quite a lot of work to do on the Petition relative to the property on Albemarle Road because of the plans for that general area and they had to make a complete reappraisal and at best it would take a couple of weeks. That he is in agreement with Mr. Horack, and he talked with Mr. McIntyre for the same purpose, but he is wondering if they can give us a reasonable opinion by next Monday. Mr. Horack said that they would be happy to supply any information they desire.

Councilman Albea stated he is voting to request the recommendation of the Planning Commission and he is not staking himself out if it does not come in that he will vote for or against the Petition. And he does not want any rush decision, he wants a thorough explanation on their recommendation.

Mr. Horack remarked that the Petitioner wants careful consideration given the petitions, of course, but they are in a dilemma between the consideration given by the Planning Commission and wanting the decision made by the jury who heard the matters.

Councilman Bryant stated that he agrees; however, he recalls that at the hearing on the Petition for the Albemarle Road property the petitioner said this was well in advance of the need so it may be it would not have so much urgency.

Councilman Jordan remarked that he still thinks the Planning Commission should be requested to give us their recommendations if at all possible by next Monday, and if they cannot do so then they can say so.

The vote was taken on the motion, and carried with Councilman Smith abstaining from voting.

ORDINANCE NO. 334-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE CHANGING ZONING OF TRACT OF LAND EAST OF MULBERRY ROAD, ADOPTED.

Councilman Bryant moved the adoption of Ordinance No. 334-Z Amending Chapter 23, Section 23-8 of the City Code, changing the zoning from R-9 and R-9MF to O-6 and R-6MF of a tract of land east of Mulberry Road, upon the petition of Ervin Construction Company, and recommended by the Planning Commission. The motion was seconded by Councilman Jordan, and carried, with Councilman Smith abstaining from voting. The ordinance is recorded in full in Ordinance Book 14, at Page 159.

DECISION ON PETITION NO. 65-30 FOR CHANGE IN ZONING OF PROPERTY ON BOTH SIDES OF PENCE ROAD DEFERRED FOR ONE WEEK.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, consideration of Petition No. 65-30 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from R-12 and R-15 to I-1 of property on both sides of Pence Road was deferred for one week.

PETITION NO. 65-19 FOR CHANGE IN ZONING OF TWO LOTS ON THE SOUTHWEST SIDE OF WEST FIFTH STREET, DENIED.

Councilman Albea moved that Petition No. 65-19 by S. D. Segrest for a change in zoning from B-2 to I-1 of two lots on the southwest side of West Fifth Street be denied, as recommended by the Planning Commission. The motion was seconded by Councilman Smith, and unanimously carried.

CONTRACTS AUTHORIZED FOR APPRAISAL OF RIGHTS OF WAY FOR NORTHWEST EXPRESSWAY.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, the contracts were authorized for the appraisal of rights of way for the Northwest Expressway, as follows:

- (a) Contract with Alfred E. Smith for the appraisal of one parcel of land at the corner of North Morrow and East 7th Streets.
- (b) Contract with D. A. Stout for the appraisal of six parcels of land on East 12th Street.
- (c) Contract with C. W. Todd for the appraisal of six parcels of land on Brevard and East 12th Streets.

CHANGE IN NAME OF CHARING PLACE TO WHEELER PLACE.

Councilman Whittington moved that the name of Charing Place, in Queens Grant Subdivision be changed to Wheeler Place, as requested by the majority of the property owners in order to conform to the revised street, lot and recreation plan proposed by the developer. The motion was seconded by Councilman Albea, and unanimously carried.

CONSTRUCTION OF SANITARY SEWER MAIN AUTHORIZED IN WESLEY AVENUE.

Motion was made by Councilman Jordan, seconded by Councilman Bryant, and unanimously carried, authorizing the construction of 190 feet of sanitary sewer main in Wesley Avenue, at an estimated cost of \$1,105.00. All costs to be borne by the applicant, whose deposit of the full amount of the cost will be refunded as per terms of the contract.

TRANSFER OF CEMETERY LOTS.

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

- (a) Deed with Mrs Maude S. Linnemann, for Lot 369, Section 6, Evergreen Cemetery, at \$240.00.
- (b) Deed with Mr James C. Barnes, for Graves 7 and 8, in Lot 141, Section 2, Evergreen Cemetery, at \$120.00.
- (c) Deed with F. C. Watson Family, for Lot 186, Section 5, Oaklawn Cemetery, at \$300.00.
- (d) Deed with Miss Hattie Graham, for Perpetual Care on Lot 24, Section 7, Elmwood Cemetery, at \$201.60.

CONFIRMATION OF SALE OF HOUSE AND GARAGE TO DONALD J. STEWART.

Councilman Bryant moved that the sale of a one-story house and two-story garage and workshop be confirmed to the high bidder, Donald J. Stewart, in the amount of \$1,151.00. The motion was seconded by Councilman Albea, and unanimously carried.

The following bids were received:

Donald J. Stewart	\$1,151.00
W. T. Hammer	1,000.00

CONTRACT AWARDED AMERICAN SCENIC COMPANY FOR A PROCENIUM CURTAIN.

Motion was made by Councilman Jordan, seconded by Councilman Albea, and unanimously carried, awarding contract to the low bidder, American Scenic Company, for a procenium Curtain for the Auditorium in the amount of \$1,335.28.

The following bids were received:

American Scenic Company	\$1,335.28
Dixie Theatre Supply Co.	1,503.80
Stage Decoration & Supply	1,673.75
Standard Theatre Supply Co.	1,723.54
Premier Studios, Inc.	2,018.80

NOMINATION OF CRAIG T. BROWN FOR REAPPOINTMENT TO CIVIL SERVICE COMMISSION TO REMAIN OPEN FOR ONE WEEK.

Councilman Albea nominated Mr. Craig T. Brown for reappointment to the Civil Service Commission, to remain open for one week.

CITY MANAGER AND CITY ATTORNEY DIRECTED TO UNDERTAKE REVIEW AND EVALUATION OF INFORMATION DERIVED FROM THE SBI INVESTIGATION OF THE POLICE DEPARTMENT DELIVERED BY THE FBI TODAY.

Councilman Whittington stated that prior to the meeting the City Manager gave Council the report that the FBI had delivered to him just before noon today, the final information pertaining to the Police Department investigation.

Now that Council has received information derived from the SBI Investigation of the Police Department, we are for the first time in a sound position to fulfill our responsibilities to the people of Charlotte. All but two of the indictments involving violations of criminal law have been tested in the courts and quashed. We do not propose to second guess the judgments of the court; we do, however, want all of the material reviewed and subjected to a most careful evaluation to determine the most appropriate course of action by the City Council. This review should be thorough, painstaking and started immediately and completed as soon as possible, and he moved that the City Manager and City Attorney undertake such a review and evaluation and report to the Council at the earliest possible time. The motion was seconded by Councilman Albea.

Councilman Smith stated he would like to request that Mr. Whittington accept an amendment to his motion, that the City Manager and City Attorney immediately review this information and if there is anything there at the present that

needs to be brought to the attention of this Council in the interest of the city, he hopes they will recommend to the Mayor that he call a Special Meeting and get on the matter immediately.

Councilman Whittington and Councilman Albea accepted the amendment to the motion.

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

CITY MANAGER REQUESTED TO HAVE DRAINAGE CONDITION AT 3701 GLENVILLE DRIVE CORRECTED IF POSSIBLE.

Councilman Whittington advised that at 3701 Glenville Drive in the vicinity of the Methodist Home there is a storm drainage problem, and he requested the City Manager to have the Engineering Department go out and correct the condition if possible.

CITY MANAGER REQUESTED TO CHECK INTO OPERATION OF TECHNICAL BUSINESS IN PRIVATE RESIDENCE AT 1601 KENLEY STREET, IN RESIDENTIAL ZONE.

Councilman Whittington stated he has been advised that at 1601 Kenley Road, which is zoned Residential, there is a business being operated in a private residence called Technical Business, with seven people with seven cars, working there, and the residents want it stopped if we can. He requested the City Manager to check into this and see what can be done.

CITY MANAGER REQUESTED TO MAKE STUDY AND RECOMMENDATION RELATIVE TO OPENING MYRTLEWOOD STREET, OR A NEARBY DEADEND STREET, INTO CENTRAL AVENUE FOR THE BENEFIT OF SCHOOL CHILDREN.

Councilman Smith stated he has requested the City Manager to check on the problem residents are having getting through Myrtlewood Street into Central Avenue. He introduced Mrs Bowen, who had discussed the condition with him.

Mrs Bowen stated they are having a problem with school children getting through Myrtlewood Avenue, that the property owners along the street are Mrs Pender and Mrs Renfrow, and in 1954 the property was in the County and Myrtlewood was dedicated as a public thoroughfare, but since it has been annexed to the city nothing has been done to maintain the street. What they want is to be able to use the street to get their children to school; otherwise they must go 1 1/2 miles. The street has been used against Mrs Renfrow's wishes, but now she has erected a barricade across the street. That it may be they are wrong and it is a privately owned road, but it is badly needed for school children as there are 32 children who live at the end of the street and 100 children who could use it to get to school. That she sees no reason for them getting a lawyer to check and see if it is a public street when the City Attorney can look it up for them.

Councilman Smith asked the City Manager to report on the street.

Mr. Veeder stated he discussed the matter with Mrs Bowen and he is sympathetic with her point of view. He explained the location of the street on the map indicating the point to which Myrtlewood Street is dedicated, and advised that he had the records checked at the Court House and found that from that point on to Central Avenue is not a dedicated right of way and is private property. He stated that Mrs Bowen and her neighbors have been using the street all the way through to Central Avenue. He stated it would appear to them that the



barricading of the street, on the private property section, is something between Mrs Renfrow and Mrs Bowen and her neighbors. He outlined the route by which the children in the area must now walk to school.

Councilman Smith called attention to a deadend street that could possibly be opened through to Central Avenue, in the interest of these citizens, and he suggested that the City make a study and recommendation as to the opening of Myrtlewood or the deadend street to Central Avenue.

CONCEPT OF CATV FOR CHARLOTTE DISAPPROVED AND RECOMMENDATION MADE THAT FUTURE COUNCILS DELAY DECISION ON SUBJECT UNTIL DETERMINATION OF PENDING LEGAL ACTION AND POSSIBILITY OF FCC REGULATION.

Councilman Bryant stated he would like to present a resolution relative to CATV, which the Council has had under consideration quite a while, and in which he thinks we are all interested, and he only asks for an expression in the resolution rather than a particular action denying or granting it.

He presented the following resolution:

"Being of the opinion that the granting of a CATV franchise would not serve a useful purpose in Charlotte and that it may endanger the television service now being enjoyed by the Citizens of Charlotte, I propose that this Council go on record as disapproving the concept of CATV for Charlotte.

Further that we recommend that any future Council delay any decision on this subject until the determination of pending legal action and the possibility of FCC regulation."

Following the reading thereof, Councilman Bryant moved the adoption of the resolution, which was seconded by Councilman Smith.

Councilman Whittington commented that he did not know that Mr. Bryant was going to present the resolution, that he is in accord with the resolution and the only thing he would question is whether Council should make a recommendation to the future Council or not. That as far as acting on the resolution today as being opposed to CATV, he is opposed to it now and in the future.

Councilman Bryant called attention that he said "recommendation" realizing of course that the Council had no way to bind a future Council, but he thought this might be the concensus of the present Council and it might be beneficial to go on record.

The vote was taken on the motion and unanimously carried.

NOMINATION OF J.B. McMILLAN FOR REAPPOINTMENT TO AUDITORIUM-COLISEUM AUTHORITY TO REMAIN OPEN FOR ONE WEEK.

Councilman Bryant called attention that the term of Mr. J. B. McMillan on the Auditorium-Coliseum Authority has expired, and an appointment is in order. That Mr. McMillan was on the original Authority and helped to plan this facility, and he has been Chairman and has rendered a tremendous service to the City, and he feels that he deserves this recognition, and he would like to place his name in nomination for reappointment.

Councilman Smith commented that he had the impression that Mr. McMillan was retiring, and Councilman Bryant stated that is not the case at all, that he checked with him and he would like to continue with this work. Councilman Smith remarked that his information was probably incorrect, and he thinks with the history he has on the Authority there is nothing to do but put him back on.

Councilman Bryant placed his name in nomination to remain open for one week.

ACQUISITION OF PROPERTY FOR RIGHT OF WAY FOR NORTHWEST EXPRESSWAY AND FOR SANITARY SEWER TO SERVE FORD MOTOR COMPANY AND EASEMENT FOR SANITARY SEWER IN ILFORD STREET.

Upon motion of Councilman Jordan, seconded by Councilman Bryant, and unanimously carried, the acquisition of property for right of way for Northwest Expressway and for sanitary sewer to serve Ford Motor Company and an Easement for sanitary sewer in Ilford Street, were authorized as follows:

- (a) 3,848 sq. ft. of property at 1020-22 E. 5th Street, from A. J. Hopkins, at a price of \$4,294.31, for right of way for Northwest Expressway.
- (b) 11,592 sq. ft. of property at 417-19 North Long Street, from Edward L. Stalvey and wife Inez, at a price of \$4,100.00, for right of way for Northwest Expressway.
- (c) 11,606 sq. ft. of property at corner of Independence Boulevard and Louise Avenue, from C. D. Mitchell and wife Fay, at a price of \$34,100 for right of way for Northwest Expressway.
- (d) 2,692 sq. ft. of property at 512 North McDowell Street, from Hattie S. Anderson, at a price of \$6,500.00 for right of way for Northwest Expressway.
- (e) 19,963 sq. ft. of property at 808-14 N. Alexander Street, from Allen M. and Thomas H. Hobbs, at a price of \$15,000.00, for right of way for Northwest Expressway.
- (f) 4,048 sq. ft. of property at 709 E. 11th Street, from Eulie L. Alexander and wife Alberta, at a price of \$6,250.00 for right of way for Northwest Expressway.
- (g) 75 sq. ft. of right of way on North Graham Street, from Mrs R. H. Watkins, at \$75.00 for sanitary Sewer main to serve Ford Motor Company.
- (h) 169 sq. ft. of right of way at 4216 North Graham Street, from Roy Cooper and wife Margaret, at a price of \$169.00, for sanitary sewer main to serve Ford Motor Company.
- (i) 1,700 sq. ft. of right of way at 4226 North Graham Street, from Angela Holden and husband Needham Holden, at a price of \$170.00 for sanitary sewer main to serve Ford Motor Company.
- (j) 20' x 153.26' right of way in Ilford Street near intersection with Orlando Street, from Cecil W. Horton, at a price of \$25.00 for drainage easement in Ilford Street.
- (k) 20' x 55.57' right of way in Ilford Street near intersection with Orlando Street, from R. H. Teeter and wife Ruth, at a price of \$1.00 for drainage easement in Ilford Street.

CONDEMNATION OF PROPERTY AT 1004-06 KENDRICK STREET FOR RIGHT OF WAY FOR NORTHWEST EXPRESSWAY.

Councilman Jordan moved approval of the condemnation of 6,825 sq. ft. of property at 1004-06 Kendrick Street, at a price of \$1,850.00 for right of way for the Northwest Expressway, being the property of Evelyn Davis and husband Henry C. Davis. The motion was seconded by Councilman Bryant, and unanimously carried.

CITY MANAGER REQUESTED TO HAVE INVESTIGATED THE NEED FOR A TEMPORARY SIDEWALK ON PRINCETON AVENUE, FROM WILLOW OAK ROAD TO PARK ROAD.

Councilman Whittington requested the City Manager to have the Traffic Engineer check the need for a temporary sidewalk on Princeton Avenue, from Willow Oak Road to Park Road. That the street is narrow and there is no place for children to walk except in the street.

CITY ATTORNEY AUTHORIZED TO FILE WITH LEGISLATIVE DELEGATION AN ACT PRESCRIBING THE CONDITIONS UNDER WHICH THE CITY MAY TRANSFER PROPERTY TO THE COUNTY.

Mr. Morrissey, City Attorney, stated that Council's approval of a local act relating to property transactions between the City of Charlotte and Mecklenburg County is requested, together with instructions for forwarding it to the Legislative Delegation. That the act is vesting the City Council with the authority to assign, lease and convey to the County, property owned by the City and he understands the Council wants this subject to the 2/3rd majority vote after a public hearing in each instance.

Councilman Albea moved approval of the Act as stated, which was seconded by Councilman Jordan.

Councilman Smith stated he suggested this 2/3rd Council approval because this very broad ordinance which gave 4 councilmen on the Council the right to convey property owned by the City of Charlotte to Mecklenburg County. The reason behind this is we don't know what type of Council in the future that we will have, and when writing these ordinances we have to be very careful to keep the control with the people; so 2/3rd of the Council is much better than a simple majority of Council; also, a public hearing so the public will be given a chance to be heard in the future, and he thinks this is very acceptable under these circumstances.

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

CONTRACT AWARDED CREWS WRECKING COMPANY FOR THE DEMOLITION OF THE OLD WATER WORKS BUILDING.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, contract was awarded the low bidder, Crews Wrecking Company, for the demolition of the Old Water Works Building, in the amount of \$2,410.00.

The following bids were received:

Crews Wrecking Co.	\$2,410.00
Cochrane & Ross Constr. Co.	5,950.00
J. E. Kipka Constr. Co.	9,489.00
Suggs Wrecking Co.	9,600.00

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S. W. GARDNER REQUESTS PERMISSION TO PURCHASE OLD WATER WORKS BUILDING SCHEDULED TO BE DEMOLISHED, AND AWARD OF CONTRACT TO CREWS WRECKING COMPANY TO DEMOLISH THE BUILDING RESCINDED AND COUNCIL TO INSPECT BUILDING AND THEN MAKE DECISION.

Mr. S. W. Gardner stated he is interested in buying the old water works building but he has encountered only opposition from the Building Inspection Superintendent; that he offered them \$3,000.00 for the property on which the building is located; that he proposes to remodel the building into a reasonable appearance that would fit into the Inspection Department's program, and use it for a warehouse, as it is just across the street from his business, but the Inspector insists that it must be torn down.

The City Manager advised that he has discussed this with Mr. Gardner over the telephone, and he went out and looked at the property with Mr. Jamison, and both he and Mr. Jamison agree that the building is not subject to remodeling.

Mr. Gardner presented pictures of the building as it is today and as it was when it was leased to him 18 years ago; he stated he remodeled the building and it does have some cracks in it but they were there when he remodeled it 18 years ago. That his new building will fall down before this building does as it is most substantial. He stated further that he would be interested in taking the top off down to that level and put on a new roof.

Councilman Bryant commented that he thinks the Council will have to take the recommendation of the expert in the matter and he does not believe that he is qualified to say whether the structure is in a state to be repaired or not, and if there is any doubt about it that Mr. Veeder confer with Mr. Jamison and bring Council a definite recommendation.

Mr. Jamison stated the building has deteriorated to the point that it would not be economically feasible to remodel it; the steel trusses throughout the building have corroded and he feels that it should come down and if it is left there it will continue to be a nuisance and they will have serious trouble with it.

Councilman Smith remarked that he thinks it would be up to the Council to inspect this property since it has been raised publically, and Council should look at the building personally and confirm or change the recommendations of the administration.


He moved that action awarding the contract for the demolition of the building be rescinded, which was seconded by Councilman Albea, and unanimously carried.

Councilman Smith then moved that the Council inspect the building and then either confirm or change the recommendation of the administration. The motion was seconded by Councilman Albea, and unanimously carried.

Mr. Jamison stated he would be glad to accompany the Council on their inspection of the building if they wish.

ADJOURNMENT.

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

  
Lillian R. Hoffman, City Clerk