

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Monday, August 16, 1965, at 2 o'clock p.m., with Mayor Brookshire presiding, and Councilmen Albea, Alexander, Jordan, Short, Tuttle and Whittington present.

ABSENT: Councilman Thrower.

The Charlotte-Mecklenburg Planning Commission met with the City Council for the purpose of hearing petitions for changes in the Zoning Ordinance and Map of the City of Charlotte. Present: Mr. Sibley, Chairman, Mr. Ashcraft, Mr. Gamble, Mr. Jones, Mr. Olive, Mr. Stone, Mr. Tate, Mr. Toy and Mr. Turner.

ABSENT: Mr. Lakey.

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INVOCATION.

The invocation was given by the Reverend C. D. Murphy, Pastor of Central Steele Creek Presbyterian Church.

MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Short, and un-animously carried, the Minutes of the last meeting on August 2nd were approved as submitted to Council.

HEARING ON PETITION NO. 65-71 FOR CHANGE IN ZONING OF FOUR LOTS ON THE SW SIDE OF ROZZELLS FERRY ROAD.

The public hearing was held on Petition No. 65-71 by F. T. Williams for change in zoning from B-2 to I-2 of four lots on the southwest side of Rozzells Ferry Road, between Bungalow Road and Coronet Way.

Mr. McIntyre, Planning Director, advised that the property is used as part of a Sand and Gravel Establishment, and the adjoining is used for the same purpose. The property across the street is used commercially and there are business establishments on both sides of the property in question. Behind the property a portion is used for business and it is the rear line of property fronting on Park Avenue. The property is zoned B-2 and the property across the street is zoned I-1, and adjoining is B-2 and on the town side is I-2 and behind is multifamily.

Mr. Turner of the Planning Commission asked if the business occupying the property is not non-conforming and Mr. McIntyre replied that it is.

No objections were expressed to the proposed rezoning.

Council decision was deferred for two weeks.

HEARING ON PETITION NO. 65-72 FOR CHANGE IN ZONING OF A 12.92 ACRE TRACT OF LAND ON THE EAST SIDE OF HICKORY GROVE-NEWELL ROAD NORTH OF THE NORFOLK-SOUTHERN RAILROAD.

The public hearing was held on Petition No. 65-72 by George W. Callahan for

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change in zoning from R-15 and R-9MF to B-2 of a 12.92 acre tract of land on the east side of Hickory Grove-Newell Road north of the Norfolk-Southern Railroad.

The Planning Director stated that the property is directly north of the Norfolk-Southern Railway and east of Hickory Grove Road, and is presently vacant. That a portion of the frontage on Hickory Grove Road is developed residentially; adjoining to the north is a Park and to the east the land is vacant; on the south the property is bordered by the Norfolk-Southern Railway and across the tracks is an industrial installation. Across Hickory Grove Road the land is vacant and beyond that is a Steel Fabrication installation and a Church. The property is zoned on the front R-9MF and the rear R-15. Across Hickory Grove Road it is zoned O-15; it is adjoined on the north by multi and single family zoning and to the east the property is zoned R-15. Across the Railway right of way the zoning is I-1 and to the rear of that is R-12 zoning and south of that it is zoned R-9MF.

Mr. Carl W. Howard, Attorney for the petitioner, stated that all of this land is approximately 50 feet below the road level and would not be suitable for residential purposes and that Marco Steel Plant which has been sold to Southern Engineering Company, is right across that street and will be expanded and the noise from the Plant can be heard for quite a distance and in addition Central Services has a Plant across the Railroad tracks from the property.

Councilman Short asked if the property could not be used as B-1 and Mr. Howard replied that the disadvantage is the manner in which the land slopes off and that type operation needs access from a highway. That although the property borders the highway, the highway is 50 feet higher than the land and his client has in mind using the property for warehouses adjacent to the railroad.

Councilman Short asked for Mr. Howard's impression of the value of the homes along Hickory Grove Road west of the property and on Robinson Church Road. Mr. Howard replied that Mr. Callahan's home is opposite the Marco Plant and is valued at approximately \$8,500.00 and some 200 feet west is another house valued at approximately \$7,500.00, and there are no other houses in sight and Robinson Church Road is about a half mile distant.

Councilman Whittington asked if this rezoning takes in the Athletic Field that Newell Hickory Grove people have developed out there and Mr. Howard replied that it does not, that this acreage is back from there and is parallel to the Athletic Field.

Councilman Tuttle asked if the land some 300 to 400 yards from the Marco Plant is not pretty land for residential development - that he is wondering what this would do to that whole area. Mr. McIntyre replied that he thinks it would have an effect on the area. However, there was some interest in the zoning of this area to keep it industrial.

No objections were expressed to the proposed rezoning.

Council decision was deferred for two weeks.

HEARING ON PETITION NO. 65-73 FOR CHANGE IN ZONING OF A 50 ACRE TRACT OF LAND ON THE NORTH SIDE OF I-85 WEST OF BEATTIES FORD ROAD.

The public hearing was held on Petition No. 65-73 by Central Piedmont Community College for change in zoning from R-6 to B-2 and O-15 of a 50 acre tract of land on the north side of I-85 west of Beatties Ford Road.

The Planning Director advised that the property extends from I-85 north to Hoskins Road and is partially developed with institutional buildings that comprised Mecklenburg College. To the west of the property the land is vacant and beyond that is Johnson Motor Lines. To the north across Hoskins Road the land is vacant and beyond that is a new residential subdivision and diagonally across Hoskins Road is Piedmont Gas Company storage tanks; to the east the land is vacant and across I-85 it is developed residentially. The property is zoned R-6 and to the west is adjoined by B-2- the rear portion is zoned multi-family and beyond that it is Industrial. Across Hoskins Road the zoning is R-1 and Industrial and to the east the zoning is Office and B-1.

Mr. Frank Snapp, Attorney for the Petitioner, advised that this is the unused Mecklenburg Community College which is now being served by Central Piedmont Community College and the property has been declared no longer necessary as a public institution and is being advertised for sale. That they believe the change in zoning is in keeping with the neighborhood and will enable the College to dispose of the property at a price advantageous to the interest of the public. That the present zoning of the property would make it almost worthless to the owners.

Councilman Whittington asked who owns Central Piedmont Community College and Mr. Snapp replied that it is an independent corporation.

No objections were expressed to the proposed rezoning.

Council decision was deferred two weeks.

HEARING ON PETITION NO. 65-74 FOR CHANGE IN ZONING OF TRACT OF LAND ON THE EAST SIDE OF SHARON ROAD NORTH OF SHARON HILLS ROAD, AT CORNER OF THE NEW QUAIL HOLLOW ROAD.

The public hearing was held on Petition No. 65-74 by David M. McConnell for change in zoning from R-15 to R-15MF of a tract of land on the east side of Sharon Road north of Sharon Hills Road, at the corner of the new Quail Hollow Road.

Mr. McIntyre, Planning Director, advised the property is triangular in shape, fronting part on Sharon Road and part on Quail Hollow Road, with a house on it. Across Sharon Road the land is in the process of being developed as part of Beverly Woods development. Across Quail Hollow Road and to the east the land is vacant. On the northwesterly side the property is bounded by a tract of land that is vacant but in the process of being developed as a major residential development. Also on the northwest it is bounded by another tract of land that is today being petitioned for a change in zoning. The zoning of the property is R-15 and it is adjoined by R-15 zoning except across Sharon Road it is R-12.

Mr. David McConnell, the Petitioner, distributed to the Council arterial highway maps which he stated were part of the Major Thoroughfare Plan Map adopted on October 1, 1963. He asked that they note that the area that is the subject of his petition and that of Gambrell Investment Company which will be presented today, is the new focus of arterial highways, properly the most central in south Mecklenburg. That the road comes from Arrowood Road under the cloverleaf intersection on Interstate 77 directly eastward into Chadworth Road into an open field in front of his home on Quail Hollow Road, which is a new thoroughfare leading from Sharon Road leading into Carmel Road. That Sharon Road is being widened to four lanes all the way to Park Road and Sharon Road West, making a central focus of five arterial highways leading

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into this area. This is a matter of recent change, and in addition to that, the Sharon area is becoming increasingly developed. There is the new Sharon Shopping Center by John Crosland Company with a super market, restaurant, barber shop and other stores and across from that, on the Cameron Morrison Estate on a 102 acre tract, the recently announced shopping center, the largest between Atlanta and Washington, will be erected. Down toward the property John Crosland Company has built the Olde Town Apartments, a multi-family dwelling and now that these apartments have been built, he cannot see the equity in objections to his request. Mr. McConnell stated when he came into the Sharon area ten years ago it was a beautiful wooded area, with large houses and the Crosland Company has come and laid out small lots and the houses are rather close together. That the spacing and the cost of the construction of the luxury apartments he proposes to erect far exceeds the present construction in the area. He stated that the residents across from him on his boundary, Mr and Mrs John McCann, do not object to his proposal nor do Mr and Mrs Thomas Brooks facing him, and in addition Mr. James J. Harris of the Cameron Morrison Estate that bounds him on two sides, doesn't oppose, and he thinks if any single family has an interest in southeast Mecklenburg and this area he believes it to be Mr and Mrs Harris, and they are in favor of his project and have authorized him to so state. Mr. McConnell stated he has done his utmost to get a good architect for the building, that the area is wooded and he does not believe that even the roof would be visible from Sharon Road, and so far as the Gambrell property is concerned it is a low, long area, some 20 to 25 feet below the level of the Gambrell house, and you have to go through almost a tunnel in the thick woods to get into the driveway to this estate area. He noted that Mr. Crosland is opposing this project as well as people of the Beverly Woods area. However, people of Charlotte have delegated the matter of zoning to the public officials and not to the residents. That the progress of south Mecklenburg must go on and the proposed project is for a refined, elegant building that would be a credit to the area. He asked that the Council permit the development of this project. He stated this is not spot zoning, it is within the comprehensive plan, within the new focus of these arterial highways, and under that the Council has the duty and the right to start a new phase of zoning. He urged the cooperation of Council in what he deems to be a lovely type apartment development, hardly visible on Sharon Road, opening on Quail Hollow Road, two stories in height, no higher than the homes in Beverly Woods.

At the request of Councilman Whittington, Mr. McConnell pointed out on the map the location of the home of Mr and Mrs Books, and also that of Mr and Mrs St. John, Mr. and Mrs Carpenter and Mr. William H. Abernethy - none of whom opposed the project.

Mr. Tom Creasy, Attorney, stated that he in behalf of Mr. John Crosland and other property owners in the area, protested the petition. That they protest because they feel that this has become a substantial residential area and within a one mile radius of this area there are substantial residences and the owners of many of them are present today in protest. That he would like to point out some of the contributions that John Crosland has made not only to this area but also to the City. That the City in annexing Beverly Woods, Laurel Woods, Fair Meadows and Spring Valley and portions of Huntington Farms has received approximately \$1,300,000.00 in improvements at no cost to the City by virtue of these residential area. When the area within this general vicinity is completed the total home sites will be approximately 1,800, the total valuation of the homes built, or to be built in this area, will be at a value of around \$36,000,000.00, with a tax valuation of approximately \$22,800,000.00 on this property. That this type of spot zoning is detrimental to an area of this type, not only to the developer but to those people who have invested their future in their homes. These people have bought under the protection of the existing zoning, and thought they would remain under the protection of R-15 zoning. They feel that even luxurious apartments,

as these are presented to be, are very detrimental to a single-family area. That this particular area, as well as the Gambrell tract, are definitely surrounded by R-15 areas, and this is spot zoning. Mr. Creasey asked that Council give this their utmost consideration and turn down the petition in consideration of what it will do to the area. He stated he feels very definitely that the approval of this petition would be opening the flood gates to more and more rezoning in the area. That he believes Council can understand the concern of Mr. John Crosland who has just gone into the development of a new section of the area, and has just begun to sell the lots that the effects of the apartments on these sales, and on FHA approval may prove detrimental.

Mr. Frank Gilreath, 3900 Lovett Circle, stated he is speaking for himself and the residents of Beverly Woods, that they feel the construction of this proposed apartment would be detrimental to their property values and to the neighborhood. That Sharon Road has been preserved for single dwelling units, except the intersection of Sharon and Fairview Road and the immediate area of Sharon School, and they feel that this type of change should be restricted to that area. That the character of the area has been well protected by the zoning in the past, and though this petition would put multi-family dwellings on the edge of already developed single-family units, down the road for sure this would become a spot zoning situation for it would be completely surrounded by single family units, and this in itself is spot zoning. That if there were no difference between single family units and multi-family units, so far as value is concerned, he is sure the Code itself would not separate them. That they ask that Council deny the request.

Mr. Cary Hawthorne, 5700 Sharon Road, stated they are distressed at the prospects of an apartment in this firmly established single family neighborhood, and they are protesting simply as a safeguard of the investment they have in their homes. That with all due respects to high quality apartment buildings, they bring about the detriment of the homes in the area. That he is speaking with knowledge, as he has seen this transition take place in Prince George County, Maryland, Arlington and Fairfax Counties, Virginia and also in Richmond, Va. where he has had his residence. That there are many places in Mecklenburg County where apartments might be better located than in single family areas. Mr. Hawthorne stated that Mr. Brooks has already left the area and Mr. McCann's house is up for sale, and he is not sure that Mr. McCann should be concerned about where the apartment building is located. He urged that Council deny the petition.

Mr. Lee Heath stated that he is not opposed to Mr. McConnell's petition but he would like to read a letter that he wrote on August 12th to the Planning Commission:

"Gentlemen: It is my sincere hope that when you consider the McConnell and Gambrell requests for multi-family zoning that you will take into full account what this will do to my property and will give to me the same zoning classification that you give to them. I have not opposed the McConnell and Gambrell requests simply because I feel that the character of their property and a few others in the immediate vicinity can either go single-family or multi-family. However, I trust the Planning Commission shares with me the opinion that it would be a fatal blow to my property if a multi-family zoning classification is granted the McConnell and Gambrell property and did not extend the same classification and equitable privilege to my immediate acreage. While I am not an applicant at the moment for multi-family classification, I nevertheless feel the Planning Commission should consider me a

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potential applicant while giving the McConnell and Gambrell petitions their best consideration. After all, three years ago I was an applicant for multi-family zoning classification and therefore it is for this very reason that I think the new members on the Commission should be informed. I feel confident that Mr. McIntyre or Mr. Bryant has made this file available to the new members for their best consideration of this situation."

Mr. Heath stated for the information of the new Council members who were not here three years ago, that he thinks they should also be informed of this.

He stated further that he has today filed with the Planning Commission a petition to have his property zoned R-15MF, and he feels that if Mr. McConnell gets this zoning classification that he, above all, will be affected more than anyone, because he understands that Mr. McConnell's units are going to go away from these fine people over in Beverly Woods and the greater portion of the units will be facing him at the rear of the property. That there is a complexity of roads coming through this area, and one of these roads, called Shanworth, will eventually go through his property, in fact through his livingroom. That he is not trying to muddy the water for Mr. McConnell, for he is not a petitioner here today, his case will be heard later, but he can beg of the Council and Planning Commission to keep in mind that he is an applicant and that he will go along either way, single family or multi-family, just as long as he is treated as he was three years ago, everyone alike.

Mr. J. H. Brown, 3808 Champaign Avenue, a street just back of the area requested rezoned, in speaking in opposition to the petition stated that the Olde Town Apartments are behind the Shopping Center as it should be; there is the Shopping Center, then the Apartments, then the School, and then the homes, as it was planned and zoned and developed, without apartments or business in the residential section. That he is opposed to the change in zoning requested.

Mr. Albert Cameron stated he is the architect for the Apartments, and the garden type apartments they have planned are very beautiful. That they will be of a residential character, with sloping roof, definitely not high rise and will be on a private road, practically a cul-de-sac; that it will not be one huge building but individual buildings for eight families each. That they will be luxury apartments with all conveniences, each apartment will have two baths, airconditioned, with landscaped parking areas for people who wish to retire in comfort.

Mr. Toy, Planning Commissioner, asked what the floor areas would be and Mr. Cameron stated 1,000 sq. ft. per unit.

At this time, Mr. McConnell stated he wished to say to the Council and Planning Commission that Mrs Thomas Brooks is in the room and says if they are preparing to move, as Mr. Hawthorne stated, she doesn't know it.

Mr. B. H. Trull, Jr., 5610 Sharon Road, stated his residence is approximately 300 yards north of the McConnell property. He commented that the homes in their neighborhood are in the range of \$25,000 to \$30,000 and an apartment would devalue them.

Mr. Wilson G. Martin, 3830 Lovett Circle, stated he has just purchased a home and moved into the neighborhood and thinks an apartment would depreciate the value of his home.

Mr. Bill Minor, 3920 Glenfall Avenue, stated he resides one block from the property in question. That he thinks two points have been overlooked, most of the families in the area have small children and the apartment will increase the traffic hazards, and if there are children involved in the apartment the load on the school will be increased.

Councilman Tuttle asked Mr. McIntyre if he had any idea in relation to the present lot values, what these five roads coming in this area will do to this property? Mr. McIntyre replied that generally speaking a concentration of roads in an area reduces the desirability of residential uses.

Councilman Short asked how many families could you get in there on the R-15 basis and how many on the R-15MF basis? Mr. McConnell replied that he and Mrs Gambrell together have 20 acres - on that basis there should be 60 families on a single family basis, and that there will be 60 family units, together - in other words there would be no more on the R-15MF basis.

Council decision was deferred for two weeks.

HEARING ON PETITION NO. 65-75 FOR CHANGE IN ZONING OF TRACT OF LAND ON THE EAST SIDE OF SHARON ROAD NORTH OF THE NEW QUAIL HOLLOW ROAD.

The public hearing was held on Petition No. 65-75 by Gambrell Investment Company for change in zoning from R-15 to R-15MF of a tract of land on the east side of Sharon Road north of the new Quail Hollow Road.

The Planning Director advised this tract of land is adjacent to the tract that Mr. McConnell is requesting rezoned that has just been discussed and the same description and conditions apply to it.

Mr. David McConnell, speaking for the petitioner, stated that Gambrell Investment Company is owned by Mrs Sarah Belk Gambrell. That the apartments are planned to be built down on a very low level and will not be visible from Sharon Road. They are to be the same type and design of those he has planned in every respect. That the same things he has said about the McConnell property applies in every respect to this petition.

Mr. Tom Creasy, Attorney, stated the same people protest this change in zoning as protested the change requested by Mr. McConnell, it is the same project. That he would like to say that the remarks of Mr. Lee Heath, speaking during the discussion of the McConnell property, confirms the point he made before, that the rezoning of this property and the McConnell property will lead to the rezoning of additional property in the area, and he thinks it would be tragic to deteriorate the area with two or three spot zonings.

Mr. Cary Hawthorne, 5700 Sharon Road, stated that a comment was made in the discussion of the McConnell petition that the houses are close together and are not too expensive. That he has \$23,920.00 invested in his house, and this may not be a very expensive house, but it is expensive to him. That most of the people in the neighborhood are paying from \$20,000 to \$30,000 for their homes and he went to see Mr. Crosland about getting one of his more beautiful lots across the street and because of the expensive land out there, he gave up the idea because those lots will run from \$20,000 to \$25,000.

Council decision was deferred for two weeks.

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HEARING ON PETITION NO. 65-76 FOR CHANGE IN ZONING OF PROPERTY AT THE SOUTHEAST CORNER OF WOODLAWN ROAD AND SOUTH BOULEVARD.

The public hearing was held on Petition No. 65-76 by Wrenn Brothers for change in zoning from B-2 to I-1 of property 332' x 400' at the southeast corner of Woodlawn Road and South Boulevard.

The Planning Director advised that the property is at the southeast intersection of Woodlawn and Pineville Roads and is occupied by Wrenn Brothers. It is adjoined across Woodlawn Road by a small business development. Diagonally across from the property is a variety of business and industrial property both north and west. Across Pineville Road is a service station and vacant land. To the south the land is vacant. To the east of the property are the rear and side lines of lots fronting on Woodlawn Road and Gilmour Drive. Adjoining to the south the zoning is B-2, to the east it is B-1, across Woodlawn Road and Pineville Road the zoning is I-2. He stated that very recently this property was before Council for rezoning but it included all of the property on Woodlawn Road and Gilmour Drive, and this includes only a portion of that property, and this calls for a different type of zoning.

Mr. Beverly Webb, Attorney for the petitioner, stated that a few months ago they requested that the entire tract and the adjoining property belonging to the Montagues be zoned I-2, the reason was that the Montagues had property on Inwood Drive that was nonconforming. This time the petition is for the Wrenn Brothers property for rezoning to Light Industrial, as at present they are nonconforming. They purchased this property in 1952 and want to expand. When it was first zoned it was Industrial, and in 1960 it was rezoned B-2. That they are asking that this immediate area be rezoned I-1 for the use of Wrenn Bros. and it will adjoin Industrial zoning on one side and Business zoning on the other side.

No objections were expressed to the proposed rezoning.

Council decision was deferred for two weeks.

HEARING ON PETITION NO. 65-77 FOR CHANGE IN ZONING OF PROPERTY ON THE NORTHEAST SIDE OF ROZZELLS FERRY ROAD, FROM NEAR WEST TRADE STREET TO WALFORD DRIVE.

The public hearing was held on Petition No. 65-77 by P. C. Godfrey, Inc., and John Bayne Co., Inc. for change in zoning from B-2 to I-1 of property on the northeast side of Rozzells Ferry Road, from near West Trade Street to Walford Drive.

Mr. McIntyre, Planning Director, stated that the property in question is occupied by a variety of business establishments. Across Rozzells Ferry Road there are business establishments and a Church. Across West Trade Street there is a Bank at the intersection with Beatties Ford Road, and Johnson Smith University lies across the street. The property is zoned B-2 and is surrounded on all sides by business zoning except the property on the northeast side of Rozzells Ferry Road is zoned for multi-family usage.

Mr. Godfrey stated they wish to expand their business and propose to lease, with option to buy, the old Harris Super Market which is now vacant. That they are operating industrially under the grandfather clause, he presumes, and they will have to move out of the area if we cannot get the rezoning and would like to lease this property.

No objections were expressed to the proposed rezoning. Council decision was deferred for two weeks.

RESOLUTION ORDERING THE MAKING OF LOCAL IMPROVEMENTS ON SHERIDAN DRIVE, FROM CENTRAL AVENUE TO CENTRAL AVENUE, AND ON LANGHORNE DRIVE, FROM SHERIDAN DRIVE TO SHERIDAN DRIVE, ADOPTED.

The public hearing was held on Petition for Improvements on Sheridan Drive, from Central Avenue to Central Avenue, and on Langhorne Drive, from Sheridan Drive to Sheridan Drive, signed by 57.8% of the owners of abutting property, representing 51.2% of all the lineal feet of frontage, to determine if the improvements should be made by installing storm drainage facilities and constructing roll type curb and gutter, for a distance of approximately 5,251.68 front feet. The total project cost being estimated at \$66,743.22 of which amount the City's share is estimated at \$42,491.74 and the total amount to be assessed against the owners of property abutting on the improvements is estimated at \$24,251.58, representing an estimated assessment rate of \$4.70 per front foot.

Mr. A. R. Frantz, 4025 Sheridan Drive, stated that the overall objective of improving a community is good but it should be a community effort. That their community is Medford Acres, and it does not consist of two streets. That when their petition was first presented, it was presented with the idea of having Medford Acres improved. This is supposed to cure all of the ailments in Medford Acres - drainage, water etc. That when the County took care of Medford Acres they did a wonderful job, since then they have had their problems. That they tried to have street improvements and were told they could have none until they connected onto the sewer. Next they heard unless you put in curbing you will not have any street repairs.

Councilman Jordan asked who told them that, and Mr. Frantz replied it was general knowledge and unofficial.

Mr. Frantz stated they are confused as to what they should do, what they can do to improve their property. Putting in curb will improve it but three years from now it will have to be torn up to connect to the sewers.

Councilman Jordan again asked if he would not answer his question, and Mr. Frantz replied that no one told him especially, it is generally understood in the neighborhood. That what he is asking today is if it is necessary to put in curbing to have the streets repaired?

Mr. Veeder, City Manager, replied that as long as the streets in Medford Acres are in the city they will be repaired, whether they have curb and gutter or not.

Mr. Frantz stated he feels that the petition should be delayed until the differences in the community are worked out and they know what they want, because a 50% majority is not a representative majority of any community. That he feels if they are going to have a community effort, each and every resident should have been contacted so they could have had their say, and they have not all been contacted. He stated further that he hereby petitions the Council not to make a decision until they can come again and speak more directly.

Mrs Fred Baucom, 4121 Sheridan Drive, stated that she feels they do need repairs and that there is more trouble in their area than in any other section. That she feels they have a health hazard, water stands in the street and becomes stagnant and this same water runs across Eastway Junior High School grounds and she does not think it is pure water for the children to walk in. That she can ill afford to have improvements made with two boys in college but she will sacrifice and do so because when it rains she cannot get out of her yard except in the car and she would like the Council to have the Engineering Department come out and look at it.

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Mrs. Clontz, 4201 Sheridan Drive, stated they live three houses from Central Avenue and have a large ditch at the side of their house which they had to build to take care of the drainage. That they had to have the motor of their furnace replaced because of the water running in their house. If curb and gutter is installed, will it take care of the flow of water which comes across Central Avenue? Mr. Birmingham, Assistant City Engineer, stated that it will not, that she is talking about the natural drainage of water across her lot.

Mr. Fred H. Shivadecker, 4146 Sheridan Avenue, stated they have both water and street problems. That the street was poorly constructed and it will never be any better no matter what is done to it. That water gets under the street in the winter and freezes. That the only solution is to put in curbing, at least it will increase the price of the property.

Councilman Albea stated he feels that every street must stand on its own, therefore, what he has heard today he is going to comply with the petition, and moved the adoption of the Resolution Ordering the Making of the Improvements. The motion was seconded by Councilman Short, and unanimously carried.

The resolution is recorded in full in Resolutions Book 5, at Page 64.

RECESS DECLARED AT 3:40 P.M.

The Mayor declared a ten minutes recess at 3:40 p.m.

MEETING RECONVENED AT 3:50 P.M.

The meeting was reconvened at 3:50 p.m. and called to order by Mayor Brookshire.

GROUP OF CITIZENS OF ITALY IN CHARLOTTE UNDER THE EXPERIMENT IN INTERNATIONAL LIVING PROGRAM, WELCOMED BY MAYOR BROOKSHIRE.

Mayor Brookshire recognized Mrs Phyllis Barach, who introduced a group of young men and women from Italy, who are in Charlotte under the Experiment in International Living Program. The leader of the Group, Signor Berardo Zocaro from Teramo, Italy, presented a gift to Mayor Brookshire from the Mayor of his city.

Mayor Brookshire welcomed the Group, expressed his appreciation for the gift and asked Signor Zocaro to carry back to the Mayor of Teramo an Official Key to the City of Charlotte with his compliments.

RESOLUTION COMMENDING JOHN T. MORRISEY FOR SERVICES AS CITY ATTORNEY, ADOPTED.

Mayor Brookshire read the following resolution commending Mr. John T. Morrisey for his services as City Attorney:

Resolved, that the Mayor and Council of the City of Charlotte do hereby accept with regret the resignation of John T. Morrisey as City Attorney;

Resolved, further, that the Mayor and Council hereby express to John T. Morrisey the deep appreciation of a grateful city for four years of highly skilled professional service and wise counsel as Charlotte's first full-time City Attorney,

for his leadership in establishing the Legal Department of the City,
for his loyalty and devotion to his clients, the citizens of Charlotte,
for his friendship, warmth and good humor;

Resolved, further, that the Mayor and Council wish for John T. Morrissey success, satisfaction and happiness in his new undertaking.

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

Mayor Brookshire presented the Resolution, in the form of a Plaque, to Mr. Morrissey as a reminder of his four years with the City of Charlotte.

Mr. Morrissey said thank you from a full heart. That he would reserve any further remarks until the last Council Meeting.

RESOLUTION FIXING DATE OF PUBLIC HEARING ON AUGUST 30TH ON PETITION FOR LOCAL IMPROVEMENTS ON SHENANDOAH AVENUE, FROM THE PLAZA TO ST. JULIAN STREET.

Councilman Whittington moved the adoption of a Resolution Fixing the Date of a Public Hearing on August 30th on Petition for Local Improvements on Shenandoah Avenue, from The Plaza to St. Julian Street, by installing storm drainage facilities and constructing standard curb and gutter. The motion was seconded by Councilman Albea, and unanimously carried. The resolution is recorded in full in Resolutions Book 5, at Page 66.

SUPPLEMENTAL AGREEMENT NO. 7 AUTHORIZED TO LEASE WITH EASTERN AIR LINES.

Upon motion of Councilman Tuttle, seconded by Councilman Whittington, and unanimously carried, the Mayor and City Clerk were authorized to execute Supplemental Agreement No. 7 to Lease with Eastern Air Lines, deleting therefrom their use of Room 211 in the Airport Terminal Building, and updating the description of the premises now held by the Lessee.

AGREEMENT AUTHORIZED WITH CHARLOTTE CAR AND TRUCK RENTAL COMPANY, INC. FOR OPERATION OF A CAR RENTAL SERVICE AT DOUGLAS MUNICIPAL AIRPORT.

Councilman Albea moved that the Mayor and City Clerk be authorized to execute an Agreement with Charlotte Car and Truck Rental Company, Inc., for the operation of a car rental service at the Airport, for a term of ten years. The motion was seconded by Councilman Jordan, and unanimously carried.

AGREEMENT AUTHORIZED WITH EASTERN AIR LINES FOR REIMBURSEMENT BY THE CITY OF THEIR COST OF RELOCATING UNDERGROUND STORAGE FACILITIES.

Upon motion of Councilman Tuttle, seconded by Councilman Whittington, and unanimously carried, the Mayor and City Clerk were authorized to execute an Agreement with Eastern Air Lines for reimbursement by the City of the Airline's cost of relocating three underground tanks and related facilities, in order for the City to complete the new Air Cargo Building and Ramp construction at the Airport.

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CONTRACT AWARDED WIDENHOUSE HOUSE MOVERS FOR THE REMOVAL OF THE WEST CONCOURSE AT DOUGLAS MUNICIPAL AIRPORT.

Councilman Whittington moved the award of contract to Widenhouse House Movers for the removal of the west concourse at Douglas Municipal Airport, at a cost of \$1,600.00. The motion was seconded by Councilman Jordan, and unanimously carried.

APPROVAL OF APPLICATION OF DIXIE TERMITE CONTROL FOR PRIVILEGE LICENSE COVERING THE CLASSIFICATION OF "EXTERMINATION".

Upon motion of Councilman Jordan, seconded by Councilman Albea, and unanimously carried, the application of Dixie Termite Control of Gastonia for privilege license covering the classification of "extermination" was approved.

CONTRACTS AWARDED R. MARRET WHEELER COMPANY AND POWER ELECTRIC COMPANY FOR EXTERIOR REFURBISHING OF WINGS "A" AND "B" AT CHARLOTTE COMMUNITY HOSPITAL.

The City Manager advised that the refurbishing of Wings "A" and "B" at Charlotte Community Hospital will be paid for from funds obtained from the Duke Endowment. That Charlotte-Mecklenburg Hospital Authority has received bids, and the contracts for the work must be awarded by the Council as the City is the owner of the hospital.

He recommended the award of contract for the general construction to the low bidder, R. Marret Wheeler Company, in the amount of \$30,163.00, and the award of the contract for the electrical work to the low bidder, Power Electric Company, Inc., in the amount of \$5,660.00. Councilman Tuttle moved the award of the two contracts as recommended, which was seconded by Councilman Jordan, and unanimously carried.

PETITION NO. 65-66 BY AMERICAN OIL COMPANY FOR CHANGE IN ZONING OF LOT AT THE SOUTHEAST CORNER OF EASTWAY DRIVE AND SHAMROCK DRIVE DENIED.

Councilman Whittington moved that Petition No. 65-66 by American Oil Company for change in zoning from B-1 to B-2 of a lot at the southeast corner of Eastway Drive and Shamrock Drive be denied as recommended by the Planning Commission. The motion was seconded by Councilman Albea, and unanimously carried.

ORDINANCE NO. 368-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE CHANGING ZONING OF A 7.813 ACRE TRACT OF LAND WEST OF STEWART CREEK AT THE END OF SOUTHEAST BOULEVARD, ADOPTED.

Upon motion of Councilman Tuttle, seconded by Councilman Albea, and unanimously carried, Ordinance No. 368-Z Amending Chapter 23, Section 23-8 of the City Code, changing zoning of a 7.813 acre tract of land west of Stewart Creek at the end of Southeast Boulevard, from I-1 to R-6MF, was adopted as recommended by the Planning Commission. The ordinance is recorded in full in Ordinance Book 14, at Page 199.

RESOLUTION PROVIDING FOR PUBLIC HEARINGS ON SEPTEMBER 20TH ON PETITIONS NUMBERED 65-78 THROUGH 65-85 FOR ZONING CHANGES, ADOPTED.

Councilman Albea moved the adoption of a Resolution Providing for Public Hearings on September 20th on Petitions Numbered 65-78 through 65-85 for

Zoning Changes. The motion was seconded by Councilman Jordan, and unanimously carried. The resolution is recorded in full in Resolutions Book 5, at Page 67.

SETTLEMENT OF CLAIM OF THOMAS PHIFER FOR DAMAGES TO CAR.

Upon motion of Councilman Alexander, seconded by Councilman Tuttle, and unanimously carried, the claim of Thomas Phifer in the amount of \$59.50 was authorized paid as recommended by the City Attorney covering damages to his car when struck on the underside by a loose manhole cover in the 700 block of East 15th Street on June 2, 1965.

CLAIM OF MRS GEORGE REID KENNEDY FOR PERSONAL INJURIES DENIED.

Councilman Whittington moved that the claim of Mrs George Reid Kennedy for personal injuries resulting from a fall at the City Animal Shelter on February 21, 1965 be denied as recommended by the City Attorney, who advised that an investigation failed to reveal that the City was in any way liable. The motion was seconded by Councilman Jordan, and unanimously carried.

CLAIM OF MISS RUTH WHITENER FOR PERSONAL INJURIES DENIED.

Upon motion of Councilman Alexander, seconded by Councilman Whittington, and unanimously carried, the claim of Miss Ruth Whitener for personal injuries resulting from a fall on North Church Street on September 26, 1964, was denied, as recommended by the City Attorney, who advised that an investigation failed to reveal that the City was negligent in its duty, and is therefore not liable.

CLAIM OF MISS ELAINE WEAVER FOR PERSONAL INJURIES DENIED.

Councilman Jordan moved that the claim of Miss Elaine Weaver for personal injuries resulting from a fall on East Kingston Avenue on April 10, 1964 be denied, as recommended by the City Attorney, who advised that an investigation failed to reveal that the City was negligent in its duty and is therefore not liable. The motion was seconded by Councilman Whittington, and unanimously carried.

CLAIM OF STEPHEN SLYE FOR PERSONAL INJURIES DENIED.

Upon motion of Councilman Short, seconded by Councilman Alexander, and unanimously carried, claim of Stephen Slye in the amount of \$550.00 for personal injuries resulting from falling partially into a storm drain in front of the house at 5116 Furman Place on September 4, 1964, was denied as recommended by the City Attorney, who advised that an investigation failed to reveal that the City was negligent in its duty, and is therefore not liable.

DEED OF DEDICATION BETWEEN HOUSING AUTHORITY AND CITY OF CHARLOTTE IN CONNECTION WITH NEW HOUSING PROJECT IN AREA OF EAST 10TH STREET APPROVED.

Councilman Albea moved approval of a deed of dedication between the Housing Authority and City of Charlotte with respect to planning, opening and closing of streets in the new housing project in the area of East 10th Street. The motion was seconded by Councilman Alexander, and unanimously carried.

SANITARY SEWER CONSTRUCTION IN CRAIGHEAD ROAD, APPROVED.

Motion was made by Councilman Alexander approving the construction of 1,500 feet of sanitary sewer main in Craighead Road, inside the city limits, at the request of Standard Trucking Company, at an estimated cost of \$6,300.00 with all costs to be borne by the Applicant whose deposit of the amount of the cost will be refunded as per terms of the contract. The motion was seconded by Councilman Albea, and carried unanimously.

CONTRACT BETWEEN CITY AND SHARON UTILITIES, INC. FOR CONSTRUCTION OF A WATER SYSTEM AND SEWERAGE SYSTEM TO SERVE SHARON UTILITIES SUBDIVISION, AUTHORIZED.

Upon motion of Councilman Tuttle, seconded by Councilman Albea, and un-animously carried, a contract was authorized between the City and Sharon Utilities, Inc. for the construction of a water system and sewerage system to serve the Sharon Utilities Subdivision, located on the east side of Nations Ford Road, between Arrowood Road and Greenwood Drive, all outside the city limits, requiring 7,940 feet of water mains and four fire hydrants at an estimated cost of \$32,700.00 with the applicant to finance all pipe lines and system and to own, operate and maintain same, and retain all revenue derived from their individual customers until such time as any part or all of the mains or systems is incorporated into the City, at which time they will become the property of the City without cost to the City or further agreement.

CONTRACTS FOR THE INSTALLATION OF WATER MAINS AUTHORIZED.

Motion was made by Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, authorizing the following contracts for the installation of water mains:

- (a) Contract with Standard Trucking Company for the installation of 1,600 feet of water mains and one hydrant in Craighead Road, inside the city limits, at an estimated cost of \$6,800.00. The City to pay all construction costs, and the Applicant will guarantee an annual gross water revenue equal to 10% of the total construction cost.
- (b) Contract with Carolina Paper Board Corporation for the installation of 500 feet of water mains and one hydrant in Chamberlain Avenue, inside the city limits, at an estimated cost of \$2,500.00. 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.
- (c) Contract with American Investment Company for the installation of 6,605 ft. of water mains and five hydrants in Olde Providence Sub-division, Section 3, outside the city limits, at an estimated cost of \$22,200.00. The Applicant will pay for the entire cost of the water mains and will own same until such time as the area is incorporated when they will become the property of the City without further agreement.
- (d) Supplementary Contract, to contract dated September 24, 1962, with J.A. Jones Construction Company for the installation of 2,770 ft. of water mains and three hydrants, to serve Industrial Property abutting on Pineville Road, outside the city limits, at an estimated cost of \$12,130.00. The Applicant will pay for the entire cost of the mains and will own same until such time as the area is incorporated into the City, when they will become the property of the City without further agreement.

RESOLUTION TO PROVIDE FOR POLICIES GOVERNING EXTENSIONS OF THE CITY'S WATER AND SEWER SYSTEMS INSIDE THE CITY LIMITS SHALL, AS MODIFIED HEREIN, BE APPLICABLE TO THE AREA DESIGNATED FOR ANNEXATION BY ORDINANCE NO. 297-X ADOPTED DECEMBER 28, 1964.

The City Manager advised that a resolution has been prepared relating to treating the annexed area as if it were inside the city, and to change our policies governing the extensions of the City's water and sewer systems accordingly, as previously discussed by Council. That the substance of the resolution is in three parts: First, the charges for water and sewer services in the area shall continue to be made at outside the city rates to the date of annexation; secondly, credits towards any refund due the company shall not begin accumulating until the actual effective date of annexation, which is December 28, 1965; and third, satisfaction guarantees shall be required in accordance with existing inside the city policies, to be computed on the basis of inside the city rates.

The resolution entitled: Resolution to Provide for Policies Governing Extensions of the City's Water and Sewer Systems inside the City Limits shall, as Modified herein, be Applicable to the Area Designated for Annexation by Ordinance No. 297-X Adopted December 28, 1964, was introduced, and upon motion of Councilman Tuttle, seconded by Councilman Jordan, was unanimously adopted. The resolution is recorded in full in Resolutions Book 5, at Page 68.

TRANSFER OF CEMETERY LOTS.

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

- (a) Deed with Mrs Lucille Q. Ramsey, for Lot 237, Section 4-A, Evergreen Cemetery, at \$189.00.
- (b) Deed with Mrs Royster Johnson, for Lot 502, Section 6, Evergreen Cemetery, at \$240.00.
- (c) Deed with Mr. T. A. Browne, for Lot 271, Section 3, Evergreen Cemetery, at \$378.00.
- (d) Deed with Mrs Paul E. West, for Graves 2 and 3, in Lot 191, Section 2, Evergreen Cemetery, at \$120.00.
- (e) Deed with Mrs Ruby M. Johnson, for Lot 433, Section 6, Evergreen Cemetery, at \$240.00.
- (f) Deed with Mrs Carrie F. Wolfe, for Perpetual Care on Lot 61-F, Section I, Elmwood Cemetery, at \$56.00.

CONTRACT AWARDED CAROLINA RESTAURANT SUPPLY COMPANY FOR KITCHEN EQUIPMENT FOR VETERANS CENTER.

Councilman Albea moved award of contract to the low bidder, Carolina Restaurant Supply Company, in the amount of \$1,553.57, for kitchen equipment for Veteran's Center, as specified. The motion was seconded by Councilman Alexander, and unanimously carried.

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The following bids were received:

Carolina Restaurant Supply Co.	\$ 1,553.57
Gardner & Benoit, Inc.	1,644.96
Hood Hotel Supply Corp.	1,879.75

CONTRACT AWARDED W. C. WALLACE & SON, INC. FOR PAINTING COMPLETE EXTERIOR OF VETERAN'S CENTER BUILDING.

Motion was made by Councilman Alexander awarding contract to the low bidder, W. C. Wallace & Son, Inc. in the amount of \$1,407.00 for painting complete exterior of Veteran's Center Building, as specified. The motion was seconded by Councilman Whittington, and carried unanimously.

The following bids were received:

W. C. Wallace & Son, Inc.	\$ 1,407.00
A. R. Lankford Painting Contractor	1,691.00
H. J. Cater Painting Contractor	1,740.00

CONTRACT AWARDED W. H. STEWART COMPANY FOR STEEL SEWER RODS.

Upon motion of Councilman Tuttle, seconded by Councilman Whittington, and unanimously carried, contract was awarded the low bidder meeting specifications, W. H. Stewart Company, in the amount of \$1,606.50 on a unit price basis for 700 steel sewer rods without couplings and 300 with couplings, as specified.

The following bids were received:

W. H. Stewart Company	\$ 1,606.50
O'Brien Mfg. Corp.	1,653.15
Southern Pipe & Tool Co.	2,525.56
Champion Corp. - Did not meet specifications	1,487.04

CONTRACT AWARDED L. A. ARMSTRONG FOR PIT GRAVEL.

Councilman Whittington moved award of contract to the low bidder meeting specifications, L. A. Armstrong, for 3,000 cubic yards of pit gravel as specified in the amount of \$6,180.00 on a unit price basis. The motion was seconded by Councilman Jordan, and carried unanimously.

The following bids were received:

L. A. Armstrong	\$ 6,180.00
F. T. Williams - Did not meet specifications	7,107.00

CONTRACT AWARDED CHARLOTTE LINEN SUPPLY SERVICE FOR LINEN SUPPLY SERVICE.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, contract was awarded Charlotte Linen Supply Service, the low bidder, for yearly requirements of linen service as specified in the amount of \$6,162.94.

The following bids were received:

Charlotte Linen Supply Service	\$ 6,162.94
Independent Linen Service	6,504.58

CONTRACT AWARDED BUTLER & SIDBURY, INC. FOR CONSTRUCTION OF A TEMPORARY CONCOURSE AT AIRPORT.

Motion was made by Councilman Tuttle awarding contract to the low bidder, Butler & Sidbury, Inc., in the amount of \$3,884.00 for the construction of a temporary concourse at the airport. The motion was seconded by Councilman Albea, and unanimously carried.

The following bids were received:

Butler & Sidbury, Inc.	\$ 3,884.00
F. N. Thompson, Inc.	4,124.00
Juno Construction Company	4,490.00
Lawson Construction Company	5,650.00
Myers & Chapman, Inc.	6,700.00

REAPPOINTMENT OF JOHN C. ERWIN TO THE AIRPORT ADVISORY COMMITTEE.

Councilman Tuttle moved the reappointment of Mr. John C. Erwin to the Airport Advisory Committee, for a term of 5 years. The motion was seconded by Councilman Albea, and unanimously carried.

PAPERS REQUESTED FILED IN EFFORT TO OBTAIN CREDIT FOR STUDY OF BLIGHT.

Councilman Short moved that Mr. McIntyre and the Legal Department file the necessary papers to see if the City cannot obtain credit for the study of Blight which the Planning Commission made a few years ago. The motion was seconded by Councilman Albea, and unanimously carried.

QUESTION OF DESIGNATION OF AN INDIVIDUAL OR DEPARTMENT TO MONITOR SITUATIONS WHERE FEDERAL FUNDS MIGHT BE OBTAINED REFERRED TO THE CITY MANAGER FOR STUDY AND RECOMMENDATION.

Councilman Short stated that he is wondering if the Council cannot designate some individual who would automatically and perpetually monitor situations with reference to monies that might be possible from work done on frontage roads and blight studies, and monies that might be available unknown to us by virtue of all of these approximately nineteen ways of obtaining Federal money. That in view of the manpower of the staff of the Legal Department having been increased for the coming year, he moved that someone in that department be designated for the job. The motion was seconded by Councilman Albea.

Mayor Brookshire asked the City Manager for his reaction to the suggestion. Mr. Veeder replied that he agrees wholeheartedly, how and where it should be done organizationally is questionable; that he has reservations about assigning it to the Legal Department. That he has had some thoughts compatible with Mr. Short's, and he thinks it deserves much more consideration from all of us than it has had to date, and he would like to come back with more thoughts along these lines.

Councilman Tuttle offered a substitute motion that the question be referred to the City Manager for study and recommendation. The motion was seconded by Councilman Albea.

Councilman Short asked the City Attorney to comment as to whether his department could not undertake this duty. Mr. Morrissey remarked that he would not in any way prejudice the City Manager's review of the matter. That he does not think it a proper function for the legal department, which is a

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staff function advisory to the line departments and other staff officers; that he is certain that they would assist in the matter, if for example there were matters of interpretation involved as to whether or not the City would be entitled to some advantages.

Councilman Tuttle remarked that he is inclined to believe that this is an area in which the Council could get some free talent. A couple of bankers or a nonpaid commission. That we have a vast wealth of free help in Charlotte and willing help, and he is inclined to believe that it should be an outside Commission.

Councilman Alexander asked if most of this will not be the responsibility of the Urban Renewal Commission? That it seems to him that they would be the first to know about it by virtue of the fact that their activity sets it out and it is his thinking that they are the ones with the responsibility of protecting our rights growing out of any activity of this operation. That he feels if it is called to their attention that we will get results. That he is not saying matters should not be watched by others as well.

Councilman Short called attention that some of this money has no relations to the activity of the Urban Renewal people - for example, the activity about the School Board in connection with First Ward School which might have resulted in some money for the City; then our Engineering Department in connection with some frontage roads was pointed out as a potential way of realizing money - Urban Renewal has nothing whatsoever to do with that. That in private business if you retain legal counsel on a yearly basis you would expect them to occasionally call you and say here is some new legislation that has possibilities that I want to make you aware of - and he would think the same thing would prevail in municipal government, and this would be something that our Legal Department would be expected to be responsible for.

Councilman Jordan remarked that a motion has been made to turn this over to the City Manager for study and recommendation and he suggested that it be left at that and let him come back with a report.

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

CITY MANAGER REQUESTED TO CHECK INTO CONDITION OF STREET IN 2600 BLOCK OF OLANDO STREET.

Councilman Alexander stated that in the 2600 block of Olando Avenue some duplexes have been built and the people are complaining about the condition of the street. This is a street that has never been developed and probably not under city maintenance, that one portion of the block seems to be but this portion does not. That it may be what the residents need to do is to get in touch with whoever built the duplexes. The City Manager advised he would be glad to check into the matter.

REQUEST THAT VACANT HOUSES AT INDEPENDENCE BOULEVARD AND ALEXANDER STREET AND ON MYERS STREET, IN URBAN RENEWAL AREA, BE TORN DOWN BEFORE OPENING OF SECOND WARD SCHOOL.

Councilman Alexander stated there are three vacant houses, two at the corner of Independence Boulevard and Alexander Street next to the Second Ward High School, and one on Myers Street next to the School, and they pose problems with the school children, and they did so last year. The School Principal

and the Chairman of their School Committee told him that it was reported as late as last October and they were told they would be torn down by November 6, 1964, but this has not been done and he understands that the Urban Renewal Board told them that the complaints had been turned over to the City. Councilman Alexander asked what is the procedure to get them torn down before the start of School. Mr. Veeder stated if they are not already under contract to be torn down, he will look into the matter.

REQUEST THAT BETTER MAINTENANCE BE GIVEN TO PINWOOD CEMETERY.

Councilman Alexander asked if the City has any responsibility for the maintenance of Pinewood Cemetery, stating that the reason he is asking is there is no fence around that section of the Cemetery at all.

Mr. Veeder, City Manager, advised that he has a report on this in connection with his previous comments on the cemetery and will go over it with him at his convenience.

Councilman Alexander stated further that people move their cars onto the cemetery property, and work on them there. That the roadways are in bad condition, and it does not look as if much attention is given to their maintenance. He stated he thinks that more attention should be given to this Cemetery.

RESOLUTION EXPRESSING THE SUPPORT OF THE MAYOR AND CITY COUNCIL FOR THE FESTIVAL-IN-THE-PARK SPONSORED BY THE CHAMBER OF COMMERCE.

Councilman Jordan moved that a resolution be adopted supporting and approving The Festival In The Park, which will take place from September 21st through the 26th. He stated that last year the Festival drew 100,000 and they are expecting about 300,000 this year. The motion was seconded by Councilman Whittington, and unanimously carried. The resolution is recorded in full in Resolutions Book 5, at Page 69.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE APPROVING UNDERTAKING OF SURVEYS AND PLANS FOR AN URBAN RENEWAL PROJECT AND FILING OF AN APPLICATION APPROVED. (SECTION 5).

Councilman Whittington stated that he thinks as we contemplate increasing the tempo of Urban Redevelopment in Charlotte by expanding the program to other sections of the City which contains slums and blight, that first, we should think about completing what has been started in the Brooklyn area. That Council heard this morning the report by Mr. Rouzer, Mr. Sawyer and Mr. McIntyre pointing out what has been done in Brooklyn and what has not been done. They pointed out that Section 5 had not been approved for planning by the Council. That this is a necessary step before the Redevelopment Commission can begin work there. He stated that he has a resolution which has been prepared by Mr. Sawyer pertaining to the planning of Section 5 in the Brooklyn area. He moved the adoption of the resolution entitled: Resolution of the City Council of the City of Charlotte, North Carolina Approving Undertaking of Surveys and Plans for an Urban Renewal Project and Filing of an Application.

Mr. Veeder remarked this is a standard resolution which the Urban Renewal Commission prepared on the other 4 sections, and relates to approving the undertaking of surveys and plans for an urban renewal project and filing of an application. That he thinks the important thing is that this will authorize the Redevelopment Commission to apply for the planning funds necessary to get going with the planning efforts required for each section.

The motion was seconded by Councilman Albea, and carried unanimously. The Resolution is recorded in full in Resolutions Book 5, at Page 70.

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RECOMMENDATION THAT PLANNING COMMISSION STUDY NAMED AREAS TO DETERMINE EXTENT OF BLIGHT AND RECOMMEND REDEVELOPMENT PROJECTS THEREIN IN FOUR TO SIX WEEKS AND APPOINTMENT OF TASK FORCE TO ASSIST WITH SAID PROJECTS AND PROJECT 5, AND ASSIST IN SECURING FEDERAL FUNDS THEREFOR.

Councilman Whittington stated pertaining further to Urban Renewal that he recommends that the Planning Commission study the areas that Mr. Sawyer and Mr. McIntyre pointed out this morning - namely: The First Ward, Greenville Section, parts of old Dilworth, Community College Area and perhaps Tryon Street, Morehead and Independence Boulevard to determine first of all, the present extent of blight in accordance with the North Carolina Urban Redevelopment Law, and to find and recommend redevelopment projects or rehabilitation projects or a combination of both to the Council in 4 to 6 weeks if possible, or whatever time Mr. McIntyre feels that he needs. That he would also recommend to Council that the Mayor appoint a task force of citizens to assist the Mayor and City Council with these projects; and he would recommend that this task force include a City Councilman, the City Manager, Mr. Veeder, Mr. Rouzer, Chairman of the Urban Redevelopment Commission, Mr. Sawyer from the executive staff and Mr. McIntyre from the Planning Staff and give them the responsibility of obtaining approval of Project 4 which was today sent to Atlanta. Second, that we request them to assist us with Project 5, which we have approved today - that is for the approval and allocation of the federal money. Third, that we request this task force to assist Council in securing the necessary funds from the federal assistance programs under the Housing Act and/or Urban Renewal for the projects recommended or discussed here today, and that they also be assigned the job of studying the sources and methods of obtaining local funds that can be earmarked for Urban Renewal to match the federal funds that are available under the National Housing Act and report back to Council at the same time that Mr. McIntyre and his staff reports. That these presentations which were made to Council today were bold recommendations and he thinks all would agree aggressive steps for the city to take, but if we are to keep progress or pace with the needs, he believes these things must be done. He moved that the Council accept this recommendation and ask for a task force to be appointed to help with the responsibility. The motion was seconded by Councilman Short.

Councilman Albea asked what he means by task force - if he is talking about other people besides the ones mentioned. Councilman Whittington stated he is talking about people including the persons who were mentioned. That he is thinking about in addition to these people, business people who could help Council with these programs.

Mayor Brookshire remarked that he thinks this is in line with the feelings of all members of the Council that the Urban Renewal Program in Charlotte should be accelerated as much as possible.

Councilman Albea stated he has read in the paper that someone said this Council has dragged its feet. That he would like to say that the hold-over members on this Council certainly haven't dragged their feet. That there have been members who were opposed and honestly opposed to Urban Redevelopment, but so far as he knows the present Council hasn't dragged its feet or neglected their duty trying to get Urban Redevelopment moving.

The vote was taken on the motion and carried unanimously.

RESOLUTION COMMENDING CHARLOTTE POST 9 AMERICAN LEGION BASEBALL TEAM AND WISHING THEM GOOD LUCK IN THE AMERICAN LEGION SOUTHEASTERN TOURNAMENT.

Councilman Whittington introduced a resolution entitled: Resolution Commending Charlotte Post 9 American Legion Baseball Team and Wishing them Good Luck in the American Legion Southeastern Tournament, and moved its adoption, and asked that a copy of the resolution be sent to the Team tomorrow. The motion was seconded by Councilman Tuttle, and unanimously carried.

The resolution is recorded in full in Resolutions Book 5, at Page 72.

FUNDS APPROPRIATED FROM CONTINGENCY ACCOUNT, GENERAL FUND FOR CONSTRUCTION OF PEDESTRIAN BRIDGE OVER STEWART CREEK NEAR PRINCE STREET.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, \$1,800.00 was authorized appropriated from the Contingency Account, General Fund, for the construction of a pedestrian bridge over Stewart Creek near Prince Street, for the use of children attending West Charlotte High School, University Park and West Charlotte Junior High School.

CANCELLATION OF LEASE WITH SHARON DEVELOPMENT CORPORATION FOR PROPERTY LOCATED ON OLD DOWD ROAD NEAR APPROACH TO NORTHEAST-SOUTHWEST AIRPORT RUNWAY.

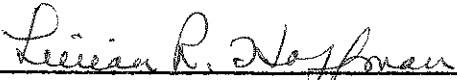
Upon motion of Councilman Tuttle, seconded by Councilman Albea, and unanimously carried, Lease with Sharon Development Corporation for property located on Old Dowd Road near the approach to the Northeast-Southwest Runway at the Airport was cancelled effective August 15, 1965, by mutual agreement with the said Corporation.

INVITATION TO COUNCIL TO MEETING AT PUBLIC LIBRARY MONDAY, AUGUST 23RD FOR PRESENTATION OF DOWNTOWN STUDY.

Mayor Brookshire reminded Council that they are invited, and urged, to attend a meeting at the Public Library on next Monday morning, at 10 o'clock for a presentation of the Downtown Study that has been under way for some time.

ADJOURNMENT.

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



Lillian R. Hoffman, City Clerk

ORDINANCE NO. 499-X

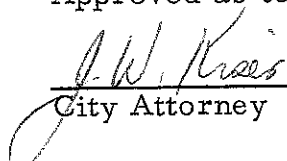
AN ORDINANCE TO AMEND ORDINANCE NO. 360-X, THE 1965-66 BUDGET ORDINANCE, AUTHORIZING THE TRANSFER OF A PORTION OF THE GENERAL FUND UNAPPROPRIATED SURPLUS ACCOUNT.

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina:

Section 1. That \$12,700 of the revenue in the General Fund unappropriated surplus account is hereby transferred and added to the appropriation made in the 1965-66 Budget Ordinance for Non-Departmental Expense - General Insurance, said amount then to be used for the payment of additional liability insurance premiums.

Section 2. This ordinance shall become effective upon its adoption.

Approved as to form:



City Attorney

Attached to the records as instructed by the City Attorney's office
July 27, 1966.

Ruth Armstrong