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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber in the City Hall, on Monday, December 21, 1959, at 3 o'clock p.m., with Mayor Smith presiding, and Councilmen Albea, Babcock, Dellinger, Hitch, Myers, Smith and Whittington being present.

ABSENT: None.

Planning Board members Sibley, Chairman, and Craig, Ervin, Hanks, Marsh, Schwartz, Toy and Wilkinson were present during the Hearings on Petitions for changes in zoning.

ABSENT: Commissioners Hook and McClure.

* * * * *

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Hitch, seconded by Councilman Smith, and un-animously carried, the Minutes of the last meeting on December 14, 1959 were approved as submitted.

HEARING ON ORDINANCE NO. 634 AMENDING ZONING ORDINANCE TO AMEND BUILDING ZONE MAP OF PERIMETER AREA TO CHANGE PROPERTY ON SOUTH SIDE OF INDEPENDENCE BOULEVARD, EAST OF ASHMORE DRIVE, FROM B 1-A TO B-1, ON PETITION OF H. D. ALBRIGHT.

The scheduled hearing was held on Ordinance No. 634 Amending the Zoning Ordinance to amend the Building Zone Map of the Perimeter Area by changing zoning on property on south side of Independence Boulevard, east of Ashmore Drive from B 1-A to B-1, on petition of H.D. Albright.

Mr. McIntyre, Planning Director, stated the property is 350 x 180 ft. deep and vacant; that it is adjoined on both sides by business operations and at the rear is developed by single-family residences and some vacant land.

Mr. Alvin London, Attorney for the Petitioner, stated the property is most suitable for a restaurant and drive-in, which they wish to construct and they are requesting a B-1 zone so that beer and other beverages may be sold, as patrons practically demand beer. He stated that beer is now sold at the nearby Steak House and it would be useless for them to operate an eating establishment without selling it. Mr. London advised there is no right-of-way from the property at the rear to the residential area, and they do not contemplate operating an establishment that will be objectionable to anyone in the area.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred for one week.

HEARING ON ORDINANCE NO. 635 AMENDING ZONING ORDINANCE TO AMEND BUILDING ZONE MAP OF THE PERIMETER AREA BY CHANGING PROPERTY AT NW CORNER OF STATESVILLE ROAD AND INTERSTATE HIGHWAY #85, FROM RURAL TO B-1, ON PETITION OF HILMER REALTY COMPANY.

The public hearing was held on Ordinance No. 635 Amending the Zoning Ordinance to amend the Building Zone Map of the Perimeter Area by changing zoning on property at the NW corner of Statesville Road and Interstate Highway #85, from Rural to B-1, on petition of Hilmer Realty Company.

Factual information as to the property was given by the Planning Director, who stated the property consists of 5 1/4 acres and is partially developed residentially; that the property extends 600 ft. back from Statesville Avenue and fronts 300 ft. on the highway, and is adjoined by vacant land and the highway.

Mr. Elmer Hilker, Attorney for the petitioner, stated the property is unsuitable for residential purposes; that it fronts on Interstate Highway #85 and should serve the highway as a Truck Stop or Motel; that it is a very large tract of land in two sections, one at the entrance to the highway clover-leaf and the other at the exit.

No opposition was expressed to the proposed zoning change.

Council decision was deferred for one week.

HEARING ON ORDINANCE NO. 636 AMENDING ZONING ORDINANCE TO AMEND BUILDING ZONE MAP OF THE CITY OF CHARLOTTE BY CHANGING ZONING ON PROPERTY ON THE NW SIDE OF THOMAS PLACE, NE OF HERRIN AVENUE, FROM R-2 TO B-1, ON PETITION OF S. P. RISLEY.

The scheduled hearing was held on Ordinance No. 636 Amending the Zoning Ordinance to amend the Building Zone Map of the Perimeter Area by changing zoning on property on the NW side of Thomas Place, NE of Herrin Avenue, from R-2 to B-1, on petition of S. P. Risley.

Mr. McIntyre, Planning Director, presented a map of the property and surrounding area and stated the property extends one-half block down Herrin Avenue, and is 350 x 150 ft. and is located behind the Plaza Road property. That it is adjoined at the rear by vacant land with the exception of one residence and the area is developed along Thomas Place residentially and across Herrin Avenue there are business establishments.

Mr. Basil M. Boyd, Attorney for the petitioner, stated a petition for the rezoning of the property was before Council some months ago and received an adverse decision; that since then several things have come up that justified a new petition being filed with the Planning Board. He advised the land is vacant and the adjoining property and practically all of the property along Plaza Road, from the Parkwood Avenue intersection is zoned for business. He stated that last year the adjoining block, belonging to the petitioner, was rezoned B-1 and he wishes the property in question to be similarly zoned to be used as one parcel. He advised that the remainder of the block is owned by the petitioner and it contains only two old houses; that across the street there is a Supermarket and Dairy Store. Mr. Boyd stated that the petitioner wishes to erect a modern supermarket on the property, which is unsuitable and unmarketable for residential purposes and unless rezoned for business, Mr. Risley will suffer a loss.

Mr. Robert Wellons, Attorney for Harris Super Market, stated they have

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considered acquiring the property for a supermarket thinking it was zoned for business and it will be most suitable for this purpose if rezoned.

No opposition was expressed to the change in zoning.

Council decision was deferred for one week.

HEARING ON ORDINANCE NO. 631 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE PERIMETER AREA BY CHANGING PROPERTY EAST OF SUGAW CREEK ROAD, BETWEEN GROVE AVENUE EAST AND CINDERELLA ROAD, FROM R-2 TO B-1, ON PETITION OF GOODYEAR MORTGAGE CORP.

The continued hearing from November 16th was held on Ordinance No. 631 Amending the Zoning Ordinance to amend the Building Zone Map of the Perimeter Area by changing property east of Sugaw Creek Road, between Grove Avenue East and Cinderella Road, from R-2 to B-1, on petition of Goodyear Mortgage Corp.

Mr. McIntyre, Planning Director, stated the property consists of 8 lots fronting on Grove Avenue and Cinderella Road and is adjoined by vacant land and residences in Hidden Valley Subdivision.

Mr. Ken Griffin and Mr. Charles Henderson, Attorneys for the Petitioner, advised that a shopping area will without doubt be erected in the area to serve the large residential subdivision and the property in question is large and if rezoned will provide ample space for a modern shopping center with sufficient off-street parking. They stated the adjoining property on the west is zoned B-1 and the two adjoining property owners on other sides of the property have today filed applications for a change to B-1 zoning.

Strong opposition to the change in zoning was expressed by residents of the area. Miss Louise Davis, who resides directly in front of the property in question stated a petition has been signed by 48 property owners of the area opposing the change; she stated they do not want nor need a shopping center and that it will definitely devalue their residential property. Mr. Reece L. Smith, Mr. Cecil E. Ballard, Mrs. Herman Prim and others, all residents of Sugaw Creek Road, voiced strong opposition to the zoning change.

Council decision was deferred for one week.

EXTENSION OF CHESTNUT STREET, FROM PECAN AVENUE TO HAWTHORNE LANE, UNDER INVESTIGATION.

The Reverend Lee Barnett, Pastor of Belmont Park Methodist Church, urged that Chestnut Street be extended from Pecan Avenue to Hawthorne Lane, primarily for use by school children who are now having to walk through a wooded area to school, as there is no street connecting The Plaza with Hawthorne Lane between Kennon Street and Central Avenue.

Councilman Dellinger advised Mr. Barnett that an investigation is now under way to extend Chestnut Street as requested; that one resident does not wish to sell the required right-of-way but it is believed the matter can be worked out with him.

ADDITIONS AND CORRECTIONS TO STREET NAME AND STREET CONTINUITY CHANGES,
ADOPTED EFFECTIVE JANUARY 1, 1960.

Upon motion of Councilman Smith, seconded by Councilman Whittington, and unanimously carried, the following Additions and Corrections to the list of Street Name Changes recently adopted, recommended by the Planning Board were adopted:

| PRESENT NAME | FROM | TO | NEW NAME |
|------------------------------------|-------------------|--------------------|-----------------|
| Argonne Drive | Mint Street | S. Church Street | W. Summit Ave. |
| Bellhaven Ave. & New Highway 16 | City Limits | Rozzells Ferry Rd. | Bellhaven Blvd. |
| Belton St. | Kinlough Dr. | End | Firwood Lane |
| Doster Place | Tanglewood Dr. | Walker Road | Tangle Drive |
| Dowd Road | Clarkson St. | Mint St | W. Summit Ave. |
| Druid Avenue | Druid Cir. N. | Jordan Ave. | Montreat St. |
| Enderly Road E. | Tuckaseegee Rd. | End | Effingham Rd. |
| Forest St. | McCall St. | Statesville Ave. | Callahan St. |
| Gold St. | S. Tryon St. | S. Church St. | W. Summit Ave. |
| Griffith St. (East) | S. Griffith St. | South Boulevard | New Bern St. |
| Griffith St. (South) | Near Fairwood Ave | E. Griffith St. | Griffith St. |
| Griffith St. (West) | E. Griffith St. | End | Griffith St. |
| Lyon Street | Commonwealth Ave. | Kingsbury Dr. | Lorna St. |
| Matthews St. | Marshall Court | Rainey Way | Hiddenbrook Dr. |
| Park Court | Torrence St. | Travis Ave. | Bartow Court |
| Pine St. | Atando Ave. | End | Yonkers St. |
| Summit Ave. (South) | Independence Bl. | S. Clarkson St. | W. Summit Ave. |
| Tanglewood Dr. | Doster Pl. | Lomax Ave. | Bloomdale Dr. |
| Union St. | Leigh Avenue | Charles Ave. | Pinckney Ave. |
| Watts Lane | Watts St. | Pearl St. | Dinwiddie Lane |

SAL RAILWAY COMPANY AUTHORIZED TO CONNECT PRIVATE SANITARY SEWER LINES
TO CITY'S SANITARY SEWERAGE SYSTEM.

Upon motion of Councilman Dellinger, seconded by Councilman Myers, and unanimously carried, the Seaboard Airline Railway Company was authorized to connect their private sanitary sewer lines, to be constructed outside the 1960 city limit area, to the City's Sanitary Sewerage System to be served by Stewart Creek Outfall and Irwin Creek Sewage Treatment Plant.

CONDEMNATION PROCEEDINGS AUTHORIZED STARTED FOR RIGHT-OF-WAY ACROSS
PROPERTY OF MR AND MRS GEORGE F. LEFLER FOR CONSTRUCTION OF BIDDLE PARK
SANITARY SEWERS.

Upon motion of Councilman Whittington, seconded by Councilman Myers, and unanimously carried, condemnation proceedings were authorized started for a 65.18 x 10 ft. right-of-way across the property of Mr & Mrs. George F. Lefler for the construction of the Biddle Park Sanitary sewer line.

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AGREEMENT AUTHORIZED WITH SAL RAILWAY COMPANY FOR RIGHT-OF-WAY BENEATH THEIR SPUR TRACK IN DRAPER STREET FOR INSTALLATION OF WATER MAIN.

Councilman Babcock moved approval of an Agreement with the Seaboard Air-line Railway Company for right-of-way beneath their spur track in Draper Street, for the installation of a water main by the City. The motion was seconded by Councilman Whittington, and unanimously carried.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

Motion was made by Councilman Albea, seconded by Councilman Whittington, and unanimously carried, authorizing the construction of driveway entrances at the following locations:

- (a) One 25-ft. driveway at 2320 West Morehead St.
- (b) One 20-ft. driveway at 806 East Trade Street.
- (c) One 20-ft. driveway at 1124 East 10th Street.
- (d) One 18-ft. driveway on Beverly Place for 3135 East Ford Road.
- (e) One 20-ft. driveway on North Caldwell Street.
- (f) One 30-ft. driveway at 308 Foster Street.
- (g) One 30-ft. driveway at 2132 Hawkins Street.
- (h) One 30-ft. driveway at 2127 Hawkins Street.
- (i) Three 35-ft. driveways and One 30-ft. entrance at 1211 West Independence Boulevard.

EXTENSION OF SICK LEAVE TO EMPLOYEES OF POLICE AND FIRE DEPARTMENTS.

Upon motion of Councilman Albea, seconded by Councilman Dellinger, and unanimously carried, sick leave extension was granted the following employees:

- (a) Extension from Dec. 10th to 31st to F. R. Burgess and for the one day, Dec. 8th to Mrs. Mildred Fierens, both employees of Police Dept.
- (b) Extension from Nov. 19th thru Nov. 22nd to Fireman B.M. Medlin, for one day, Nov. 13th to Fireman B. H. Dixson and from Nov. 6th thru Nov. 29th to Fireman W. L. Wafford.

PAYMENT AUTHORIZED FROM SEWER BOND FUND TO TALIAFERRO, GRIER, PARKER AND POE, ATTORNEYS, FOR LEGAL SERVICES IN CONNECTION WITH CONDEMNATION OF RIGHT-OF-WAY FOR MCMULLEN CREEK OUTFALL.

Councilman Smith moved approval of the payment of \$525.00 from the Sewer Bond Fund to Taliaferro, Grier, Parker & Poe, Attorneys, for legal services in connection with the condemnation of right-of-way for the McMullen Creek Outfall. The motion was seconded by Councilman Hitch, and unanimously carried.

REAPPOINTMENT OF GUY E. SUDDRETH TO AIR POLLUTION CONTROL ADVISORY AND APPEAL BOARD.

Councilman Dellinger moved the reappointment of Mr. Guy E. Suddreth to the Air Pollution Control Advisory & Appeal Board, for a term of 5 years from the expiration of his present term on January 1, 1960. The motion was seconded by Councilman Albea, and unanimously carried.

REAPPOINTMENT OF DR. DAVID G. WELTON AND D. CLYDE LISK AND APPOINTMENT OF DR. E. U. AUSTIN, JR. TO HEALTH ADVISORY COMMITTEE REPORTED BY CITY MANAGER.

Mr. Veeder, City Manager, reported that he has reappointed Dr. David G. Welton and Mr. Clyde D. Lisk to the Health Advisory Committee for terms of 5 years starting September 29, 1959, and has appointed Dr. E. U. Austin, Jr. to the Board to fill the term of Dr. Ralph Jarrett, deceased, to expire on September 29, 1962.

REGULATIONS REGARDING PARKING IN CITY PARKING LOT AT SE CORNER OF EAST FOURTH AND DAVIDSON STREETS AND IN REAR OF CITY HALL ADOPTED.

The results of a survey of the available parking lots for city employees by the Traffic Engineering Department with recommendations as to their use was submitted by the City Manager and discussed. Councilman Dellinger stated that a lot 40 ft. by 150 ft. on East 4th Street at the rear of the City Hall was purchased on November 20, 1956 from Mrs. McLaughlin at \$14,000.00, which together with the three other lots on East 4th Street previously purchased from Mr. Joe Monroe, makes available four lots for parking city employees cars.

Upon motion of Councilman Dellinger, seconded by Councilman Hitch, and unanimously carried, the following regulations relative to the use of city parking space by city employees were adopted:

"City Parking Lot Located on the Southeast Corner of 4th and Davidson Street: In the first row nearest 4th Street, 18 spaces, be set aside and signed "City Owned and Licensed Vehicles Only".

The remaining 3 rows, 58 spaces, be for city employees' driving their own cars to work.

THAT THE POLICE DEPARTMENT be instructed to inforce the parking in the lot at the corner at Davidson Street. All vehicles parking in this lot should have the necessary identification tag for city employees'.

PARKING LOT IN REAR OF CITY HALL: It is recommended that the south side, or the area along the Police Dept., old Health Dept. building, and Fire Dept. be allocated for the Police Dept., "Police Cars Only". Twenty-two spaces and one space for Fire Dept. (Total space for Police Dept. is 30.)

The North side along the City Hall be set aside for department heads and personnel that drive City Owned Licensed Vehicles. Ten spaces are needed. The remainder - 14 spaces be marked "City Hall Cars" would be used by City Council vehicles, Commission meetings and Board meeting. When these spaces are not in use by these agencies they can be used by city owned vehicles for "in" and "out" business at the City Hall. Is further recommended that a sign be located at the entrance of the parking lot on Davidson Street which will read "Police and City Vehicles Only, No Private Car Parking".

No private owned vehicles be allowed to park in the rear of the City Hall."

FUNDS APPROPRIATED FROM EMERGENCY FUND FOR CHANGING AND INSTALLING STREET NAME MARKERS.

Mr. Veeder, City Manager, stated that the Traffic Engineer advises that

a total of 2,694 street name markers must be changed and installed after January 1, 1960 to effect the street name change program, at a total cost of \$9,050.00. That \$3,550.00 was budgeted for such purpose leaving a shortage of \$5,500.00 to complete the work. Councilman Dellinger moved that \$5,500.00 be transferred from the Emergency Fund (Code 110) to the Traffic Engineering Budget for this purpose. The motion was seconded by Councilman Albea, and unanimously carried.

WATER BOND FUNDS AUTHORIZED USED FOR PURCHASE OF MACHINERY AND EQUIPMENT FOR WATER DEPARTMENT.

Mr. Veeder, City Manager, stated that Mr. Franklin, Supt. of the Water Department requested that \$55,250.00 be budgeted in the current budget for needed machinery and equipment, and only \$24,500.00 was budgeted, and since that time a major piece of equipment, a trenching machine, has stopped functioning and it is necessary that it be replaced. Also, Mr. Franklin is badly in need of the other machinery and equipment, which he has been unable to purchase because of the shortage of funds. That he now requests that he be allowed to spend \$38,750.00 from the Water Bond Fund for the purchase of a new trenching machine and the other equipment. That Mr. Franklin advises the City Attorney has ruled that this is a legal expenditure as the purchase of this equipment is an integral part of the Water Department Improvements for which the bonds were voted and the equipment will be in continuous use for the normal operation of the Department. Mr. Veeder recommended that the funds be made available. Councilman Hitch moved that \$38,500.00 be authorized spent from the Water Bond Funds, as requested. The motion was seconded by Councilman Whittington, and unanimously carried.

SUMMARY OF CITY'S REVENUE FOR PAST TEN YEARS PRESENTED COUNCIL.

Mr. Veeder distributed to the Council as information, a Summary of the City's revenue for the past ten years, showing from what sources it is realized.

PROPOSAL TO INCREASE PARKING METER FEE TO TEN CENTS AT AIRPORT REFERRED TO AIRPORT ADVISORY COMMITTEE FOR RECOMMENDATION.

Mr. Veeder, City Manager, submitted a proposal for Council consideration that the fee for parking meters at the Airport be increased from 5 cents to 10 cents. He advised there are 165 meters and the doubled revenue could be realized at a cost of \$35.00 per meter for converting it to the higher fee. Councilman Smith moved that the proposal be referred by Mr. Veeder to the Airport Advisory Committee for recommendation. The motion was seconded by Councilman Albea, and unanimously carried.

ROCKWELL MANUFACTURING COMPANY ASKS THAT THEIR WATER METER BE USED BY CITY.

Councilman Babcock stated Mr. Washburn of the Rockwell Manufacturing Company has been to see him relative to getting their water meters accepted by the City; that Mr. Washburn advises Mr. Franklin, Supt. of the Water Department, does not feel their meter has been tested sufficiently to be added. Councilman Babcock introduced Mr. Washburn, who stated for the past ten or twelve years his company has been mailed invitations to bid on Charlotte's water meters but none has been purchased from them and when the Water Department was asked directly if their meter was

acceptable, the answer was "No, they do not fit". That the City is buying meters from three manufacturers, therefore, they cannot see why a fourth would be harmful, as they meet the City's specifications. During the discussion, Mr. Franklin stated that the department has standardized on three makes of good, standard meters and their parts have been stocked. That the tests of the Rockwell meter has not been on an adequate basis to say "let's add these". Councilman Whittington suggested that the City Manager, Mr. Franklin and the Purchasing Agent get together on the problem, and if their product is comparable to the other three manufacturers then they should be given like consideration. Councilman Smith stated he would prefer leaving it to the discretion of Mr. Franklin. Mr. Washburn stated all they want is to be able to submit a legitimate bid and if low, then to get the business. Councilman Babcock stated he just wanted Mr. Washburn to present his side of the question to the Council.

REQUEST THAT EVERGREEN CEMETERY COMPOST BIN BE MOVED TO ANOTHER LOCATION REFERRED TO CITY MANAGER.

Councilman Babcock presented a letter from Mr. Wayne H. Traywick, 3837 Sheffield Drive, that he has requested the Supt. of Cemeteries to remove the Evergreen Cemetery Compost Bin to another location, as it is an unsightly view directly in front of his residence. The request was referred to Mr. Veeder, City Manager, by the Council.

TRAFFIC COUNT REQUESTED AT PICARDY PLACE AND COLONY ROAD WITH VIEW TO ERECTING TRAFFIC SIGNAL.

Councilman Dellinger requested the City Manager to have a traffic count made at the intersection of Picardy Place and Colony Road to see if a traffic signal is needed.

REQUEST THAT TEMPORARY SIDEWALK BE REPLACED ON BEATTIES FORD ROAD.

Councilman Dellinger stated the question of sidewalks on Beatties Ford Road was discussed last week, and he wants to go on record requesting the City Manager to see if the temporary sidewalks cannot be replaced.

HOSPITAL COMMITTEE REPORTS STILL WORKING ON HOSPITAL NEED SITUATION.

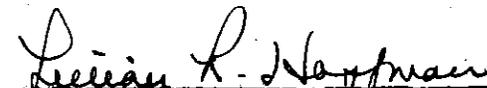
Councilman Hitch reported the Committee is still working on the hospital situation, which will require much study. That the Hospital Care Association has been asked to look into the situation and the Council will have to take action eventually.

CHRISTMAS GREETINGS EXTENDED THE MAYOR AND CITY COUNCIL ON BEHALF OF THE CITY EMPLOYEES.

Mr. John D. Shaw, City Attorney, extended Christmas Greetings to the Mayor and Council on behalf of the City Employees.

ADJOURNMENT.

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


Lillian R. Hoffman, City Clerk