



A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Monday, March 21, 1966, at 2 o'clock p.m., with Mayor Stan R. Brookshire presiding, and Councilmen Claude L. Albea, Fred D. Alexander, Sandy R. Jordan, Milton Short, John H. Thrower, Jerry C. Tuttle and James B. Whittington present.

ABSENT: None.

The Charlotte-Mecklenburg Planning Commission sat with the City Council, and as a separate Body, held its public hearings on Petitions for changes in Zoning Classifications jointly with the City Council, with the following members present: Mr. Sibley, Chairman, Mr. Ashcraft, Mr. Gamble, Mr. Jones, Mr. Olive, Mr. Stone, Mr. Tate and Mr. Turner.

ABSENT: Mr. Lakey and Mr. Toy.

INVOCATION.

The invocation was given by the Reverend Roberts C. Lasater, Sr., Associate Pastor of St. John's Baptist Church.

MINUTES APPROVED AS CORRECTED.

Upon motion of Councilman Albea, seconded by Councilman Thrower and unanimously carried, the Minutes of the last meeting on March 14, 1966, were approved with the following correction at the request of Councilman Short: On Page No. 499, in the first paragraph relative to the appointment of J. W. Kiser as City Attorney, change the words "Councilman Tuttle" to "Councilman Short".

PETITION NO. 66-25 BY MRS. MADIE B. WALTON FOR CHANGE IN ZONING FROM R-12 TO R-9MF ON A 22.221 ACRE TRACT OF LAND FRONTING 217.96 FEET ON THE WEST SIDE OF PARK ROAD BEGINNING 1557 FEET SOUTH OF STARBROOK DRIVE, WITHDRAWN.

Mr. Robert Blythe, Attorney representing the Petitioner, Mrs. Walton, requested the postponement of the public hearing on the subject petition from today until the date in April on which public hearings on zoning petitions are held.

The City Council had been advised by the City Manager that a petition protesting the change in zoning had been filed that was sufficient to invoke the 20 percent rule. Also, that a letter had been received from Mr. Blythe advising that he wished to amend the petition to request that the zoning be changed to R-12MF in lieu of R-9MF requested in his original petition, and that he would present this request at the meeting today.

Councilman Albea asked Mr. Blythe for the reasons for his request for the postponement of the hearing, and Mr. Blythe replied that they are just not prepared at this time to give an adequate presentation of the petition.

Councilman Jordan asked that anyone in the audience who is interested in this petition to please stand, and a large delegation of citizens stood.

Councilman Tuttle remarked that Mr. Blythe will have to give him a better reason than he has given for his request for postponement of the hearing with this number of interested persons present.

Mr. Blythe replied that he is afraid that he cannot give any better reason than that; they just do not feel they are ready to present the petition at this time.

Councilman Thrower asked the Clerk the date on which the petition was filed, and she replied it was filed on February 8, 1966.

Councilman Jordan asked Mr. Blythe if in asking for this change, would it be in any way delete some of the property that might put it under the 20 percent rule, and Mr. Blythe replied that he would say categorically it would not.

Councilman Short asked Mr. Blythe what zoning they requested originally, and Mr. Blythe replied that the original petition they filed was for a change to R-9MF, subsequently by letter he asked to amend the petition to R-12MF and advised he would present his request to amend the petition today simply because everything else seemed to be in the R-12 category along Park Road. However, he would not like to get into a discussion on the amendment now as long as we are on the discussion of their request for postponement of the hearing.

Mayor Brookshire remarked that in as much as the Petition was filed on February 8th, and Notice of the hearing on today was duly advertised and people are present at this meeting for the purpose of expressing their interests in the petition expecting the public hearing to be held as advertised, it would appear to him that Mr. Blythe would need a better reason than merely that he is not ready.

Councilman Thrower stated in view of the fact that the Council has limited itself to ten zoning petitions at a meeting, he does not think it would be fair to continue a petition on and on, and he moved that the request for postponement not be granted. The motion was seconded by Councilman Jordan.

Councilman Short asked Mr. Fred Bryant, Assistant Planning Director, if there is something here that would work to the advantage of these various people who have come down here today, if the hearing were postponed - does he have something to offer that would seem to be at all to their advantage?

Mr. Bryant replied that he is not in position to say that; that he does not know, personally.

The vote was taken on the motion and carried unanimously.

Mr. Blythe stated that being the case, they would like at this time to completely withdraw their Petition.

Mr. Kiser, City Attorney, advised if he withdraws his petition, that effectively removes the petition from any consideration of the Council. He, of course, would have to come back at a subsequent time and reinstitute a new petition in the hope that the matter would be started over again.

Councilman Whittington suggested that action on this request not be taken at this time, but at the time it is presented as listed on the Agenda.

The City Attorney advised that as he has stated in a previous meeting, the Petitioner has the right to withdraw his petition at any time prior to the reading of the item on the Agenda, and Mr. Blythe has stated that he desires

to withdraw his petition, and that being so, there is nothing left for the Council to act upon, and his petition was effectively withdrawn at the time he so stated.

Councilman Whittington stated that he yields to the advice of the City Attorney.

HEARING ON PETITION NO. 66-23 BY L. J. HANEY FOR CHANGE IN ZONING FROM R-9 TO R-9MF OF A TRACT OF LAND APPROXIMATELY 437' X 525' LOCATED 342 FEET NORTH OF CENTRAL AVENUE AND 365' EAST OF NORTH SHARON-AMITY ROAD.

The public hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, presented a map of the property and surrounding area, and stated that he tract is near the intersection of Central Avenue and Sharon-Amity Road, and is 525' x 437' x 420' in size and does not front on any existing road; it is an interior piece of property. The tract is vacant and the adjacent property is single-family all along Sharon-Amity Road. The owner of the property also owns the adjacent property. Other property in the area, both on Sharon-Amity and Central Avenue, has business establishments and small groups of stores, and on down Central Avenue; other than that, the property is vacant.

The zoning of the four corners at Central and Sharon-Amity is B-1 and adjacent to that on Central Avenue and Lawyer's Road, there is O-6 zoning, and on down Central Avenue, there is R-9MF and R-9 zoning.

Mr. Louis Parham, Attorney for the Petitioners, stated their reason for requesting a change in zoning is that when Mr. Haney purchased the property many years ago, it was suitable for residential use, but it is not today. That Mr. Haney purchased this tract and almost all of the property from the corner up to Wilora Lake Road, and he presently lives on the property zoned O-6. Under the overall rezoning a few years ago, this property on which he lives was zoned O-6, and the back land was zoned R-9. He stated they feel that this change in zoning would not in any way disrupt the neighborhood plans, as all of the corner lots are zoned for Business. Adjoining the property fronting on Lawyer's Road, there is a small O-6 area, and the remainder is R-9MF. He advised that this property is 300 feet from the intersection of the two roads. That they know of no objections to the proposed change and cannot see why there should be any. That Sharon-Amity and Lawyer's Road have a great deal of traffic now, which would make property fronting on them less desirable for residential usage.

Mr. Thomas Ruff, Attorney, stated he supports the Petition; that he represents Mr. W. P. Cherry, who has contracted to buy this land from Mr. Haney, and he proposes to improve it with a multifamily project, accomodating about 120 families, and they hope Council will grant the petition for the rezoning of the property.

No objections were expressed to the proposed change in zoning. Council decision was deferred for one week.

HEARING ON PETITION NO. 66-24 BY TODD ELECTRIC COMPANY, MASTER PLUMBING COMPANY AND J. L. GIBBS FOR CHANGE IN ZONING FROM B-1 TO B-2 OF FIVE LOTS ON THE NORTHEAST SIDE OF SUGAR CREEK ROAD, BEGINNING AT DINGLEWOOD AVENUE AND EXTENDING 369 FEET IN A SOUTHEASTERLY DIRECTION.

The public hearing was held on the subject petition.

The assistant Planning Director, advised that the property is located on Sugar Creek Road; it is 160' deep with 369' frontage on Sugar Creek Road. At the

present time, Master Plumbing Company has its office on the property, and there is a business on the adjoining property. Just across Dinglewood Avenue there is a Tank Service, also fronting on Sugar Creek Road and across Sugar Creek Road is the North-Moore Industrial Park area; otherwise, the area is developed in single-family residences.

The zoning of the property is B-1, the property across Sugar Creek Road is zoned Industrial, between Dinglewood Avenue and Redwood Avenue, the zoning is B-2 and R-6MF to the rear and sides.

Mr. J. T. Godwin of Master Plumbing Company, and also speaking for the other two petitioners, stated that Mr. Todd wants to erect a building next to Master Plumbing Company's building for a shop in his electrical business, and Master Plumbing Company wants to remodel their building and build a new office on the side. That they found out if something like a fire should happen to their office, they could not remodel it; they would have to go out of business. He stated across the street is North-Moore Park, an industrial area. That they cannot see why anyone should object to them fixing up their building, as it would increase the property values in the area, and it would also be an asset to the City by Mr. Todd expanding his business.

Mr. Bryant advised that they are a nonconforming use, however, in the case of fire, he thinks they could repair the property.

No objections were expressed to the proposed rezoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 66-26 BY B. A. SMITH FOR CHANGE IN ZONING FROM B-1 TO B-2 OF A LOT ON THE NORTH SIDE OF THE PLAZA, BETWEEN TREMBETH DRIVE AND SUGAR CREEK ROAD, FRONTING 169 FEET ON TREMBETH DRIVE AND 79 FEET ON SUGAR CREEK ROAD.

The public hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, advised that this is a corner lot fronting on Sugar Creek Road, The Plaza and Trembeth Drive; the lot is 160 feet deep with only 30 feet of frontage on The Plaza and 70 to 80 feet on Sugar Creek Road. Presently the property is occupied by a laundry and small grocery store; adjacent to it is a duplex and then residences on The Plaza and Sugar Creek Road. Across the street on The Plaza there are single-family residences down to Commercial Avenue on which there are a number of small businesses. Directly across Sugar Creek Road from the property there is a small Beauty Shop on the corner and single-family residences down Sugar Creek Road.

The zoning of the property, as well as three additional adjoining lots on Sugar Creek Road, is B-1; across The Plaza from the property the zoning is I-1 down Commercial Avenue and across Sugar Creek Road, and adjacent R-6MF zoning.

Mr. B. A. Smith, the Petitioner, stated they have been operating a small grocery on the property for the past five years and a laundry next door. That they are requesting the rezoning in order to sell hotdogs, hamburgers, etc. There will be no curb service, and they carry beer, but there will be no off premises sale of it. That they did not know about the zoning until they applied for the license.

Council Short said to Mr. Smith that he is sure that he will agree that there is one of the most crowded traffic situations in the city at this intersection where he operates his business, which might be relieved some by the new Sugar Creek Road. He asked if his operation under his proposal would involve more cars in and out of his business or less cars - in other words, how would the traffic situation be affected? Mr. Smith stated his lot is filled most of the time, he has no way of increasing it; that it is proposed to take off a few more feet of his property for Plaza Road Widening, and parking in front will be eliminated. That he also owns a lot on the rear, which is not included in the rezoning request, and that can be used for parking. He stated that his proposed use of his property will not change the character of the area.

Councilman Whittington stated that the petition heard prior to this one is in the same area with property fronting on Sugar Creek Road, and the same congested situation prevails. That he would suggest that Council consider turning this petition back to the Planning Commission and ask them to make a study of this area fronting on The Plaza up to Eastway Drive so that Council can look at it with a broader perception, instead of bit by bit. That he thinks this is good planning and that the Council and Planning Commission should consider this whole problem.

Mr. Sibley, Chairman of the Planning Commission, stated he thinks this is a very good idea.

Mayor Brookshire stated with the concurrence of Council, the petition will be returned to the Planning Commission for study and recommendation.

HEARING ON PETITION NO. 66-27A BY SPANGLER LAND COMPANY FOR CHANGE IN ZONING FROM R-6MF AND B-2 TO I-2 OF PROPERTY LOCATED BETWEEN I-85 AND HOSKINS ROAD, FRONTING 1200 FEET ON I-85 AND 1450 FEET ON HOSKINS ROAD, BEGINNING AT STEWART CREEK AND EXTENDING EASTWARD.

The public hearing was held on the subject petition.

The Assistant Planning Director, advised that the property is located on Beatties Ford Road between I-85 going towards Gastonia and Hoskins Road. The petition is concerned with the larger portion of the property extending from Interstate-85 up to Hoskins Road, and there is about 58 acres in the tract. That the subject property is vacant; the adjoining property to the east is a tract that was formerly owned by Mecklenburg College and the School Board still has offices in the building; on the west is vacant land between the creek and the property used by Johnson Motor Lines, and adjoining that going on out I-85 is a warehouse. Directly across I-85 is University Park; on the north is a vacant tract of land owned by the Y. M. C. A. Immediately adjacent to the Northwood property is a residential subdivision which is just being started and is University Park North. On Hoskins Road itself, west of the property, are scattered residential structures. At present the zoning of the property is predominately R-6MF, and there is a strip of B-2 business zoning along I-85; to the west it is all zoned Industrial; on the east side is predominately O-15 with a B-2 strip along I-85; on the north side of Hoskins Road across from the property it is zoned single-family R-6.

At Councilman Tuttle's question as to the value of the homes in Northwood Estates, Mr. Bryant replied they would run from \$15,000 up, and some would go up above \$20,000.

Mr. M. A. Lyons with Spangler Construction Company stated this area is all industrial with Johnson Motor Lines, Sears Roebuck and Chesapeake Industrial Park, with the exception of one or two houses in the area. They feel that along this access road the property should be industrial, and the situation has changed since Mecklenburg College has been sold. That Hoskins Road and I-85 lead to industrial areas. That they have about 38 lots on this side of the creek, and they plan to use it for the same sort of thing as they do in their Chesapeake Industrial Park and the Spangler Industrial Park on South Tryon Street, which is mostly warehousing with an air-conditioned office in front and a warehouse in back.

Councilman Tuttle asked if this requires I-2, and from what has been described, how would it meet I-2? Mr. Bryant replied from the uses Mr. Lyons mentioned, he would not need I-2, and Mr. Lyons stated they would not, but the only thing they ran into on their South Tryon area was that once in a while manufacturing would come into it and it might require I-2 to cover it. That it would be for manufacturing and warehousing.

Councilman Tuttle asked Mr. Bryant what are some of the most offensive I-2 uses, and Mr. Bryant replied any number of manufacturing uses, some of the more offensive chemical operations are limited to I-2 and furniture manufacturing. That there are a number of types of manufacturing permitted in I-1. Councilman Tuttle stated what he is trying to get clear in his mind is why I-2? Mr. Lyons replied they are asking for I-2 simply because I-2 is adjoining them.

Councilman Tuttle remarked the reason he is concerned is because they are near a tract of land where they intend to put apartment units.

No objections were expressed to the proposed change in zoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 66-27B BY SPANGLER LAND COMPANY FOR CHANGE IN ZONING FROM R-6 TO R-6MF OF A TRIANGULAR SHAPED TRACT OF LAND FRONTING 1580 FEET ON THE NORTH SIDE OF HOSKINS ROAD, BEGINNING APPROXIMATELY 700 FEET WEST OF BEATTIES FORD ROAD.

The public hearing was held on the subject petition.

Factural information relative to the property and surrounding area was given by Mr. Bryant, Assistant Planning Director, who stated this is just across the road from the property requested rezoned in the previous petition. The property is vacant; is adjoined on the north side by a portion of the Northwoods Estate with housing backing up to the property; to the east is the Piedmont Natural Gas Company's facility and directly across is the vacant portion of the former Mecklenburg College property, and it is adjoined on the west side by the Y. M. C. A. property. The zoning of the subject property is single-family, as is all the property on the north side of Hoskins Road; across Hoskins Road is O-15 zoning; on the east side is I-2 zoning.

Mr. M. A. Lyons representing the Spangler Land Company stated the reason they request the multi-family Zoning on this is because of the very, very rough drop off, and they think they can put some multi-family housing in there.

Councilman Whittington asked Mr. Bryant what type of apartments under R-6MF can be built there, and Mr. Bryant replied they can build any type they choose. That the requirements under the R-6MF classification is for 6,000 square feet of land for the first unit, and 2,000 square feet for each additional unit; that they have enough adjacent property if they want to go up, they could do so, and the only restriction would be that he would have to provide additional side yard, but either the garden type or high rise apartments could be constructed there.

No objections were expressed to the proposed change in zoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 66-28 BY MORRIS INVESTMENT COMPANY, NEWELL PROPERTIES AND HOUSTON PROPERTIES, FOR CHANGE IN ZONING FROM B-1 TO B-2 OF A TRACT OF LAND AT THE NORTHWEST CORNER OF EASTWAY DRIVE AND CENTRAL AVENUE, FRONTING 323.59 FEET ON CENTRAL AVENUE AND APPROXIMATELY 2,000 FEET ON EASTWAY DRIVE.

The public hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, stated that this is the larger of two tracts owned by the petitioner requested rezoned. This tract fronts 323 feet on Central Avenue and 2,000 feet on Eastway Drive. That the property is being utilized by a shopping center; the very corner of Eastway is now vacant as the service station has been torn down; the adjacent corner has a service station on it, then a series of small shops and facilities scattered along Eastway and Central, including service stations on both corners; there is a tire retreading and an auto sales place, then a series of restaurants and small stores. The property is adjoined on the west side by vacant property at Central Avenue and the rear of houses on Carolyn Drive; to the east across Central Avenue there is vacant land and houses down Ledford Drive. He pointed out Eastway Junior High School and stated the entrance to the school is just about at the edge of the property requested changed. That on the south side towards Independence Boulevard, there is a strip 200 feet wide zoned for residential use.

At present the property is zoned B-1 as is the property adjacent on Central Avenue; on the intown side and on the other side of Eastway, it is predominantly O-6 with the exception of the very corner at Central Avenue which is zoned B-1. Both sides of Eastway Drive and the other side of Central Avenue is zoned B-1. The property to the west is zoned single-family; and on the south side, it is zoned multi-family.

Mr. Claude Freeman, Freeman and McClintock, stated they have three reasons for requesting this change. First, if they have interpreted the B-2 ordinance correctly, this is a zone designated for large areas on major streets and with the intended widening of Eastway, obviously, they feel they are on two major streets; second, other Shopping Centers, particularly in this area, have B-2 zoning, and they are not in a position to compete with them as they would like to be. They are able to have certain categories of retail that we cannot have; and third, their Merchants Association is unable to compete with other Merchant Associations because they cannot have amusement in conjunction with their promotions. They think this was not intended, it just came about, but amusements are not allowed in B-1 zones, and those are the reasons for their request.

Councilman Whittington asked what type of amusement he is talking about, and Mr. Freeman replied last year their Merchants Association hired a Kiddy Amusement Park, and it was put up, and before it was put into operation the

Building Inspection Department came out and had them take it down. Mr. Freeman stated further he is sure this was not the intent but this is something that is peculiar to B-1 zoning, and it works a hardship on their Merchants as it is allowed over in Amity Gardens.

Councilman Whittington asked Mr. Freeman if they own the property toward the Boulevard at the end of the property under discussion, and if he can give Council some indication of what he intends to do with it; that he is thinking of where the buffer is going to be and how much buffer will be between the rear of those homes on Pinecrest; that he was hoping they would use the creek basin for it.

Mr. Freeman replied that property, at their request, was zoned R-6MF for 200 feet deep when they received the original B-1 zoning, and they have no plans to change it.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 66-29 BY MORRIS INVESTMENT COMPANY, NEWELL PROPERTIES AND HOUSTON PROPERTIES, FOR CHANGE IN ZONING FROM O-6 AND B-1 TO B-2 OF PROPERTY AT THE SOUTHEAST CORNER OF CENTRAL AVENUE AND EASTWAY DRIVE, FRONTING 202.05 FEET ON CENTRAL AVENUE AND 274.36 FEET ON EASTWAY DRIVE.

The public hearing was held on the subject petition.

Factual information relative to the property and surrounding area was given by Mr. Bryant, Assistant Planning Director, who advised that this is the smaller of the two tracts requested rezoned by the Petitioner and is located at the intersection of Central Avenue and Eastway Drive and is approximately 180 feet along Central Avenue and about 275 feet on Eastway Drive. Located on the property is a service station on the corner, then Barber-Colman Company building in addition to the service station fronting on Central Avenue; the rear portion of the property is vacant as is the remainder of the property down to Medford Drive. There are single-family homes to the east of this property all along Medford Drive, then a church, and single-family houses on the north side of Central Avenue along Medford Drive and through the area.

The zoning of the property is B-1 on the corner lot and O-6 to the rear as it is all the way down Eastway Drive and is adjoined on the east side by single-family zoning throughout with a combination of multi-family and business zoning across Central Avenue.

Mr. Claude Freeman, Freeman & McClintock, Inc., gave Council copies of letters from both Shell Oil and Barber-Colman to substantiate the reason for the requested rezoning. He called attention to the map which he handed Council and stated Shell Oil Company is on the corner, with Barber-Colman immediately behind them, on Central Avenue. That the letter from Shell Oil Company states they would like to put in a new facility, and in order to do this, they need an additional 65 feet on Eastway Drive, and the depth to the property line would take in the Barber-Colman building. Currently, Barber-Colman has outgrown its space and needs a new building, and they would like a building with 75 feet of land contiguous to the 65 feet they are asking for Shell Oil Company in order to erect their new building. That Barber-Colman, because it does some warehousing, requires B-2 zoning; and they would like to upgrade the corner with a brand new service station and put in the Barber-

Colman installation next to it on Eastway Drive, which they feel would be a good buffer for the O-6 property, which they have beyond 75 feet.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 66-30 BY WESTSIDE ICE & FUEL COMPANY FOR CHANGE IN ZONING FROM B-2 TO I-1 OF PROPERTY AT THE SOUTHWEST CORNER OF WEST TRADE STREET AND BRUNS AVENUE FRONTING 149 FEET ON WEST TRADE STREET AND EXTENDING DOWN BRUNS AVENUE TO DUCKWORTH AVENUE.

The public hearing was held on the subject petition.

The Assistant Planning Director advised that the subject property is a triangular shaped tract on West Trade Street at Bruns Avenue and it extends from Trade Street all the way into Duckworth Avenue. The property is used entirely by Westside Ice & Fuel Company. Directly across Bruns Avenue from the subject property, there is a combination of uses beginning at Trade with the RCA Service Building on the corner, a Lounge behind that and a single-family home, then a tract of land utilized by the Charlotte Oil Equipment and Welding Company, and down Bruns Avenue are residential structures on both sides. There is a single-family structure on the corner of Bruns and Duckworth, then a vacant lot and a duplex and a series of single-family houses on down the street. The property is adjoined immediately on the Duckworth side by a vacant lot and on the Trade Street side by a Store and a service station. Directly across Trade are single-family homes and a church and a small sundry shop and more single-family homes on up Trade to the Five Points area.

The zoning at the present time all along Trade Street is B-2 both sides; other than that the zoning is R-6MF.

Mr. Charles Knox, Attorney representing the Petitioner, stated this tract of land was first zoned Light Industrial with the exception of the westerly part which was zoned R-2. In 1958 they came before Council and got the R-2 changed to Light Industrial, so the entire tract was zoned Light Industrial until the overall rezoning was done in 1962. That his client did not have any actual notice of the hearing on the overall rezoning at that time, or they would have been down here, and he feels confident if they had done so, they would have kept their Light Industrial zoning. So that is the situation today. Westside Ice & Fuel Company has operated their business at this location since they acquired the property in 1940; his client's business is making and selling ice and he has been in the fuel business and sold bulk coal. The major portion of the operation of the business was done at their plant on McDowell Street, but under the Urban Renewal Project, that will be a thing of the past, and they must have more storage space for their ice operations. What they are proposing to do is add to their building on the subject property for storage of their ice. This addition to their building will actually improve the area because presently they have an open coal bin on the property which is unsightly, and it will be done away with and the addition constructed on that portion of the property. At the present time, they load from a platform on Trade Street, and under their proposal, all of their loading will be at the rear, and the loading platform moved to the rear.

Mr. Robert Sisk, Westside Ice & Fuel Company, presented a drawing of the proposed addition. He stated what they want to build is a refrigerated

storage to be used for storage, processing and packaging of ice; it will be a brick building attached to the rear of the existing building which will get their trucks away from the congested area at the front of the building. That they do not propose, nor do they want to use a back driveway, they will use the present one by the side of the present building from West Trade Street. In addition to discontinuing the coal operation, they would pave the back part of the property. That the land back beyond the building is presently vacant that they would utilize.

No objections were expressed to the proposed change in zoning.

Council decision was deferred for one week.

ORDINANCE NO. 443-X EXTENDING THE CITY LIMITS OF THE CITY OF CHARLOTTE BY ANNEXING 7.02 ACRE TRACT OF LAND IN SHARON TOWNSHIP ON PETITION OF S & T DEVELOPMENT COMPANY, INC.

The public hearing was held on the Petition of S & T Development Company, Inc., for the annexation to the City of Charlotte of 7.02 acre tract of land in Sharon Township, located between Preston Lane and Robinson Woods Subdivision off Sardis Road.

No objections were expressed to the proposed annexation.

Councilman Jordan moved the adoption of Ordinance No. 443-X Extending the City Limits of the City of Charlotte, by annexing thereto the 7.02 acre tract of land in Sharon Township. The motion was seconded by Councilman Albea and unanimously carried.

The ordinance is recorded in full in Ordinance Book 14, beginning at Page 289.

MEETING RECESSED AT 3:15 AND RECONVENED AT 3:25 P.M.

Mayor Brookshire declared a ten-minute recess of the meeting at 3:15 o'clock p.m., and the meeting was reconvened at 3:25 p.m. and called to order by the Mayor.

CHAIRMAN OF COMMUNITY IMPROVEMENTS COMMITTEE SOLICITS THE ACTIVE COOPERATION OF THE MAYOR AND COUNCIL IN HELPING COMMITTEE ENCOURAGE ALL CHARLOTTE BUSINESSMEN HELP MAKE PLACES OF BUSINESS MORE ATTRACTIVE IN EVERY SECTION OF CHARLOTTE, AND EXTENDS AN INVITATION TO A MEETING ON MARCH 25TH TO HEAR REPORTS OF ACCOMPLISHMENTS AND PLANS FOR YEARS AHEAD FROM THE TWENTY ACTIVE ORGANIZATIONS ON COMMUNITY IMPROVEMENTS.

Mayor Brookshire invited Mr. M. F. McNeill to speak to the Council, and he remarked that he knows of no one in Charlotte who has given more energy and effort during the past three or four years to community improvement than Mr. McNeill in his work as Chairman of the Community Improvements Committee of the Mayor's Citizens Advisory Committee on Urban Renewal.

Mr. McNeill told the Council that he wants them to go with him on a tour in their imagination to any area they desire that his remarks apply to.

He stated that in Charlotte, and other cities, every morning little children get up out of a bed that the linen was not changed for a month or more, and he can substantiate this by at least two Elementary School Principals and some of their teachers. Here is what happens: As these little children get up they may or may not have breakfast, maybe they were warm the night before,

maybe not, but they have something to look forward to; they, regardless of what area they come from, are on their way to school and every School Building in this City has warm, clean rooms and warm, clean, wholesome teachers, and these little children are anxious to get to school. He remarked that he hopes Council has the answer to his question that is coming up, or can find the answer, because he does not. These little children spend a very happy three, four or five hours at school and then school is dismissed and they are on their way back home.

What do you suppose is going through the minds of these little children, from the first to the sixth or eighth grade, as they head back to little shot-gun houses? This is an important question. Then we wonder why there are so many school dropouts.

He stated here is one way the Council can do something about it, and he read the following letter:

"Honorable Stan R. Brookshire, and
Members of the City Council

Gentlemen:

We need and earnestly solicit your active cooperation in helping us to encourage ALL of our BUSINESSMEN to help us make our places of business more attractive in every section of our city.

Here's how you can assist us, communicate with these people, ask, yes persuade them to:

1. CLEAN-UP - every business, large or small, of every kind, be requested to CLEAN-UP and remove from their premises, every item not in use or of little or no value.
2. FIX-UP and/or repair ALL buildings, unless beyond reasonable repair at nominal cost, or tear down and remove from premises.
3. PAINT-UP and/or CLEAN - ALL remaining buildings.
4. Every business to maintain, on a year 'round basis, a CLEAN-UP, FIX-UP and PAINT-UP committee with an active CHAIRMAN whose duty will be to follow-thru for effective results.
5. The CHAIRMAN of each business to work actively with all employees, using proper communication methods, asking them to take a good hard look at the place they live, soliciting their help in CLEAN-UP, FIXING-UP AND PAINT their premises. Occupants of private homes, apartments, etc., may find it advisable to ask owners and/or property managers for assistance.

REMEMBER - "IT CAN BE DONE" if we really want to do it.

Thank you very much.

Cordially yours,

M. F. McNeill,
Chairman
Community Improvement Committee"

Mr. McNeill stated that whatever form the Mayor and Council should elect to do this would be in addition to anything that the Code Enforcement Division is presently doing, be it by resolution or proclamation or whatever method of communication they wish to use, get to these businessmen and make them conscious of what is going on.

Mr. McNeill read a second letter and stated it is offering another means of bringing this to the attention of all our people to further implement what he has been talking about; he stated that each member of the City Council should have received a copy of this letter:

"Dear Fellow Charlottean:

YOU are cordially invited, yes expected to meet with us.

When: Friday afternoon, March 25, 1966, 3:30 p.m.

Where: Auditorium, City-County Health Department Building,
1200 Blythe Boulevard.

Why: For reports of accomplishments and plans for the years ahead.

YOU will see and hear:

Mr. Vernon Sawyer, Executive Director, Redevelopment
Commission of the City of Charlotte.
"Our Progress and Plans"

Mr. W. T. Harris, President, Charlotte Chamber of
Commerce.
"The Business Man's Share in this Program"

Honorable Stan R. Brookshire, Mayor, City of Charlotte.
"What Community Improvement Means to our City"

Community Improvement group leaders from ALL OF OUR 20 active organizations will be there. YOU will want to see and meet them.

Knowing of your interest in helping to make Charlotte "the vibrant, growing, healthful Queen City" and to continue its forward march, we solicit your presence at this meeting. Thank you.

Sincerely yours,

Zeb C. Strawn
General Chairman

M. F. McNeill, Chairman
Community Improvement Committee"

Mr. McNeill stated that the Community Improvements Committee will be very disappointed when the meeting convenes, unless the City Council members are present.

Mayor Brookshire commended Mr. McNeill on what he has been and is doing. He stated that he is retired from business, but is doing a full-time job as our Agent for the improvement of our city; he has been working relentlessly, particularly, in the residential areas to organize neighborhood improvement programs in compliance with our minimum housing code, and even beyond that. The Mayor called attention that this program does not cost the taxpayer any

money. He remarked that he is glad to hear Mr. McNeill say something about commercial blight, because we have been emphasizing for a long time residential slums with less attention to commercial blight that is happening all over our city.

COUNCIL'S ATTENTION CALLED TO FACT THAT THE UNDERPASS ON EAST TRADE STREET DOES NOT HAVE CLEARANCE AT ANGLES THAT IS STATED ON THE CLEARANCE SIGN.

Mr. Ellis Berlin, whose business is located on East Trade Street, appeared before Council and stated he wants to call Council's attention to a condition that needs correcting; that on the 11th of this month about 5 p.m., a truck traveling on East Trade Street hit the Underpass and, not only caused several thousands of dollars damage to the truck, but he hit a lady, who was almost killed, and her car badly damaged, and both she and the truck driver were taken to the hospital. He stated there is a clearance sign on the Underpass reading 14 feet 3 inches; however, there is an angle to the Underpass, and the clearance is not 14 feet 3 inches at the angles. He advised that his concern is intensified because of the fact that this is the seventh or eighth wreck at this location caused by the same thing, and it is inevitable that someone is going to be killed. That the City must either make a correction in the Underpass or change the sign to the proper clearance all the way across.

Councilman Short remarked to the City Manager that he does not believe that changing the sign would be adequate, and he is wondering if the Railway Company would not be involved?

The City Manager stated he will look into it at once.

RESOLUTION PROVIDING FOR PUBLIC HEARINGS ON APRIL 18TH ON PETITIONS NUMBERED 66-35 THROUGH 66-42 FOR CHANGES IN ZONING CLASSIFICATIONS.

Upon motion of Councilman Whittington, seconded by Councilman Jordan and unanimously carried, the subject resolution was adopted and is recorded in full in Resolutions Book 5, beginning at Page 229.

JOHNSON C. SMITH UNIVERSITY GRANTED RELEASE OF EASEMENT FOR WATER AND SEWER LINES OVER CAMPUS PROPERTY.

Councilman Tuttle moved that Johnson C. Smith University be granted a release of an easement to the City for water and sewer line installations over a portion of the campus property, and the lines be abandoned, and the relocation of said lines be at their expense to serve the entire University, as recommended by the City Manager. The motion was seconded by Councilman Short and unanimously carried.

CHANGE ORDER NO. G-9 IN CONTRACT WITH REA CONSTRUCTION COMPANY FOR THE GENERAL CONSTRUCTION OF MCALPINE CREEK WASTE WATER TREATMENT PLANT TO COVER ADDITIONAL INSPECTIONS AND TESTS AND EXTRA GUARANTEES ON THE 54-INCH SECONDARY TREATMENT INFLUENT LINE.

The City Manager recommended approval of a Change Order, No. G-2, in the contract of Rea Construction Company for the General Construction of the McAlpine Creek Waste Water Treatment Plant, covering additional inspections and tests and extra guarantees in connection with the 54-inch secondary treatment influent line, in the amount of \$5,600.00 reduction in the contract price.

Mr. Franklin, Superintendent of the Water Department, explained that the condition was brought about by the contractor having apparently lost control of the grade in laying the pipe line, and instead of it being a straight grade, there is a slump or low place in the line, which means that water would stand in the middle section of the pipe to a depth of 18 inches which would create the problem of sediment in the line at this point. He stated the Contractor is perfectly willing to try to correct it, and the Consulting Engineers, J. N. Pease & Company, and he recommend that this be done.

Following the discussion, Councilman Jordan moved approval of Change Order No. G-9 in the contract with Rea Construction Company, as recommended. The motion was seconded by Councilman Whittington and unanimously carried.

AGREEMENT BETWEEN CITY AND COUNTY AND THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE TO CONDUCT STUDY OF RECORDS IN POLICE RECORDS BUREAU.

Upon motion of Councilman Albea, seconded by Councilman Whittington and unanimously carried, an Agreement was authorized between the City of Charlotte and Mecklenburg County, with the International Association of Chiefs of Police to conduct a study of the records in the Police Department Record Bureau, at a cost not to exceed \$10,600.00, to be shared equally by the City and County, \$5,300.00.

AGREEMENT BETWEEN THE CITY AND INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE TO CONDUCT A GENERAL SURVEY OF THE CHARLOTTE POLICE DEPARTMENT.

Councilman Tuttle moved approval of an Agreement between the City and the International Association of Chiefs of Police to conduct a general survey of the Charlotte Police Department, at a cost not to exceed \$23,500.00. The motion was seconded by Councilman Whittington and unanimously carried.

ORDINANCE NO. 444-X AMENDING ORDINANCE NO. 360-X, THE 1965-66 BUDGET ORDINANCE, AUTHORIZING THE TRANSFER OF \$17,050.00 FROM THE GENERAL FUND UNAPPROPRIATED SURPLUS ACCOUNT TO THE POLICE DEPARTMENT BUDGET.

Upon motion of Councilman Jordan, seconded by Councilman Whittington and unanimously carried, Ordinance No. 444-X Amending Ordinance No. 360-X, The 1965-66 Budget Ordinance, Authorizing the Transfer of \$17,050.00 from the General Fund Unappropriated Surplus Account to the Police Department Budget, was adopted, for paying the city's share of the Police Records study, \$5,300.00, and one-half the cost of the survey of the Police Department, \$11,750.00, both by the International Association of Chiefs of Police.

The ordinance is recorded in full in Ordinance Book 14, at Page 291.

CLAIM OF DONALD F. SHAW, JR. DENIED.

Upon motion of Councilman Jordan, seconded by Councilman Tuttle and unanimously carried, the claim of Mr. Donald F. Shaw, Jr., in the amount of \$68.00, for articles alleged stolen from his automobile while parked in the City's Storage Lot No. 1, to which it had been towed for obstructing traffic, was denied upon the recommendation of the City Attorney who advised the Council that the City was not negligent in properly protecting the Claimant's property and, therefore, is not liable for his alleged loss.

CONTRACTS AUTHORIZED FOR APPRAISAL OF PROPERTY IN CONNECTION WITH THE NORTHWEST EXPRESSWAY AND IRWIN CREEK OUTFALL SANITARY SEWER LINE.

Motion was made by Councilman Tuttle, seconded by Councilman Jordan and unanimoously carried, authorizing the following contracts for the appraisal of property:

- (a) Contract with C. W. Todd, for appraisal of one parcel of land on the northeast corner of West 11th Street and North Church Street, for the Northwest Expressway.
- (b) Contract with D. A. Stout, for appraisal of one parcel of land on the northeast corner of West 11th Street and North Church Street, for the Northwest Expressway.
- (c) Contract with Leo H. Phelan, Jr., for appraisal of one parcel of land at 909 Maple Street, for Northwest Expressway.
- (d) Contract with Harry G. Brown, for appraisal of one parcel of land on Andrill Terrace, for Irwin Creek Outfall Sanitary Sewer Line.

CONTRACTS AUTHORIZED FOR INSTALLATION OF WATER MAINS.

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

- (a) Contract with John Crosland Company for the installation of 7,590 feet of water mains and 6 hydrants, in Spring Valley Subdivision, inside the city limits, at an estimated cost of \$27,000.00. The City to finance all construction costs and the Applicant to guarantee an annual gross water revenue equal to 10 per cent of the total construction cost.
- (b) Supplementary Contract to contract dated July 15, 1963, for the installation of 3,115 feet of water mains and 2 hydrants in Olde Providence Subdivision No. 4, outside the city limits, at an estimated cost of \$15,000.00. The Applicant to pay all cost of the mains and hydrants, and own same until such time as the area is incorporated into the city limits, when they will become the property of the City without further agreement.

CONSTRUCTION OF SANITARY SEWER MAIN AND TRUNK AUTHORIZED IN GARDEN PARK SUBDIVISION.

Councilman Tuttle moved approval of the construction of 2,020 feet of sanitary sewer trunk and 1,500 feet of sewer main to serve Garden Park Subdivision, inside the city limits, at the request of Nance-Trotter Realty, Inc., and McDaniel Jackson, at an estimated cost of \$25,060.00. All costs to be borne by the Applicant, whose deposit of the amount of the cost has been received and will be refunded as per terms of the contract. The motion was seconded by Councilman Albea and unanimously carried.

TRANSFER OF CEMETERY LOT.

Upon motion of Councilman Jordan, seconded by Councilman Tuttle and unanimously carried, the Mayor and City Clerk were authorized to execute a deed with Mr. Robert Elijah Mason and wife Sally, for Lot 364, Section 3, Evergreen Cemetery, at \$378.00.

CONTRACT AWARDED ROBERT O. HELMS SAND & GRAVEL COMPANY FOR SAND.

Councilman Whittington moved the award of contract to Robert O. Helms Sand & Gravel Company, the only bidder, for 7,500 cubic yards of Sand, as specified, in the amount of \$16,917.75, on a unit price basis. The motion was seconded by Councilman Albea and unanimously carried.

INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF CHARLOTTE AND MECKLENBURG COUNTY AND THE CHARLOTTE-MECKLENBURG PLANNING COMMISSION AUTHORIZED FILED WITH THE DEPARTMENT OF HOUSING & URBAN REDEVELOPMENT IN CONNECTION WITH AN APPLICATION FOR FEDERAL ASSISTANCE IN ACQUISITION OF LAND IN THE MCALPINE CREEK GREENWAY.

Upon motion of Councilman Thrower, seconded by Councilman Whittington and unanimously carried, an Intergovernmental Agreement between the City of Charlotte and Mecklenburg County and the Charlotte-Mecklenburg Planning Commission was authorized filed with the Department of Housing & Urban Development in connection with an application for Federal Assistance in the acquisition of land in the McAlpine Creek Greenway.

ACQUISITION OF PROPERTY FOR WOODLAWN ROAD WIDENING PROJECT, EASTWAY DRIVE WIDENING PROJECT AND PLAZA ROAD IMPROVEMENT PROJECT, AUTHORIZED.

Motion was made by Councilman Albea, seconded by Councilman Thrower, and unanimously carried, authorizing the acquisition of property as follows:

- (a) Acquisition of 2,408 square feet of property at 1040 Woodlawn Road, from Fores Hill Presbyterian Church, at \$1,200.00 for Woodlawn Road Widening Project.
- (b) Acquisition of 255 square feet of property at 2828 Eastway Drive, from William D. Nance and wife, Gertrude G., at \$450.00, for Eastway Drive Widening Project.
- (c) Acquisition of 681 square feet of property at 4316 Plaza Road, from John R. Ledbetter and wife, Vera D., at \$750.00, for Plaza Road Improvement Project.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR ACQUISITION OF PROPERTY OF MRS. THOMAS J. WHITE (WIDOW), LOCATED AT 633 OAKLAND AVENUE FOR NORTHWEST EXPRESSWAY.

Councilman Albea moved the adoption of a resolution entitled: Resolution Authorizing Condemnation Proceedings for Acquisition of Property of Mrs. Thomas J. White (Widow), Located at 633 Oakland Avenue for Northwest Expressway, which was seconded by Councilman Thrower and unanimously carried.

The resolution is recorded in full in Resolutions Book 5, at Page 230.

ORDINANCE NO. 445-X TO AMEND ORDINANCE NO. 360-X, THE 1965-66 BUDGET ORDINANCE, AUTHORIZING THE TRANSFER OF \$5,000.00 OF THE NON-TAX REVENUE IN THE GENERAL FUND UNAPPROPRIATED SURPLUS ACCOUNT TO THE SOCIAL PLANNING COUNCIL.

Upon motion of Councilman Jordan, seconded by Councilman Alexander and unanimously carried, an ordinance entitled "Ordinance No. 445-X To Amend Ordinance No. 360-X, the 1965-66 Budget Ordinance, Authorizing the transfer

of \$5,000.00 of the Non-Tax Revenue in the General Fund Unappropriated Surplus Account to the Social Planning Council to be used for aiding the finance of a study of health services and facilities.

The ordinance is recorded in full in Ordinance Book 14, at Page 292.

CITY MANAGER REQUESTED TO INVESTIGATE THE POSSIBILITIES OF CONNECTING JERSEY LANE AND LITTLE HOPE ROAD.

Councilman Thrower requested the City Manager to have an investigation made to see if Jersey Lane and Little Hope Road, located just behind the new Y. W. C. A., cannot be connected, as there is only about 200 feet unopened between the two streets, and he believes it will be beneficial to everyone concerned.

REPORT BY CITY MANAGER ON CONFERENCE WITH STATE HIGHWAY COMMISSION AND BUREAU OF PUBLIC ROADS RELATIVE TO THE NORTHWEST AND NORTH-SOUTH EXPRESSWAYS.

Councilman Whittington requested Mr. Veeder, the City Manager, to report on the meeting in Raleigh Wednesday with the Highway Commission and the Bureau of Public Roads.

Mr. Veeder stated the most significant thing that came out of the meeting resulted in Mr. Broadrick's announcement the following day that the first contract would be let on the Northwest Expressway in June. He stated further that this is a real step forward on getting additional expressway work under contract: this is the section between Graham and 10th Streets; the first contract will cover four bridges, plus the improved roadway section which will be located in general on the present alignment of 12th Street. He stated this is approximately a \$2,000,000 project including the bridges and the roadway section and will be followed by additional contracts in a short time. That this is from Graham Street, basically down to Sugar Creek where McDowell and 10th Streets come together, and there is also a tie-in at McDowell Street and 11th Street, so you will have the effect of a one-way expressway established here.

Mr. Veeder stated further there was some conversation concerning that portion of the Expressway Loop around the Central Business District coming generally from the Creek in the vicinity of Independence Boulevard that will tie back into the North-South Expressway on the other side of town. That the conversation he thinks was fruitful, and he had hoped to have a written report to present for Council's consideration today, and he hopes to have it within a reasonably short period of time.

CITY ATTORNEY ADVISES WILL HAVE ANTI-LITTER ORDINANCE READY NEXT MONDAY FOR COUNCIL CONSIDERATION.

Councilman Whittington asked the City Attorney when he plans to deliver to them the anti-litter ordinance for consideration? Mr. Kiser replied he will bring something to Council next Monday on that subject.

NEWS MEDIA REQUESTED TO INFORM CITIZENS THAT TRASH AND DEBRIS WILL BE COLLECTED AS EARLY AS POSSIBLE.

Councilman Jordan asked the News Reporters if they would ask the Newspapers to lend their services to inform the citizens that the trash and debris will

be picked up by the Motor Transport Department just as soon as possible, as he and, no doubt, other Councilmen are receiving complaints regarding this daily. That people all over town are cutting back shrubbery and trees and branches and raking yards and practically every street in town has large piles of debris at the curb, and it is impossible for the Department to pick all this up at one time. That he is sure they will get around to it just as soon as possible.

COUNCILMAN JORDAN URGES THAT SOME ACTION BE TAKEN IMMEDIATELY TO PREVENT THE RAILROADS FROM BLOCKING CROSSINGS IN THE NORTHERN SECTION OF THE CITY.

Councilman Jordan remarked that he would like to again bring up the matter of the railroads tying-up traffic at crossings. That he met with a group on Saturday and another group of persons concerned with this situation on Sunday, and it concerns him very much that a condition such as this is permitted to exist that seriously affects an entire section of our city. That the people out there feel they are being neglected. There was an Editorial in the Observer last week about the condition and there have been other newspaper articles on the subject, and these people have talked to every member on the Council without doubt and still nothing is accomplished. He remarked that they went out to Rogers Barbecue for dinner this past week, and at the North Tryon Street crossing they stood in line for twenty minutes, and this train could not have been moving more than five miles an hour. If there had been a fire or an accident, he does not know what would have happened. Thirty-Six Street is still as bad as it ever was, and in his opinion, he does not see how we can continue letting that whole side of the city continue to be tied-up in this fashion, and he does not know where we are going to find the money. That he cannot do any more than he has been trying to do for the past few years, as he does not where to turn next. That as a start, he would suggest pulling some of these Engineers off their engines and fining them \$50 or whatever the fine for blocking a crossing might be. That he does not know whether it would do any good to get Mr. Brosnan, President of the Southern Railway down here and let him see the situation; that we do not want to antagonize these people, but yet they do not seem to be doing very much to help us. That this is a bad situation, and he would like for the City Manager or the Council to get behind this effort and see if we cannot do something to help the people out there in some way; that he does not know where we will get the money, perhaps through Urban Renewal or Federal financial assistance or someone who will make a determined effort. That he has been dealing with these people and he has hundreds of petitions that he has filed with the City Clerk in the past from people who are stopped from fifteen to thirty minutes or more almost everyday; that Mr. Veeder and he have been out and talked with these people, and Mr. Hoose and he have been out and talked with them, and so far we still are where we were a year or two ago. That to him it is a very disturbing thing for a whole side of a city to be cut off as it is.

Councilman Whittington stated that he thinks all of the Council agrees with what Mr. Jordan has said, and he agrees with what the Observer said editorially, but he does not know what to do about it or how you are going to stop trains and get the conductor off and give him a ticket. That he thinks the Council, with the Task Force, in the very near future is going to have to think in terms of putting this into the next bond package that we put together and ask the people to vote for and do something about either 28th Street or 36th Street. And we now have another problem out there that is going to get worse everyday and that is the crossing on North Tryon Street since we have the industrial developments off of Atando Avenue and out North Graham Street.

Councilman Albea stated the only way we are going to solve this problem is by bonds, as we are not going to be able to raise taxes to do it.

Mayor Brookshire remarked that he is suggesting the only solution is Grade Separation and leave the city with the responsibility to set up the necessary money for such Grade Separation.

Councilman Jordan stated it is possible that the Task Force can exert pressure to try to get something done, and we cannot just let this thing come up and nothing done about it; and if there is any way in the world to do it, he hopes we will try.

Councilman Tuttle remarked that he is certainly in sympathy with what Mr. Jordan and Mr. Whittington have said, and he feels the same as every other Councilman feels in this matter, but he and Mr. Short would like for this matter to rest right here for just one week.

Mayor Brookshire replied he would be delighted if he thought members of Council, either individually or collectively, could come up with some solution during the week.

Councilman Albea stated he is willing to let it sit here, but he would like to have it discussed further next week.

Councilman Whittington asked the City Manager what the Railroad agreed to do last week as to speeding up traffic through the 36th Street Crossing? Mr. Veeder replied they are in the process of improving the signalization which they indicated will cut the time down. Mayor Brookshire stated it will probably take about six months to put that in and Mr. Veeder replied he believes they said August.

DECISIONS TO BE WITHHELD ON PETITIONS FOR ANNEXATION OF PROPERTY TO THE CITY FILED AFTER MARCH 21, 1966, UNTIL THE CITY'S CURRENT FUNDS SITUATION HAS EASED, OR THE 1966-67 BUDGET HAS BEEN ADOPTED.

Councilman Short stated he would like to formalize the matter which was considered in the Conference Session concerning withholding decisions on annexations because of the various reasons that were discussed at that time, and he moved that we withhold decisions on annexation petitions until we are advised by Mr. Fennell and Mr. Franklin and Mr. Veeder that the situation with our current funds has eased, or until the adoption of the 1966-67 budget, whichever occurs first, and this action apply to petitions filed after March 21, 1966. The motion was seconded by Councilman Whittington.

Councilman Tuttle stated he is going to vote against this motion simply because he thinks it is irrevelent, as he thinks we have the power to do what Mr. Short is asking for.

The vote was taken on the motion and carried by the following recorded vote:

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

Councilman Albea stated he voted against the motion for the same reason that Mr. Tuttle gave, as we have the authority to either accept or refuse a petition for annexation.

CITY MANAGER REQUESTED TO HAVE DEBRIS CLEARED FROM CITY RIGHT OF WAY AT 1132 FARRIER DRIVE.

Councilman Tuttle stated he had a call from a gentleman who lives at 1132 Farrier Drive, which is right next to Shannonhouse Drive, who said there is a mailbox in front of his house that is on City property, and people in cars going by throw out beer cans and bottles, and there is quite an accumulation of debris around the mailbox. He asked what the City's policy is on keeping City property cleared of debris. Mr. Veeder stated if it is owned by the City, it is certainly our responsibility to keep it clean. Councilman Tuttle said he understands that but do we have people going around looking at City owned property to see that it is kept cleared off? Mr. Veeder replied he presumes this is in our right of way, as the mailbox must be up against the curb. Councilman Tuttle asked Mr. Veeder to get this cleared up.

COUNCILMAN TUTTLE ADVISES RESOLUTION BEING PREPARED FOR COUNCIL CONSIDERATION TO PROVIDE WORKMAN'S COMPENSATION TO MEMBERS OF THE CITY COUNCIL WHILE ON CITY BUSINESS.

Councilman Tuttle stated it occurred to him that the Council members were not covered under Workman's Compensation, so he had his office check the rate, and it will cost \$10.56 to include the Council under Workman's Compensation. That he called Mr. Allen, Executive Secretary to the Insurance Advisory Committee, and asked him to draw up a resolution for Council consideration. That the City Attorney knows that the direct officials are exempt from any insurance program with the city under Workman's Compensation, unless they are included by resolution, and he feels the citizens of Charlotte would pay \$10.56 to see that the Council has this coverage if one of us should be killed on a trip for the city or any business for the city.

CITY MANAGER REQUESTED TO GIVE ESTIMATE OF COST OF IMPROVEMENTS TO NORTH TRYON STREET.

Councilman Alexander stated he wishes to discuss the matter which he raised in the Conference Session about the possibilities of getting the State to improve North Tryon Street with bond money. That these questions have been in his mind for some time, and if possible, we should get moving on this project, and perhaps some of these things might of necessity work themselves out. He asked Mr. Veeder if he can give Council an estimate of the time that would be required putting together facts and submitting them to Council so that they could proceed to see what could be done on them.

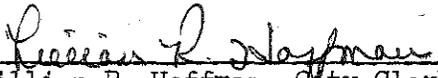
The City Manager asked if he means the dollars involved, and Councilman Alexander said yes, an estimated figure sufficient for council to give to the State Highway people to see if they would consider our request for improving North Tryon Street? Mr. Veeder replied there are good working estimates available on the cost of this project, as well as a number of others; that this is a good project - there is no question about it, as we need to widen North Tryon Street to improve the flow of traffic into the heart of the City from that direction. That there are a number of other projects, and he thinks that the 28th Street or 36th Street project might also conceivably fit into this, whichever it might turn out to be.

QUITCLAIM DEED TO CENTRAL PIEDMONT COMMUNITY COLLEGE TO CITY'S INTEREST IN
THE PROPERTY AT THE REAR OF OLD CENTRAL HIGH SCHOOL.

Upon motion of Councilman Jordan, seconded by Councilman Whittington and
unanimously carried, the Mayor and City Clerk were authorized to execute
a Quitclaim Deed to Central Piedmont Community College to the City's
interest in the property at the rear of old Central High School. This
Quitclaim Deed was required under the terms of a Judgment previously entered
in litigation over title to the property.

ADJOURNMENT.

Upon motion of Councilman Thrower, seconded by Councilman Short, and unani-
mously carried, the meeting was adjourned.


Lillian R. Hoffman, City Clerk