

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, November 28, 1966, at 3 o'clock p.m., with Mayor Stan R. Brookshire presiding, and Councilmen Claude L. Albea, Fred D. Alexander, Sandy R. Jordan, Milton Short, Jerry Tuttle and James B. Whittington present.

ABSENT: Councilman John H. Thrower.

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INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Jordan and unanimously carried, the minutes of the last meeting on November 21, 1966, were approved as submitted.

ORDINANCE NO. 558-Z AMENDING CHAPTER 23 OF THE ZONING ORDINANCE GRANTING CONDITIONAL APPROVAL FOR A TRUCK AND FREIGHT TERMINAL IN AN EXISTING I-1 DISTRICT ON THE NORTH SIDE OF INTERSTATE HIGHWAY 85 APPROXIMATELY 750 FEET WEST OF TUCKASEEGEE ROAD.

Councilman Short moved adoption of the subject ordinance permitting a truck and freight terminal to be located in accordance with Section 23-40.1 in an existing I-1 District with the approved development plan to be filed in the Office of the City Clerk. The motion was seconded by Councilman Whittington and carried unanimously.

The ordinance is recorded in full in Ordinance Book 14, at Page 441.

PETITION NO. 66-87 BY W. D. CORNWELL TO CHANGE ZONING FROM R-6 TO R-6MF ON TRACT OF LAND BOUNDED BY BROOK ROAD, STRATFORD AVENUE AND LYNHAVEN STREET, DENIED.

Upon motion of Councilman Tuttle, seconded by Councilman Albea and unanimously carried, the subject petition was denied as recommended by the Planning Commission.

ORDINANCE NO. 559-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE ZONING ORDINANCE CHANGING ZONING FROM R-9 TO I-1 ON PROPERTY LOCATED NORTH OF GRIFFITH STREET APPROXIMATELY 300 FEET WEST OF REMOUNT ROAD, ADOPTED.

Motion was made by Councilman Jordan, seconded by Councilman Alexander and unanimously carried, adopting the subject ordinance as recommended by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 14, at Page 442.

PETITION NO. 66-91 BY NORA MAE BIGHAM PRICE FOR CHANGE IN ZONING FROM R-9 TO I-1 OF A 4.1658 ACRE TRACT OF LAND FRONTING 456 FEET ON THE NORTH SIDE OF OLD GASTONIA ROAD BEGINNING APPROXIMATELY 202 FEET WEST OF BERRYHILL LANE, DENIED.

Councilman Whittington moved that the subject petition be denied as recommended by the Planning Commission. The motion was seconded by Councilman Tuttle and carried unanimously.

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ORDINANCE NO. 560-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE ZONING ORDINANCE CHANGING ZONING FROM R-9 AND R-9MF TO I-1 OF PROPERTY LYING BETWEEN IRWIN CREEK AND INTERSTATE 85, ADOPTED.

Petition No. 66-82 by Sarah A. Hawkins for change in zoning from R-9 and R-9MF to I-2 of a 57.22 acre tract of land fronting 1,549.02 feet on the north side of Interstate 85, beginning approximately 200 feet east of Irwin Creek and extending northward to near Kendrick Avenue, was considered by Council.

Councilman Alexander moved that the portion of the property lying between Irwin Creek and Interstate 85 be approved for I-1 and that the remaining rear portion of the property be disapproved for any change, as recommended by the Planning Commission. The motion was seconded by Councilman Tuttle and carried unanimously.

The ordinance is recorded in full in Ordinance Book 14, at Page 443.

ORDINANCE NO. 561-X ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 3100 CAPITOL DRIVE, PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE, AND ARTICLE 15, CHAPTER 160 OF THE GENERAL STATUTES OF NORTH CAROLINA.

Councilman Jordan moved the adoption of the subject ordinance, which was seconded by Councilman Whittington and carried unanimously.

The ordinance is recorded in full in Ordinance Book 14, at Page 444.

ORDINANCE NO. 562-X ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 3106 CAPITOL DRIVE, PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE, AND ARTICLE 15, CHAPTER 160 OF THE GENERAL STATUTES OF NORTH CAROLINA.

Upon motion of Councilman Whittington, seconded by Councilman Short and unanimously carried, the subject ordinance was adopted.

The ordinance is recorded in full in Ordinance Book 14, at Page 445.

ORDINANCE NO. 563-X ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 3110 CAPITOL DRIVE, PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE, AND ARTICLE 15, CHAPTER 160 OF THE GENERAL STATUTES OF NORTH CAROLINA.

Motion was made by Councilman Alexander adopting the subject ordinance, which was seconded by Councilman Tuttle and carried unanimously.

The ordinance is recorded in full in Ordinance Book 14, at Page 446.

ORDINANCE NO. 564-X ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 3116 CAPITOL DRIVE, PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE, AND ARTICLE 15, CHAPTER 160 OF THE GENERAL STATUTES OF NORTH CAROLINA.

Councilman Jordan moved the adoption of the subject ordinance. The motion was seconded by Councilman Albea and carried unanimously.

The ordinance is recorded in full in Ordinance Book 14, at Page 447.

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ORDINANCE NO. 565-X ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 3021 WEST TRADE STREET, PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE, AND ARTICLE 15, CHAPTER 160 OF THE GENERAL STATUTES OF NORTH CAROLINA.

Upon motion of Councilman Tuttle, seconded by Councilman Whittington and unanimously carried, the subject ordinance was adopted.

The ordinance is recorded in full in Ordinance Book 14, at Page 448.

ORDINANCE NO. 566-X ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 223 CANTWELL STREET, PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE, AND ARTICLE 15, CHAPTER 160 OF THE GENERAL STATUTES OF NORTH CAROLINA.

Motion was made by Councilman Whittington adopting the subject ordinance. The motion was seconded by Councilman Jordan and carried unanimously.

The ordinance is recorded in full in Ordinance Book 14, at Page 449.

CONTRACT WITH G. A. HUTCHINSON FOR APPRAISAL OF PROPERTY IN CONNECTION WITH THE EAST THIRD STREET CONNECTOR APPROVED.

Councilman Whittington moved approval of a contract with G. A. Hutchinson for appraisal of two parcels of land - one owned by Men's Club of Charlotte, Inc. and the other by John M. Dwell - in connection with the East Third Street Connector Project. The motion was seconded by Councilman Alba and carried unanimously.

ORDINANCE NO. 567 AMENDING CHAPTER 5, ARTICLE I, SECTION 5-3(c) OF THE CODE OF THE CITY OF CHARLOTTE, KNOWN AS THE DWELLING CODE.

The City Council considered an amendment to the Building Code updating the Residential Building Code as recommended by the Building Standards Board.

Mr. John Crosland, Chairman of the Building Standards Board, stated the Board has made a thorough study of the 1958 Code which is being used at present along with the 1964 Code with the 1966 amendments. Many of the 1966 amendments are recommendations from this Board. After making their investigation, they recommend the adoption of the 1964 edition of the North Carolina Uniform Residential Building Code with the 1966 amendments with some further changes. What they are doing is trying to bring the City Code up-to-date to make it of benefit to the public, the industry and, generally, having a more workable code and more useful one for the City of Charlotte.

Councilman Whittington asked what types of people represent the construction industry on this Board? Mr. Crosland stated they are represented by an architect, an engineer, the plumbing industry, a mechanical contractor, a home builder, a general contractor and the electrical industry.

Councilman Tuttle asked how many members are on the Board, and Mr. Crosland replied there are seven members.

Councilman Tuttle asked if it would be in order to add to this Board a member of the Fire Department? The City Manager replied it would be Council's prerogative to add any categories it saw fit. Councilman Tuttle requested the City Manager to discuss with this Board the feasibility of adding a member representing the Fire Department and to make a recommendation to the Council.

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The City Manager stated that someone representing the Insurance industry might serve the same purpose.

Mayor Brookshire advised the City Attorney has prepared two separate ordinances relating to the updating of the Code.

Mr. Kiser, City Attorney, replied he has an ordinance with an option. One ordinance adopts the dwelling code as amended with certain exceptions which are 1 - 9; in the second ordinance is the same thing except there is an additional exception No. 10 which deletes the reference to wood shingles in the State Dwelling Code; so that the State Dwelling Code which authorizes the use of Wood shingles would not be adopted.

Mr. R. B. McClure stated he appreciates the opportunity to be present with Council to consider the amendment to permit wood shingles or wood shakes. He stated there is a small representation of the home builders, architects, engineers, distributors and dealers present in the audience with him. That they have no selfish motive from a business aspect in this mainly by reason that they feel there will be a very small volume of this material used because of the cost. That wood shake roof would cost about \$65 per square foot, a storm shingle roof would cost about \$30 to \$32 a square foot and compares with an asphalt shingle roof at \$11 per square foot. They are not representing any one segment of the industry; they are merely asking for a consideration based on some facts they would like to present. Mr. McClure stated he understands some members of the Building Standards Board have made an extensive study of this and have voted unanimously in the support of wood shingles. That their main objective is to permit and not to restrict those willing to pay the price to purchase and to use these wood shavings or cedar shingles to enjoy the beauty that they give. That times have changed since the ruling in the ordinance of about thirty years ago; there are other methods of heating, and types of construction have changed. There are quite a few other large cities permitting the use of this material, and here in Charlotte we want to be progressive and have a democratic attitude.

Mr. Richard Catchpole, representative of the National Forest Products Association, stated they think their industry and association has the facts to support the recommendation of the Board for inclusion of wood shingles and shakes in the Charlotte Building Code. All the opposition to wood shingles and shakes is based on fires that occurred many, many years ago, and you do not find the same conditions today in the manufacture of wood shingles and shakes as you did in the times when you had conflagrations; the species itself is changing; now the species is cedar and redwood which is far better species as far as shingles and shakes are concerned; in the last ten or fifteen years shingles and shakes are now manufactured under a controlled process and under the U. S. Department of Commerce commodity ban; as far as this ordinance is concerned, we are talking about edge grain and edge grain shingles and shakes makes it far less susceptible for curling of the shingles. That as far as heating fuels, solid heating fuels caused flying pieces which sometimes landed on the roof and caused fires; most of the heating fuels today are either liquid or gas so we do not have this same type of criteria or condition that would make shingle roofs susceptible to fires.

Mr. Catchpole stated the North Carolina Dwelling Code as recommended has accepted the use of wood shingles and shakes, and it is their criteria as it is not what the industry submitted to the building officials, but it was accepted unanimously by the North Carolina Building Inspectors Association. That it contains safeguard for the use of wood shingles and shakes in the State of North Carolina. They do not entirely agree with the ordinance,

but they will accept it. It calls for Number 1 shingle or shake; it contains a more than adequate separation from property line requirement - 15 feet which would eliminate the use of shingles or shakes in many of the tract developments; it has the pitch requirement of four and twelve so you cannot use any shingles or shakes on any pitch under four and twelve; and something that is unique to the State of North Carolina, where shingles or shakes are permitted you have to have a spark arrester on the fireplace chimney.

Mr. Catchpole stated they are not entirely happy with the ordinance as it is not the type of ordinance they like to see but they will as a compromise accept it. That there has been talk in the State on grading; there are deficiency points assessed against the use of wood shingles and shakes, and they amount to approximately seven or eight deficiency points out of a total of 5,000 that is possible under the standard schedule prevailing in cities and towns in the United States. So this is a very minute amount. That the City of Charlotte is a Class Three City with 1,372 deficiency points.

That a Class Three is 1001 to 1500 deficiency points, and Charlotte has 1,372 points and the most it can possibly get is eight which would mean 1,380 and is 120 deficiency points under the 1500 which would put Charlotte in another grade - so there would be no change in classification for the grade of the City and no change in the insurance rates outside of a flat rate which is assessed in the State of North Carolina of \$2. for straight fire insurance regardless of whether the roof is 1,000 square feet or a billion square feet. On the other hand, out of the total of 5,000 deficiency points the water supply can be assessed 1,700 and the fire department 1500 which makes a total of 3,200 deficiency points that can be assessed out of a total of 5,000 or better than 50 per cent. So as far as deficiency points are concerned, we are talking about minute figures, and it will not have any bearing here in the City of Charlotte. As far as the grade of the City, it is not possible as the very total deficiency points that can be given is 20, and the way the ordinance is written takes care of ten of these immediately. If you do not permit them in the fire limits, it can be reduced further by 50 points.

Mr. Catchpole stated within the last ten to fifteen years 31 rating bureaus have eliminated entirely the penalty for wood shingle roofs in their respective jurisdiction; the other eighteen have reduced the rate and only one state, Mississippi, has not seen fit to either reduce the rate or to eliminate it entirely. According to the fire records in the entire United States in 1965, there were 7400 roof fires which is .8 per cent of the total number of fires recorded. The same records pointed out that matches and smoking in residences contributed 25% of the fire losses and faulty electricity 22%. That another thing that comes to mind is that there has never been a conflagration without ideal conditions regardless of what type of roof you use; there were conflagrations with asphalt, slate and tile, so wood shingles alone would not initially start a fire. If you have ideal humidity conditions and ideal wind conditions, it will not make any difference what the roofing material is.

That in the Belaire, California fire in 1962 you had the same percentage of wood shingle roof losses as the percentage of wood shingle roofs in that area; that approximately 56.4% of the losses were wood shingle roofs; there were more wood shingle roofs lost because there were more wood shingle roofs.

Mr. Catchpole stated there are conflagrations involving other type of roofing materials, and the most notable one was in Remouski, Canada, in 1950, and there was not a wood shingle roof involved in this fire. As intense as the fire was in Belaire, California, and as big as it was and uncontrolled as it was, there was not one loss of life.

That he does not like to talk about competitors products but the asphalt shingles test under the Underwriters Laboratories is a test that is conducted under controlled procedures and does not have a weathering criteria, and he would guess if you took the asphalt shingles off a roof after five to ten years exposure, that it would not come any closer to meeting the Underwriters Laboratories test as the wood shingles would. That at one time or other all of us have been on the roof cleaning out gutters and find not only leaves but buckets and buckets of stone, and when these stones leave the asphalt shingle, there is not very much more protection left. That wood shingles are permitted in many, many cities as well as the four model building codes in the United States.

Mr. Sam Olsen from Fort Worth, Texas, and representing the Red Cedar Shingles and the Handsplit Shake Association stated he just wants to see due consideration given to the industry which he represents. That he represents an industry of over 200 members, and one is very active in this state and does a tremendous amount of work in the State contributing greatly to the economy. In mentioning cedar, we are talking about a non-residence wood; this is a wood that will burn like all wood will burn, but sometime wood burning is an asset rather than a deterrent, and especially on a fire. Many firemen say they can put out a wood shingle fire much easier than they can one that starts in an asphalt roof. A fire that will vent itself is much safer to the people in the homes. A fire that will burn underneath and unimpregnable in an attic enclosure will take the oxygen out of the house and send smoke and heat down into the house, and this is how 99% of the people die who die in fires. They do not die by fire itself.

Mr. Olsen stated the new ordinance as proposed has fifteen feet from the property line, and this is a much greater spread than has the four major codes which is twelve feet from each other. That Mr. Catchpole mentioned that 8/10 of 1% of fires start on roofs and this is roofs of all kinds - not just wood roofs.

Mr. Olsen stated in connection with the film on the Belair Fire he has a newspaper clipping by the Fire Commissioner in Los Angeles, and he makes a statement that this is a fraud perpetuated on the public. The statement is taken from the Los Angeles Times on October 2, 1962 - "Designed for disaster the Los Angeles Fire Department's Startling Belaire Fire Film was called untrue and misleading at a special meeting of the Fire Commission Monday. Commissioner Fred W. Cline charged that the picture is a mixture of film from the Belaire Fire and a later fire in Cagle Canyon and the Malibu fire of 1958, with some posed and some training shots. He said 'the impression given the public is that this is what happened in the Belaire fire of November 1961. If we want to perpetuate a fraud on the public, this is exactly the way to do it.'"

Mr. Olsen stated they are fighting a tremendous industry, and they have to come back and give facts. In the Belaire Fire the fire was stopped where there was nothing but wood shingle roofs. It burned an hour and a half before it hit the first house. So the houses did not contribute to the fire; this was a brushfire. That this film did not show pictures such as on Tiger Tail Road where there were 41 homes and not a wood shingle in the lot, and they were completely destroyed. That they have this completely written up and the film is a fraud and a fake.

That they have prevailed on every state in the United States for statistics so they would have something to go by. The only one that did this was Ohio. In 1955 through 1958, they made a four-year study on the fire losses, and this was based on \$19,171,857 in premiums written. The loss ratio for the so-called approved group was 42.6%, and the loss for the wood shingle roof was

36%. In other words there was a 6.6% saving to the insurance company. Under storm damage wood shingle were only 4½% better. Another report comes out of Canada, and this is for sparks on roofs of all types, and it is now 6/10 of 1% of the total number of fires. Vancouver which has many wood roofs had a fire lost per capita of \$6.20 against Montreal's loss where wood shingles have not been used of \$6.82 per capita.

Mr. Olsen stated are you talking only about fires? How about long life? That he has a government survey which says the wood shingle will last longer here. Not by a great many years, but it will last longer in North Carolina. In the overall United States, the wood shingle is said to last about twice as long. Also, are you going to overlook insulation; are you going to overlook beauty; are you going to overlook protection against wind and hail? That he has a report that says the wind resistance to wood shingle is uncomparable. They have a letter from Samoa where the government used wood shakes on a big project there, and after the typhoon hit there last spring, they wrote back and said they lost not one shingle other than those damaged by flying debris.

Mr. Ernest Young, Jr., representing the Independent Insurance Agencies of Charlotte and Mecklenburg, stated he would like to speak in opposition to the proposed use of wood shingles in the City of Charlotte building code. He presented the following three long run ramifications:

- (1) Consider the fire rating from the National Bureau of Standards point. Charlotte enjoys Classification No. 3 which is at present one of the lowest throughout the country. To his knowledge there are no Class 1 towns and there are very few Class 2, so when you talk about Class 3 you are in good shape. The deficiency points brought about by the North Carolina Fire Insurance rating of Charlotte if wood shingle dwellings are allowed would not be great initially, but to do anything which would bring certain deficiency points in our rating would be to regress 20 to 30 years in the past.
- (2) As far as the individual premium loading now in effect for Class 3 cities in North Carolina, the \$2.00 figure mentioned is entirely correct; it is \$2.00 per year on the dwelling, and \$2.00 per year on the contents thereof. The most you would be talking about is \$4.00. That \$4.00 is not going to stop anybody in this room from using wood shingles if they so desire; however, to permit the coming in of the wood shingles roofs would increase the overall exposure and this \$2.00 figure would go up substantially; and he suggests that the overall dwelling rate structure would ultimately be affected.
- (3) In today's society where insurance protection forms such a vital facet of our economy to allow materials such as wood shingles which would eventually bring in a rating element would be to create further restrictions in underwriting. That it is very difficult as it is to place fire insurance on many of our dwellings and this would further create a problem.

Mr. Young stated we in Charlotte and in North Carolina at present are forced to live with the Bureau rules and regulations that we have. Right now there is a deficiency rating or there would be a deficiency rating for wood shingles and there would be an overall class increase, and this would deter what progress we have made within our fire insurance rating.

Mr. Dwight Phillips stated he would like to commend Mr. John Crosland and his fine group and also the public in working up studies on matters of this type. That he thinks the citizens of Charlotte should have the right to put wood shingles or shakes on their roofs if they so desire, because of the beauty of the pieces of shakes appeal to a world of people; and if they desire to spend their money that he thinks they should be allowed to do so. From the argument about the insurance rates, if this gets to a point where insurance rates are going up because of wood shakes, he thinks this Council could take further action and take care of the matter. From the standpoint of the dealers and the contractors, they do not care what the owner specifies as they bid on what he does specify.

Mr. Phillips stated most of the dealers in Charlotte handle both the wood shakes and the asphalt shingles; that he thinks this can be left strictly to choice of the homeowner as to what he desires.

Mr. W. W. Wood with the Sheppard Lumber Company stated they have operated in Charlotte since 1910 and the amount of wood shingles and shakes they would sell as the result of the change in ordinance would not amount to 1/10 of 1% of their business so he really has no personal interest or selfish interest in this.

He stated he has with him three pictures of the new Fire Station No. 16 on Park Road. That he talked with Mr. Morrison Grier, the Architect, and asked him for his interpretation and he says without qualification he would be happy to state that this building has a mansode roof - meaning the grade of slop, the lower part of the roof having a greater degree than the upper part. Mr. Wood stated this Fire Station is designed and constructed with wood shakes and shingles.

Councilman Whittington stated he appreciates the opinions and the suggestions given by the men in the building industry today. That this Council is made up of laymen here in the City and they are dependent a great deal on the advise of the Building Standards Board and Building Inspection Department. He stated he was particularly interested in what Mr. Phillips said about a man ought to be able to build what he wants to build and he agrees with that, but he thinks when you sit here as a Councilman you have to think not only of the man who can afford to build what he wants to build but of the individual who perhaps is limited in what he can afford to build; and also have to think in terms of the safety of all our citizens more than what is beautiful, and for that reason and for the fact that the Building Standards Board and the Building Inspection Department have recommended this, he moves the adoption of an Ordinance Amending Chapter 5, Article I, Section 5-3(c) of the Code of the City of Charlotte known as the Dwelling Code, as recommended by the Building Standards Board, excluding that section which would permit the use of wood shingles and shakes. The motion was seconded by Councilman Tuttle, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 14, beginning at Page 450.

Mr. Michael Allen, Executive Secretary of the Insurance Advisory Committee, stated to correct the record there is a tar and gravel roof on Fire Station No. 16. The wood that was talked about is a decoration on the side and the fire insurance rates came in on the building last week and it is rated as fire resisting building, and there is no charge in the State rates for this decoration.

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RESOLUTION PROVIDING FOR PUBLIC HEARING ON DECEMBER 19 ON PETITION NO. 66-97 AMENDING THE TEXT OF THE ZONING ORDINANCE PROVIDING FOR OFF-STREET PARKING REQUIREMENTS FOR MULTIFAMILY USES.

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

The resolution is recorded in full in Resolutions Book 5, at Page 372.

TRANSFER OF CEMETERY LOT.

Upon motion of Councilman Albea, seconded by Councilman Tuttle, and unanimously carried, the Mayor and City Clerk were authorized to execute a deed with Hoke V. Bullard and wife, May Moore Bullard and Betty Moore Bullard and John M. Bullard for Lot No. 316, Section 6, Evergreen Cemetery, at \$240.00.

CONTRACT AWARDED SHELBY SUPPLY COMPANY FOR BRASS GOODS.

Motion was made by Councilman Tuttle awarding contract to the low bidder, Shelby Supply Company in the amount of \$13,650.15 on a unit price basis for 7,900 pieces of Brass Goods. The motion was seconded by Councilman Jordan, and carried unanimously.

The following bids were received:

Shelby Supply Co.	\$13,650.15
Grinnell Co., Inc.	13,757.21
Atlas Supply Co.	13,911.99
Hajoca Corporation	14,609.65
Glauber Valve Sales Co.	14,688.79
Mueller Company	14,849.51
Pump & Lighting Co.	14,707.97
Horne Wilson, Inc.	14,963.15
Southern Meter & Supply Co.	15,920.26
Hays Mfg. Company	15,944.87
Farnan Brass Works	16,280.19

CONTRACT AWARDED HAJOCA CORPORATION FOR WROUGHT IRON PIPE.

Councilman Jordan moved award of contract to the low bidder, Hajoca Corporation in the amount of \$7,550.10 on a unit price basis for 15,500 lineal feet of galvanized wrought iron pipe. The motion was seconded by Councilman Whittington, and carried unanimously.

The following bids were received:

Hajoca Corporation	\$ 7,550.10
Horne-Wilson, Inc.	7,639.85
Atlas Supply Co.	7,799.26
Grinnell Co., Inc.	7,839.22

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ORDINANCE NO. 568-X AMENDING ORDINANCE NO. 498-X 1966-67 BUDGET ORDINANCE, AUTHORIZING THE TRANSFER OF A PORTION OF THE GENERAL FUND CONTINGENCY APPROPRIATION.

Councilman Whittington moved adoption of the subject ordinance transferring \$6,000 from the General Fund Contingency Account to Motor Transport-Refuse Collection to be used for the purpose of providing emergency refuse collection services after normal working hours on holidays and weekends. The motion was seconded by Councilman Albea, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 14, at Page 452.

ORDINANCE NO. 569-X AMENDING ORDINANCE NO. 498-X 1966-67 BUDGET ORDINANCE, AUTHORIZING THE TRANSFER OF A PORTION OF THE GENERAL FUND CONTINGENCY APPROPRIATION.

Upon motion of Councilman Tuttle, seconded by Councilman Jordan, and unanimously carried, the subject ordinance was adopted approving the transfer of \$700 from the General Fund Contingency Account to the 1966-67 Budget Ordinance for Engineering-Streets for the construction of a gravel sidewalk along the north side of Tuckaseegee Road, between Fern Avenue and Glenwood Drive.

The ordinance is recorded in full in Ordinance Book 14, at Page 453.

PROPERTY TRANSACTIONS AUTHORIZED.

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

- (a) Acquisition of right of way 10' x 133.40' at 3815 Winterfield Place, from John Thomas Grooms and wife, Betty, at \$300 for sanitary sewer easement to serve Winterfield Place.
- (b) Acquisition of right of way 10' x 75' at 3529 Marvin Road, from Mattie Alexander Stacey, at \$75 for sanitary sewer easement to serve Villa Court.
- (c) Acquisition of right of way 10' x 486' on Villa Court at 3500 Marvin Road, from Henry G. Newson, at \$1.00 for sanitary sewer easement to serve Villa Court.
- (d) Acquisition of 5,656 square feet near subdivision of Hidden Valley, off Pondella Drive, from Hobart Smith Construction Company, at \$1.00 for sanitary sewer easement to serve Hidden Valley Estates.
- (e) Acquisition of right of way 10' x 284.38', Lot B, from Ed Griffin Development Company, at \$1.00 for easement for Ed Griffin Project.
- (f) Acquisition of 1,034 sq. ft. of property at 3415 Eastway Drive, from Wayne Justin Warner, at \$1,000, for the Eastway Drive Widening Project.
- (g) Acquisition of 1,426 sq. ft. of property on Plaza Road at Eastway Drive, from Frank H. Hoffman and Texaco, Inc. at \$6000 for Plaza Road Widening Project.

- (h) Construction easement 10' x 20' at 520 Woodlawn Road, from Richard Jones and wife, Carol Ann Jones, at \$15.45 for Woodlawn Road Widening Project.
- (i) Construction easement 10' x 20' at 512 Woodlawn Road, from Lonnie M. Russell and wife, Hazel H. Russell, at \$15.45 for Woodlawn Road Widening Project.
- (j) Construction easement 10' x 20' at 516 Woodlawn Road, from A. A. Shaffer, at \$40 for Woodlawn Road Widening Project.
- (k) Construction easement 5' x 800' on Sharon Amity Road at Cotswold Homes and Shopping Center, from Cotswold Homes, Inc. at \$200 for the Sharon Amity Road Widening Project.
- (l) Payment of damages to Mrs Dorothy E. Bowman (widow), at 2501 North Sharon Amity Road in the amount of \$100 in connection with the Sharon Amity Road Widening Project.

MAYOR'S STATEMENT REGARDING DECEMBER 17 BOND REFERENDUM ADOPTED BY COUNCIL AND COUNCIL AGAIN GOES ON RECORD AS UNANIMOUSLY SUPPORTING ALL FEATURES OF THE BOND ISSUE.

Mayor Brookshire stated critics of the pending bond referendum tend to pick arguments that would confuse the main issue - namely planned and orderly progress of our city. That Charlotte is the leading, largest and fastest growing city in the Carolinas is no accident. That Charlotte's per capita income is 50% greater than the State average is no happenstance, but rather an indication of opportunities generated by a progressive community that makes things happen instead of merely letting them happen. That Charlotte has developed into a regional city, a center of finance, distribution, culture and opportunity is a tribute to the vision and effort of business and civic leaders supported by a responsible and responsive citizenship. These same leaders, with demonstrated good judgment, are wholeheartedly backing the December 17 bond referendum, not for their own benefit but for the benefit of the city as a whole.

It has been said that the City Council is not giving the public both sides of the picture. Council's many months of deliberation on the community needs represented by this referendum, and how to meet them dealt with the pros and cons of whether to have a bond referendum, if so when, and what should be included. Judgments have been made. The needs are being explained and the public is being asked to support long term financing of the needs - the same kind of long term financing employed by both individuals and corporations. The advantage to the city is that the tens of thousands of new citizens who come to Charlotte in the future will help pay for facilities provided for both present and future use through a broader tax base. Charlotte cannot afford to turn its back on planned and orderly progress and he does not believe it will.

Councilman Short moved that Council adopt the Mayor's statement and again go on record as unanimously supporting all the features of the bond issue. The motion was seconded by Councilman Jordan, and carried unanimously.

PROGRESS REPORT REQUESTED ON WORK BEING DONE IN THOMASBORO AREA.

Councilman Tuttle requested the City Manager to make a progress report two weeks from today on the work that is being done in the Thomasboro section as the various ministers are concerned; they are sure the work will be done but they have not seen evidence of much.

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CITY ATTORNEY REQUESTED TO INVESTIGATE TRAINS BLOWING HORNS IN THOMASBORO SECTION ON SUNDAY MORNINGS.

Councilman Tuttle requested the City Attorney to investigate the matter of trains going through the Thomasboro Area Sunday Mornings blowing their horns; that Reverend Hicks stated this is unnecessary.

REPORT FROM INSPECTION DEPARTMENT ON LOCATION OF TRAILERS IN BERRYHILL COMMUNITY.

Mr. Veeder, City Manager, stated last week at a presentation before Council relating to a zoning request in the vicinity of Berryhill, there was discussion about the location of trailers in the vicinity. That Mr. Jamison, Supt. of the Inspection Department, has made a survey and advises there is one house trailer which is in violation of the zoning ordinance and the owners have been notified to move it. Two other trailers are located across the road from the School, and they were there prior to the adoption of the zoning ordinance and are considered a legal non-conforming use. Mr. Veeder stated there are nineteen trailers just beyond the zoning perimeter line and we have no jurisdiction over this.

COUNCIL ADVISED THERE WILL BE NO COUNCIL MEETING ON DECEMBER 5 AS MAJORITY OF MEMBERS WILL BE OUT OF CITY ATTENDING A MEETING.

Mayor Brookshire reminded Council that because a majority of Council will be attending the National League of Cities annual meeting next week there will not be a Council Meeting and the next meeting will be two weeks from today on December 12.

ADJOURNMENT.

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

  
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Ruth Armstrong, City Clerk