

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, September 10, 1962, at 3 o'clock p.m., with Mayor Brookshire presiding and Councilmen Albea, Bryant, Dellinger, Jordan, Smith, Thrower and Whittington present.

ABSENT: None.

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INVOCATION.

The invocation was given by Dr. Wilson Weldon, Pastor, Myers Park Methodist Church.

MINUTES APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Albea, and un-animously carried, the Minutes of the last meeting on August 20th were approved as submitted.

CONSIDERATION OF PETITION OF D. L. PHILLIPS BUILDER OF N. C. TO CLOSE AND ABANDON A PORTION OF SOUTH COLLEGE STREET, DEFERRED ONE WEEK FOR FURTHER INFORMATION.

The public hearing was held on the Petition of D. L. Phillips Builder of N. C. to close and abandon a portion of South College Street, between Independence Boulevard and Palmer Street.

Councilman Dellinger asked if the matter had been checked with all departments concerned and if there were any objections? The City Manager advised the departmental heads had been consulted and none of them raised any objections. That there was only one possibility of the relocation of a water main. Councilman Smith asked if the City would have to relocate the main and if the City would have to bear the expense? Mr. Veeder stated he thinks that is something the parties asking for the abandonment could properly be asked to pay, but he does not know the amount involved.

Mayor Brookshire asked that Mr. Phillips or his representative make a statement in this connection. No one was present for the petition.

Councilman Dellinger stated in view of the lack of information he moved that the matter be postponed for one week and the information be obtained. The motion was seconded by Councilman Jordan, and unanimously carried.

ORDINANCE NO. 114 AMENDING THE ZONING ORDINANCE, ARTICLE IV, SECTION 58 REPEALING THE MINIMUM SIDE YARD REQUIREMENTS IN I-1, I-2 AND I-3 DISTRICTS.

The public hearing was held on the petition of the Planning Commission to amend the Zoning Ordinance by repealing the minimum side yard requirements in I-1, I-2 and I-3 Districts and adopting in lieu thereof for all three Industrial Districts - "None required; minimum 4-feet where side yard is provided". No objections to the proposed amendment were expressed.

Councilman Thrower moved the adoption of Ordinance No. 114 Amending the Zoning Ordinance, Article IV, Section 58, as recommended, which was seconded by Councilman Smith, and unanimously adopted. The ordinance is recorded in full in Ordinance Book 13, at Page 298.

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PROTEST BY RESIDENTS OF BEVERLY WOODS AGAINST CHANGE IN ZONING OF PROPERTY OF W. L. PARROTT ON SOUTHEAST SIDE OF SHARON ROAD FROM R-15 TO R-15MF.

Mr. E. H. Hartgrove was spokesman for the residents of Beverly Woods protesting the requested change in zoning from R-15 to R-15MF by Mr. W. L. Parrott of a tract of land on the southeast side of Sharon Road on which he proposes to erect an apartment building. He stated a petition was filed today with the Mayor opposing the zoning change, and he thinks they have demonstrated by the petition that a goodly number of people strenuously object to the apartment building on this property.

Mayor Brookshire advised Mr. Hartgrove that Council heard the petition for the change in zoning three weeks ago as advertised, and both pros and cons were heard, and the matter is listed on the Agenda for today's meeting solely for Council decision and this is not another public hearing. Mr. Hartgrove stated new facts have presented themselves, and the petition given the Mayor is one of them. Mayor Brookshire advised that the petition has been given the Council and has been considered by them in the preceeding session. Councilman Dellinger advised that Mr. Ted Williams came into the last Council Meeting after the hearing and Council gave him an opportunity to speak and told him that in no wise would another hearing be held today; that the sign was posted on the property, and if they are heard today, then all other zoning matters will have to be heard again and again, and we would never complete a decision on any zoning matter if this were done. Mr. Hartgrove protested that they had a right to be heard on the new evidence of the petition, and Councilman Whittington asked if he has anything other than contained in the petition to present? Mr. Hartgrove stated the evidence is contained in the petition, however, he and others would like to express their viewpoints. Mayor Brookshire stated he is sympathetic to their interest in the matter but must again say that the public hearing, required by law, was held three weeks ago and they were not present at that appropriate time; therefore, he would have to rule him out of order. Mr. Ted Williams stated the Sign stating the change in zoning was proposed and would be heard was placed in a wooded area, on a dangerous curve and could not possibly be seen unless your car was wrecked, and it was not legally placed. Councilman Dellinger stated Mr. Williams is out of order in that respect because there are no legal standards for these signs, that they are placed on property merely at the courtesy of the Council. Mayor Brookshire advised the Council cannot continue hearings indefinitely, that they must be held according to legal requirements and this hearing was so held. Councilman Jordan asked that the people present in opposition to the zoning change please stand, which was done.

CONSIDERATION OF PROPOSED AMENDMENT TO SUNDAY OBSERVANCE LAW TABLED.

Councilman Thrower moved that consideration of the proposed Ordinance Amending the Sunday Observance law be deferred for one week, the motion was seconded by Councilman Whittington. Councilman Albea stated the reason for the request for postponement is that the City Attorney is out of town and not here to give Council his legal opinion; that personally he is ready to vote today. Councilman Smith stated he thinks even if it is postponed the hearing should be held if anyone desires to be heard. Councilman Albea moved that the motion be tabled for the time being. The motion was seconded by Councilman Smith, and unanimously carried.

Mayor Brookshire invited anyone to speak on the proposed ordinance who wished to do so.

Mr. Stanley Slesinger read the first paragraph of the proposed ordinance,

"Whereas the entire civilized world recognizes periodic cessation from labor as essential to the physical and moral well-being of society", he stated he would disregard this as it did not mean anything. He then read the second paragraph, "Whereas, it is in the interest of the public health, morals, order and safety and general welfare of the citizens of the City of Charlotte that a uniform day of rest insofar as practical be observed, and thus the general welfare will be advanced, labor protected and the moral and physical well-being of society promoted", he stated he did not understand that. That the one issue involved in the ordinance, in his opinion, is the law. That the ordinance is brought up with the intention of the Council exercising moral judgment on the Blue Laws, whereas the only moral judgment that can be exercised in this ordinance is the moral judgment and decision between individuals and the buyer. Then as to the day of rest - the ordinance is concerned about people working and being occupied on Sunday. That he has made a count of all stores, and it will exempt about 125 people in the City of Charlotte from working on Sunday, but the same ordinance will allow thousands of people to play golf, work in service stations and other businesses, but the big concern is for the 125 people. That no where in the city has he seen a gun behind the back of anyone being forced to go into any of these stores on Sunday. As to morals, a customer comes into a store to buy a pair of baby pants or similar article, and the Council must be the judge as to whether baby pants are dry goods or hygienic supplies, and the merchant would have a terrible time defining which it is - in fact, this amendment would make criminals out of law-abiding citizens because the merchant cannot define each and every article. Also, you could buy golf balls or cigarettes or a pipe but if you have a sick child you could not buy a record to play to entertain him or a toy. That the ordinance takes away the freedom of the citizens of Charlotte; also, when merchants in Charlotte applied for business license to operate they were not restricted to certain hours, and, in fact, he knows that certain merchants asked that question. As to it being said that Stores are making salespeople work on Sunday, that is not true; most of the stores ask for volunteers and they still get their day of rest, in fact some stores give a full day of rest for working only four or five hours on Sunday. That certain school girls can only work on Saturday and Sunday to get the money to buy their clothes and books. He asked that the Council carefully consider the question asked in The Charlotte Observer Editorial, "The City Council must ask this question - will the passage of this law reflect our interest in setting aside the day of rest for our people or are we being asked to help solve a problem of competition through our police powers? The bulk of the evidence leads us to the conclusion that the Council is being asked to exercise a law of judgment that rightfully should be the individual decision between the seller and buyer". Mr. Slesinger stated further that different people observe a different day of rest, and this does not guarantee it - so how can you restrict one thing and not another.

Mr. Leonard Rose, General Manager of Atlantic Mills on South Boulevard, stated their feeling is that if it is wrong for a person to buy needed clothing for their children on Sunday to attend school, then why is it right for someone to go to a cafe and be able to drink beer all day Sunday? Or is it a fact that the Downtown Merchants have not found a reason or a way to put this particular item on a pay-as-you-go policy? He stated that he feels Sunday laws are an attempt by one group to dictate the buying habits of the public, and people should have a free choice in where they shop; that many people find it more convenient to shop on Sunday, when the husband is away from his work and they can be together as a unit, and they should have the right to do so; that shopping is not a social matter but an economical one, and many people choose this as a pleasant way to spend a Sunday afternoon; too, many people do minor jobs at home on Sunday from choice, which often requires the purchase of items to complete the job. That if Downtown Merchants cannot meet the desires of the public for Sunday Shopping they should not use the City Council as a weapon to prevent the merchants who are meeting the needs of

the community from doing so, and why should the City Council feel that the needs of the Downtown Merchants are more important than the needs of the community generally? That the City Council should be wise enough to drop the Sunday Closing Law and let the American family decide for itself whether it wishes to shop on Sunday. That if there is no desire on the part of the citizens of Charlotte to shop on Sunday, the Council can be sure that the economics of the situation will soon cause any store to close. Mr. Rose stated that he had a little better than 27,000 people in their Store on yesterday - that they were counted. That he has approximately 45 people running the Store on Sunday, who come in at 11 o'clock and go home at 6 o'clock, that there are two shifts, one from 11 to 6 and the remainder come in at 4 and work until 6 who receive a full day off; that they comply with all State Laws that require that no woman work more than 6 days in any one week or more than 48 hours and their Store is unionized, and most of them work on a volunteer, rotating basis of every other Sunday.

Mr. Charlie Dudley, Executive Vice-President Charlotte Merchants Association, stated the proposed ordinance has had the approval of the Directors of the Association, and on behalf of the Officers and Directors of the Association he wishes to acquaint Council to their reasons for the proposed ordinance. The Sunday opening of retail stores is a growing evil that is being discussed in every major city and community in the country for the purpose of passing, at the City and State levels, ordinances and laws that will eradicate this blight once and for all. All States have and a number of communities in North Carolina have passed laws prohibiting the 7-day opening of retail establishments, selling non-essential health, welfare and recreational items. The Supreme Court of the United States has ruled favorably in cases brought before this tribunal. That it is a fact that either a growing or a declining economy, people have only so much to spend for food, shelter, clothing, medicine, recreation and services, and Sunday openings do not increase the economy and no new magical creation of the economy results from the Sunday sale of non-essential items. That they say that the recommended ordinance is sound in principal and one which will stand up before the Supreme Courts of the State and Country. In the ordinance they have incorporated all of the good qualities and omitted the bad ones, and they believe it to be in the interest of our growing city because of the increasing proportion of establishments contributing to this growing evil. That cities and towns all over North Carolina look to Charlotte for leadership in community affairs. That the N. C. Merchants Association is now working on a Bill to be recommended to the next State Legislature. He stated further the Sunday closing issue is not a religious one but a most vital business and humane issue that must be faced squarely by the leaders of our community. That the 7-day business week is retrogression, not progression, and is diabolically contrary to the trend of a 5-day work week, and Sunday opening is not necessary; that many of our stores are open 2-nights a week and some 6-nights a week and for generations this has been ample. That it has perhaps never occurred to most of us that the over-whelming majority of industries, professional, business and service groups, the skilled trades all over the country, are obviously against a 7-day week and for Sunday closing, and we are shamefully illogical and inconsistent in allowing a few to lead us to a 7-day week. No doubt the workers are "invited" to work on Sunday but quite frequently if the invitation is not accepted it might not be in their best interest. He stated that Sunday openings mitigate against the welfare of individual employees and their families when the breadwinner has to work on Sunday, and it mitigates against the age-old process of balance of life between work and rest, and recreation both mental and physical. That the American heritage of centuries standing is destroyed through Sunday openings, and the character of our fine, progressive and fun to live in City is being virtually destroyed unless we exercise our God-given intelligence and follow our conscience and sound business convictions in passing an Ordinance that will

stand as a monument to this progressive administration and Council group. That whatever arguments are advanced against Sunday closing are offered by a few individuals and companies, with a small minority who would lower the living standards of our City. That the conveniences and needs of our citizens were well served before the advent of these advocates of Sunday openings, 6-days and 6-evenings are ample and will always be ample. That they submit their convictions in the form of a studied, sound and enforceable recommended ordinance for the serious consideration of the Council.

Mr. Irvin Boyle, representing Eckerd's Drug Stores, stated he has listened with interest at the remarks made and he would like to set the record clear regarding the statement made that the ordinance is recommended by the Merchants Association; that he has with him Mr David Rankin, President of the Charlotte Merchants Association who opposed the adoption of the resolution favoring the ordinance and still opposes it. That the 1961 Session of the N. C. Legislature saw fit to adopt a legislative program by which the Sunday question was no longer a bone of contention in the community and on the last day of the Session a Bill was introduced, he believes by the Senator from Mecklenburg, and was adopted and reported to be an ordinance adopted to govern Sunday activity through-out the State; that the City Council saw fit to accept its terms and as a result it became involved in litigation in the Courts and was declared unconstitutional. Therefore, we reverted to the point when we had been before the 1961 Legislature, until the Uptown Merchants Association - not at the request of the Merchants Association, nor at the request of the City Council, nor at the request of any Civic Body, but on its own motion elected to have its Attorney prepare and submit to the Council this ordinance. That the ordinance analysed in any manner is simply an attempt to legislate competition out of existence on Sunday; and is designed to prevent the sale on Sunday of any article which they can sell on Monday, and could probably be termed government of the Uptown Merchants, by the Uptown Merchants, for the Uptown Merchants, for the Uptown Merchants, although it recites that the public health, welfare and morals are being protected they have failed to show any abuse of any of those items or any need for protection. That they have failed to recognize that Sunday afternoon is the only time when many families can shop as a family and they have failed to come forward and say in what particular they intend to protect the buying public. That the 27,000 people Mr Rose stated was in his store on yesterday are entitled to as much or more consideration than the 12 members of the Board Directors of the Charlotte Merchants Association. That the provisions of the ordinance are odd, indeed; what ordinance has the City had that permitted the sale of beer but prohibited the sale of school supplies or toys or records, or what ordinance has the Council seen that attempted to limit certain stores and give others an unlimited right to sell? For example, the ordinance says that Service Stations may operate on Sunday, are they talking about the Goodrich and Firestone Stations that sell T.V.'s, Refrigerators, washing machines, auto accessories and every other commodity know to the public, or are they talking about the Service Station that sells gas and tires and anti-freeze, which other merchants cannot sell? They say you can sell cosmetics - does that include bobby-pins, hair-dryers etc, how is a policeman going to determine this? He will be in the position of arresting a store manager for selling something the Policeman does not term a cosmetic, while the store manager says it is, and who can say, as the ordinance does not define it. This is also true of Medical supplies, and the Newstands sell many, many articles other than newspapers and magazines - they have eliminated the Nurseryman from selling shrubbery, and have eliminated the sale of golf equipment. These Uptown Merchants will sell you all of this on Monday. Mr. Boyle stated he contends that if an ordinance is needed to control sales on Sunday, then the first group that should be given consideration is the buying public and not a group to eliminate competition.

Mr. Warren Stack, Attorney representing Clark's of Charlotte, stated Mr. Boyle has made most of the points he wanted to discuss; that we are dealing here essentially with the use of the Police power of the City to try to invoke the doctrine of the Sunday Blue Law, and in the preamble are those beliefs that tend to bear out the exercise of this Police power; that today the Council has not heard from anyone from the buying public complaining about the opportunity to buy legitimate sundaries on Sunday, nor has any employee criticized his being able to work on Sunday. Therefore, what is the ordinance about? That he submits that frankly his client, Clark's does not need the Merchants Association to act as its soul and conscience, for here is a store in a nice Shopping Center, located about 200 yards inside the city limits, and it does not conflict in any way with the observance of Sunday religious exercises; it works only in the afternoon on Sunday and each employee who works does so on a voluntary basis and for these short hours is given an entire day off during the week. That this is a family store, where a considerable amount of time is spent by a buyer looking around in a nice atmosphere, and the store is trying on a dedicated basis to meet the needs of the buying public. What harm is done by that procedure? Still this ordinance would make it necessary to use our Police power to go to these various people and say "we are looking over your shoulder, we don't really know under the ordinance what you can or cannot sell but we have a shotgun loaded and sticking in your back, and if we are right and you are wrong, you have violated the ordinance". So, in effect, the City would take its legitimate taxpaying merchant and say to him we have our Police Department standing outside your door, therefore the buying public, which the Downtown Merchants Association is trying to protect, will merely get in his car and ride out into Mecklenburg County beyond the city limits and there do their purchasing. What do you accomplish by that? Too, we in Charlotte live in a predominantly Protestant section, but there are people here of other religious faiths who have their Sabbath on a different day from ours, and the Supreme Court of the U. S. on many occasions have held that we should not and cannot cram down the throats - as Mr Dudley referred to it - a minority. Therefore, he submits that the proposed ordinance is ambiguous, incapable of being interpreted and accomplished nothing on the doctrine of the Police powers of Charlotte.

Mr. Bill Shuford, President of the Junior Chamber of Commerce, stated he represents their 250 members who have adopted the following resolution, opposing the adoption of the Sunday Closing ordinance. That they do not feel there is any benefit to the public at large in this ordinance, and they do not feel it is a uniform closing law, and he and his members do not think the Council should be called upon to legislate such a proposal; therefore, they speak against the adoption of the ordinance and they would be willing to conduct a survey of public sentiment regarding the ordinance; and on behalf of the Junior Chamber of Commerce he offers their services to take a sampling of public opinion, if Council wishes:

"Whereas, the Charlotte Junior Chamber of Commerce, while recognizing that periodic cessation from labor is essential to the well-being of society, nevertheless believes that it is not in the best interests of our community to legislate a so-called uniform day of rest and that the lack of such a legal closing day does not in any way affect the public health, morals, order, safety or general welfare of the citizens of Charlotte; and

Whereas, said Charlotte Junior Chamber of Commerce believes that the proposed Ordinance will create unnecessary and almost insurmountable enforcement problems for our police and courts in that the very nature of its subject matter requires it to be drafted in such vague terms as to constitute an unconstitutional invasion of the rights of certain businesses; and

Whereas, said Charlotte Junior Chamber of Commerce believes that the expressed purpose of the Ordinance to provide a uniform day of rest is defeated by the Ordinance itself by virtue of the numerous exceptions listed therein and that the number of individuals who would be affected by a Sunday Closing is negligible compared to the number of individuals employed by businesses allowed to remain open by the terms of the Ordinance; and

Whereas, said Charlotte Junior Chamber of Commerce in keeping with that part of its creed which states that "Economic Justice can best be won by Free Men through Free Enterprise" believes that said Ordinance unduly restricts free enterprise to the detriment of our total economic well-being and that the setting of a so-called uniform day of rest is unduly prejudicial to certain of our businesses and that the determination of a day of rest can best be made by the dictates of individual consciences and not by a legislative body;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Charlotte Junior Chamber of Commerce that it opposes the adoption of the said 'Sunday Closing' Ordinance and urges the Charlotte City Council to defeat said Ordinance."

Mr. Carlton Fleming, Secretary of the Downtown Association, stated the Directors of the Downtown Association have unanimously gone on record approving the proposed ordinance; that they feel the ordinance can be upheld from constitutional attack and feel it is sound from a legal viewpoint. That he has listened with interest to the remarks of fellow attorneys as to the ambiguity which they find in the ordinance as drafted; that the ambiguity is derived 100% from an endeavor to permit the clients of these attorneys to sell items which they might not otherwise be permitted to sell - as example, the Drug Stores rather than being restricted only to medical and surgical and health supplies, are permitted to sell cosmetics and other items. If it would make them happier to strike out those categories and make it more restrictive to limit the Drug Stores only to medical, surgical and health supplies, then he would strongly recommend that the Council go along with them. Thirdly, that the most important thing is the image of a city; that all of us have seen cities that are wide open on Sunday just like on week-days and that is the issue before the Council. What sort of city do we want the City of Charlotte to be? If the public opinion in Charlotte is that we have a wide-open town and Sunday be no different from any other day, then it seems to him that the Council should listen to that cry and turn down this ordinance and not pass any ordinance and perhaps repeal the present ordinance. If, however, what we desire for the City of Charlotte is a city which does not devote itself to full-scale commercial enterprise on Sunday, then he urges the Council to give consideration to this or a similar ordinance, as there are perhaps modification that can be made and the Downtown Association does not claim this ordinance is the perfect answer to all Blue Laws, but they do feel this is a sensible approach and they urge the Council for its consideration and hope they will see fit to adopt this or a similar one.

Mr. H. V. Reed, President of Carolina Conference Seventh-Day Adventist, stated they naturally take a different view from those expressed; that they are not a commercial group but a religious one, and it is to the point of the religious implication that he wishes to speak. That he believes everyone has been invited here in an attempt to learn how the proposed legislation will affect the welfare of Charlotte, and they appreciate the opportunity. Being a member of a religious minority, he is sure Council can understand how he renounces the principles of intolerance in any form, but most especially when it deals with the realm of conscience. That being convinced of the worship of God on the 7th day of the week, he believes Council can understand how his people fear the establishment of any other day by the law of the land, and

his people have been the object of Sunday legislation and the victims of Sunday laws. That 67 of his people were given a summons to appear in Court for Sunday violation on January 7, 1962, when they were working in the office of Faith for the Day with regard to their T.V. Show. This is a religious T. V. program, and they were not bad people but good people, engaged in a religious activity. This is an illustration of the conscience of the law being forced on the conscience of private citizens. His point is to remove these religious implications from any such legislation as Charlotte may need. That he does not say whether the legislation is good or bad, however it appears to him to be commercial legislation; therefore, he would like all religious implications taken out of this if it is to become a law. He pointed out the following two passages in the ordinance which prove it is a religious order - first, "a uniform day of rest" - and he asks why a City should have a uniform day of rest unless it be of a religious nature, that the only Code he knows of for a uniform rest day is that in the Bible when God says "Remember the Sabbath Day to keep it Holy. Six days shall thou labor and do all thy work but the Seventh Day is the Sabbath of the Lord Thy God". Secondly, at the end of the proposal- referring to permitting games on Sunday after 1 o'clock p.m. Now, why should it be a crime before 1 p.m.? Or was this established for better Church attendance? This is therefore a law respecting an establishment of religion which the Constitution strictly forbids. Therefore, if legislation is necessary which does not embroil religious affairs, if this is an ordinance aimed at a certain segment of business, then make a law that is a business law, not one that is a religious one, nor one having religious implications.

Mr. Albert Pierson, Merchant, stated he is not a member of the Downtown Merchants Association, and he thinks the main point is does society have the right to govern itself, and to pass such laws they feel would be helpful to themselves. That he thinks they have. That the law has more than just Charlotte in its implications - it has the county and the surrounding cities and the State. That he thinks the main function of this law is whether we in society have a right to place a stop and go in the work system. That if Council does decide this is an essential law, then they had better take into consideration whether the law should be passed by the City of Charlotte or State of N. C. and he believes that the Council should go no further than to pass a resolution to be given to its representatives to the State Legislature as being in favor of a law of this type in the State.

Mr. W. T. Harris, owner of Harris Food Stores, stated even though the ordinance will create certain problems in his operation of drug stores, he still thinks it is good for all of the citizens of Charlotte and therefore he is in favor of it.

PETITION NO. 62-32 FOR CHANGE IN ZONING OF TRACT OF LAND AT SOUTHWEST CORNER OF PROVIDENCE ROAD AND OLD PROVIDENCE ROAD, DENIED.

Upon motion of Councilman Dellinger, seconded by Councilman Jordan, and unanimously carried, Petition No. 62-32 by Mrs Dorothy Schoenith for change in zoning from R-15 to B-1 Shopping Center District was denied as recommended by the Planning Commission.

DECISION ON PETITION NO. 62-31 BY W. L. PARROTT FOR CHANGE IN ZONING OF TRACT OF LAND ON THE SOUTHEAST SIDE OF SHARON ROAD DEFERRED FOR ONE WEEK.

Councilman Whittington moved that the decision on Petition No. 62-31 by W.L. Parrott for change in zoning from R-15 to R-15MF of a tract of land on the southeast side of Sharon Road be deferred for one week. The motion was seconded by Councilman Thrower, and unanimously carried.

DECISION ON PETITION NO. 62-33 FOR CHANGE IN ZONING OF FOUR TRACTS OF LAND ON THE EAST SIDE OF SHARON ROAD ON BOTH SIDES OF SHARON HILLS ROAD DEFERRED FOR ONE WEEK.

Upon motion of Councilman Dellinger, seconded by Councilman Jordan, and unanimously carried, Council decision on Petition No. 62-33 by Messrs. Nichols, McConnell, Heath and Abernathy for a change in zoning of four tracts of land on the east side of Sharon Road from R-15 to R-15MF was deferred for one week.

PETITION NO. 62-34 BY G. F. RICE FOR CHANGE IN ZONING OF LOT AT NE CORNER OF SUGAW CREEK ROAD AND DINGLEWOOD AVENUE DENIED.

Councilman Thrower moved the adoption of Ordinance Amending the Zoning Ordinance by changing the zoning from B-1 to B-2 of a lot at the northeast corner of Sugaw Creek Road and Dinglewood Avenue, on petition of Mr. G. F. Rice. The motion was seconded by Councilman Whittington, and lost by the following recorded vote:

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

ORDINANCE NO. 115-Z AMENDING THE ZONING ORDINANCE CHANGING THE ZONING OF PROPERTY AT 2015, 2019, 2021, 2025, 2031, 2033 and 2039 ROZZELLS FERRY ROAD, ADOPTED.

Councilman Dellinger moved the adoption of Ordinance No. 115-Z Amending the Zoning Ordinance changing the zoning from R-6MF to B-2 of property at 2015, 2019, 2021, 2025, 2031, 2033 and 2039 Rozzells Ferry Road. The motion was seconded by Councilman Whittington, and carried by the following recorded vote:

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

The ordinance is recorded in full in Ordinance Book 13, at Page 299.

DECISION ON PETITION NO. 62-36 BY D. L. PHILLIPS FOR CHANGE IN ZONING OF TRACT OF LAND BOUNDED BY BRIAR CREEK ROAD, EDWARDS BRANCH AND WATERLOO PLACE DEFERRED ONE WEEK.

In regard to Petition No. 62-36 by Mr. D. L. Phillips for change in zoning from O-6 to B-1 of tract of land bounded by Briar Creek Road, Edwards Branch and Waterloo Place, Mayor Brookshire advised that the land the petitioner thinks would be needed zoned B-1 to comply with the financing requirements has a depth of 250 feet back from Waterloo Place and is bounded on one side by Briar Creek Road and on the other side by Edwards Branch. He stated he does not know the width.

Mr. William Ruffin, Attorney of the firm representing Mr. Phillips made reference to the letter sent the Mayor and Council requesting that the property be rezoned as requested and stating that should he abandon his plans for the construction of the apartment building and erect some other type structure on the property he would give at least 60-days written notice in order that the Council could change the zoning back to the O-6 classification, and Mr. Ruffin asked if in view of this the Council will not go ahead and rezone the property?

Councilman Smith moved that the matter be postponed for one week and they bring in a plat of the property, so that the exact description of the property may be included in the Minutes. The motion was seconded by Councilman Thrower, and unanimously carried.

ORDINANCE NO. 116-Z AMENDING THE ZONING ORDINANCE CHANGING THE ZONING ON LOT AT 2024 EAST 7TH STREET, ADOPTED.

Councilman Albea moved that Petition No. 62-37 by Mr. Reece H. Lee for change in zoning from O-6 to B-1 of lot at 2024 East 7th Street be denied, as recommended by the Planning Commission. The motion did not receive a second, and lost.

Councilman Whittington moved that Ordinance No. 116-Z be adopted Amending the Zoning Ordinance changing the zoning from O-6 to B-1 as requested by Mr. Lee. The motion was seconded by Councilman Dellinger, and carried by the following recorded vote:

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

The ordinance is recorded in full in Ordinance Book 13, at Page 300.

ORDINANCE NO. 117-Z AMENDING THE ZONING ORDINANCE CHANGING ZONING OF PROPERTY ON WEST SIDE OF PINEVILLE ROAD, ON PETITION OF J. A. JONES CONSTRUCTION COMPANY, ADOPTED.

Motion was made by Councilman Whittington, seconded by Councilman Dellinger, and unanimously carried, adopting Ordinance No. 117-Z Amending the Zoning Ordinance by changing the zoning from R-9 and B-2 to I-2 of a strip of land on the west side of Pineville Road, on petition of J. A. Jones Construction Company, as recommended by the Planning Board. The ordinance is recorded in full in Ordinance Book 13, at Page 301.

ORDINANCE NO. 118-Z AMENDING THE ZONING ORDINANCE CHANGING ZONING OF PROPERTY ON WEST SIDE OF PINEVILLE ROAD, ON PETITION OF LANCE, INC., ADOPTED.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, Ordinance No. 118-Z Amending the Zoning Ordinance by changing the zoning from R-9 and B-2 to I-2 of a strip of land on the west side of Pineville Road, was adopted as recommended by the Planning Board. The ordinance is recorded in full in Ordinance Book 13, at Page 302.

DECISION ON PETITION NO. 62-40 FOR CHANGE IN ZONING FROM R-6MF TO I-2 ON LAND ON NW SIDE OF SOUTH LANDER STREET DEFERRED ONE WEEK.

Councilman Thrower moved that decision on Petition No. 62-40 by Chadwick Mills for change in zoning from R-6MF to I-2 of land on the northwest side of South Lander be deferred one week. The motion was seconded by Councilman Whittington, and carried by the following recorded vote:

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

REPORT OF THE U. S. HOUSING AND HOME FINANCE AGENCY ON THE CHARLOTTE WORKABLE PROGRAM FOR URBAN RENEWAL APPROVED.

Councilman Smith moved that the Report of Progress of the Workable Program for Urban Renewal be approved and submitted to the U. S. Housing and Home Finance Agency. The motion was seconded by Councilman Jordan, and unanimously carried.

RULES AND REGULATIONS FOR POLICE DEPARTMENT ADOPTED.

Councilman Smith moved that the revised Rules & Regulations for the Police Department submitted by Chief Hord be approved, which was seconded by Councilman Whittington, and unanimously carried.

Councilman Dellinger suggested that the City Attorney be instructed to give some study to the Civil Service Rules and see if there are any general changes that should be made in them; that this has been discussed for several years but nothing done about it. For instance, other cities could be asked what they are doing about theirs, and probably get some good ideas.

CITY ATTORNEY REQUESTED TO WRITE OPINION AS TO LEGALITY OF PROPOSED AMENDMENT TO SUNDAY OBSERVANCE ORDINANCE AND IT BE MAILED TO COUNCIL.

Councilman Bryant asked regarding further hearings on the Sunday Observance question? Councilman Whittington asked if we are not going to vote on the question next week?

Mayor Brookshire called attention that the matter has been tabled by motion and it can be taken up at Council's pleasure.

Councilman Smith asked the City Manager to have the City Attorney write up his opinion on the Sunday Observance ordinance, as proposed, and let them have it.

\$10,500 AUTHORIZED TRANSFERRED FROM CONTINGENCY FUND FOR SURFACING ALLEGHANY STREET FROM ITS PRESENT IMPROVED END TO DENVER STREET AND IN THE INTERIM PROPERTY OWNERS AFFECTED BE CONTACTED AND THE STREET BE OPENED TO WILKINSON BOULEVARD IN A JOINT EFFORT.

Councilman Alba moved the adoption of the recommendation of the City Manager that under the terms of the subdivision ordinance Spangler Construction Company is required to build that portion of Alleghany Street in the Wanda-wood Subdivision to a roadway width of 26-ft. and Spangler recognizing that the 26-ft roadway is not in keeping with the 45-ft. roadway section recently completed, or the long range plan for this street, submitted a proposal that they would bear all the costs of improving and widening this street through their subdivision, except the surface course. That the proposal is contingent upon the City surfacing the roadway and improving the remaining section from Denver Street to Wilkinson Boulevard at a future date.

Councilman Whittington asked the City Manager if we will take Alleghany Street Improvements all the way to Wilkinson Boulevard? Mr. Veeder advised he would prefer that the City accept the responsibility to see that it comes to Wilkinson Boulevard but not that the City pay for it lock, stock and barrel; that he would like to hope the City will not have to pay for all of it. Councilman Dellinger stated he would like to delete the last sentence in the motion, and say we are going to Wilkinson Boulevard, and try to work out an agreement with the property owners along the road; that he thinks we will be

throwing money away unless the street is improved all the way to Wilkinson Boulevard.

Councilman Albea stated if the last sentence of his motion is deleted then the purpose is not being accomplished.

Councilman Smith asked the City Manager if it is his intention to take the improvement on to Wilkinson Boulevard? Mr. Veeder advised it is not; that he would say to Spangler the City will pay the \$10,500 for the additional work from your subdivision and we will see that the balance of the street is opened up to Wilkinson Boulevard but he does not think we should make Spangler a commitment as to how it will be done or who will pay for it.

Councilman Dellinger stated his point is, he is opposed to going to Denver Street and stopping that close to Wilkinson Boulevard.

Councilman Whittington offered a substitute motion that the expenditure of \$10,500 be authorized from the Contingency Fund for surfacing Alleghany Street from its present improved end to Denver Street and in the interim that we contact the property owners affected and get the street opened to Wilkinson Boulevard in a joint effort. The motion was seconded by Councilman Smith.

Councilman Dellinger asked the City Manager what it will cost to run the street from Denver Street to Wilkinson Boulevard, and Mr. Veeder stated the cost would be about \$22,000. Councilman Dellinger stated he is of the opinion that the \$22,000 should be included in the motion and try to get the property owners in on the deal. Several members expressed objections to this suggestion.

Councilman Albea stated this means it will be at least five years before the street is opened to Wilkinson Boulevard and he is opposed to spending this much money on a dead-end street.

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

YEAS: Councilmen Bryant, Jordan, Smith, Thrower and Whittington.

NAYS: Councilmen Albea and Dellinger.

Councilman Albea stated for the record that he is not voting against a street improvement but the way in which it is done.

PURCHASE OF AMERICAN CRANKSHAFT COMPANY AND CLANTON PROPERTY ON WEST MOREHEAD STREET BY SOUTHERN RAILWAY AUTHORIZED, AS RIGHT OF WAY IN WEST SIDE GRADE CROSSING PROJECT.

Councilman Dellinger moved approval of the purchase by the Southern Railway of all property and buildings at 510 West Morehead Street owned by American Crankshaft Company at a price of \$50,000 and the Clanton property immediately adjoining the American Crankshaft Company, at a price of \$11,750.00, to be used as right-of-way in connection with the West Side Grade Crossing Project. The motion was seconded by Councilman Bryant and unanimously carried.

LEE KINNEY AND J. E. BARRENTINE COMMENDED FOR EXCELLENT WORK IN ACQUIRING RIGHT OF WAY FOR WEST SIDE GRADE ELIMINATION PROJECT.

Councilman Smith moved that the Council give a vote of thanks to Mr Lee Kinney

RESIDENTS OF ANTHONY CIRCLE ADVISE UNWILLING TO PAY FOR PIPE TO CORRECT DRAINAGE PROBLEM ON STREET AND REQUEST THEIR PETITION FOR A SOLUTION TO THE PROBLEM BE KEPT ON FILE UNTIL SUCH TIME AS THE CITY CAN FINANCE THE PROJECT.

Mrs P. H. Batte, Jr. asked if a decision has been reached on the request of the residents of Anthony Circle that the drainage problem on the street be corrected.

Councilman Jordan stated he and other members of the Council have been out and viewed the situation, and the City Engineer has reviewed the matter and given Council a recommendation from which it appears the City would not be able to legally correct the situation. That it is a rather bad situation for three or four lots, with standing water and a definite odor and certainly this is a very fine neighborhood and if there is any legal manner in which the Council can help these people, he would certainly like to do so.

Mr. Veeder called attention that the City Engineer's Report shows the permanent solution to the problem is the installation of 24" or 30" storm drain pipe at an estimated cost of \$3,500.00, of which the cost of the pipe is \$1,400.00 and the remaining \$2,100.00 for the installation of the pipe. That the City has a policy whereby if the property owners purchase the pipe, the City will install it, and he thinks that is about as far as it would be reasonable for the Council to go on it.

Mrs Batte stated she does not think the property owners would be interested in paying the \$1,400.00 for the pipe and also paying their taxes.

Councilman Albea stated he understands there are only two or three lots involved, and Mrs Batte replied there are three lots involved. Mrs Batte stated further that this has been done at the City's expense, that it was done on Barmettler Street, which is a one block street between Anthony Circle and Churchill Road, in which there were three families involved, while on her street there are about 200 people whose health is at stake.

Councilman Thrower stated it appears to him it is actually a matter of economics. That the City would be spending here about \$700.00 per lot, which under normal conditions would be City taxes for a number of years.

Mrs Batte stated they are naturally disappointed and thanked the Council for the consideration of their problem and stated their original petition expressed the hope that action could be taken before an emergency arises from deep and stagnant water, which has not changed at all, which involves the health and safety of about 200 citizens, and they ask that their petition be kept on record and that they be notified when by the process of elimination the City of Charlotte is financially able to take steps to correct the condition.

SUPPLEMENTAL AGREEMENTS WITH FEDERAL AVIATION AGENCY AND DEPARTMENT OF LABOR COVERING ADDITIONAL MINIMUM WAGE RATES ON CONTRACTS FOR AIRPORT CONSTRUCTION PROJECT APPROVED.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, Supplemental Agreements with the Federal Aviation Agency and Department of Labor, covering additional minimum wage rates in contract with Rea Construction Company for Terminal Apron Overlay Pavement Contract, contract with Bryant Electric Company, Inc., for Terminal Apron Lighting & Taxiway Lighting Contract, and contract with John T. Foreman for Runway Marking Contract, in the current Airport Construction Project No. FAAP 9-31-017-C212 were authorized.

SUPPLEMENTAL AGREEMENT WITH CHARLOTTE CAR RENTAL COMPANY, INC. FOR LEASE OF OFFICE SPACE IN AIRPORT TERMINAL APPROVED.

Councilman Jordan moved approval of a Supplemental Agreement with Charlotte Car Rental Company, Inc., for lease of Room 176 in the Airport Terminal at a monthly rental of \$66.80, for a term of 5 years. The motion was seconded by Councilman Whittington, and unanimously carried.

ACQUISITION OF PROPERTY ON NORTH SIDE OF WEST MOREHEAD STREET FROM GULF OIL CORPORATION FOR STREET WIDENING IN WEST SIDE GRADE CROSSING ELIMINATION PROJECT.

Motion was made by Councilman Albea, seconded by Councilman Bryant, and unanimously carried, authorizing the acquisition of 508.33 square feet of property on the north side of West Morehead Street from the Gulf Oil Corporation, at a total price of \$1,525.00, as right-of-way for the widening of the street incident to the West Side Grade Crossing Elimination Project.

ACQUISITION OF PROPERTY FOR RIGHT-OF-WAY FOR CONSTRUCTION OF SANITARY SEWER LINES IN RANDOLPH PARK.

Upon motion of Councilman Thrower, seconded by Councilman Whittington, and unanimously carried, the acquisition of the following property as right-of-way for the construction of sanitary sewer lines in Randolph Park was authorized:

<u>NAME</u>	<u>Area within R/W</u>	<u>Amount</u>
Colin L. Brown & wife, Sally D. Brown	10' x 206'	\$103.00
William Hardie Bass & wife, Elizabeth Hall Bass	10' x 120'	60.00
Henry C. Covington & wife, Ann W.	10' x 68.21'	1.00
McClure Lumber Company	10' x 36'	20.00
Bobby R. Kale & wife, Dolores F.	10' x 50'	35.00
L.K. Jones & wife, Janette G. Jones	10' x 117'	58.50
Leon Knoll Gutmann & wife, Dorothy M.	10' x 232'	116.00
Henry Watson Stewart & wife, Travis W.	10' x 85'	85.00

PURCHASE OF PROPERTY FROM HERBERT E. FERRELL, JR. AND WIFE FOR RIGHT-OF-WAY FOR SANITARY SEWER LINE IN HIDDEN VALLEY.

Councilman Whittington moved approval of the purchase of property from Herbert E. Ferrell, Jr. and wife, at a cost of \$67.00 for right-of-way for the construction of a sanitary sewer line to serve a portion of Hidden Valley. The motion was seconded by Councilman Jordan, and unanimously carried.

ENCROACHMENT AGREEMENT BETWEEN PILOT FREIGHT CARRIERS, INC. AND STATE HIGHWAY COMMISSION AUTHORIZED COSIGNED BY CITY FOR CONSTRUCTION OF TWO SANITARY SEWERS.

Upon motion of Councilman Albea, seconded by Councilman Bryant, and unanimously carried, the Mayor and Clerk were authorized to cosign an encroachment agreement between Pilot Freight Carriers, Inc., and the State Highway Commission, for the construction of two sanitary sewer lines across Wilkinson Boulevard.

ENCROACHMENT AGREEMENTS WITH SOUTHERN RAILWAY COMPANY FOR RIGHT OF WAY FOR SANITARY SEWER LINES AUTHORIZED.

Councilman Thrower moved approval of two encroachment agreements with the Southern Railway Company for right-of-way for the construction of a 39-inch sanitary sewer line on Irwin Creek Outfall crossing the Railroad's tracks 589.9 feet east of Mile Post 379, and of a 27-inch sewer line on Sugaw Creek Outfall crossing the Railroad's tracks. The motion was seconded by Councilman Whittington, and unanimously carried.

CHANGE ORDER AUTHORIZED IN CONTRACTS WITH LAXTON CONSTRUCTION COMPANY AND FOARD CONSTRUCTION COMPANY FOR CONSTRUCTION OF FIRE STATIONS #13 AND #14.

Upon motion of Councilman Dellinger, seconded by Councilman Thrower, and unanimously carried, Change Orders were approved in the contracts with Laxton Construction Company for the construction of Fire Station #13 and with Foard Construction Company for the construction of Fire Station #14, changing the stone base of driveways and parking lots from 6-inches to 8-inches, increasing the original price of each contract by \$718.00.

CHANGE ORDER AUTHORIZED IN CONTRACT WITH ELECTRICAL CONTRACTING & ENGINEERING COMPANY FOR INSTALLATION OF ELECTRICAL EQUIPMENT AT CATAWBA RIVER PUMPING STATION.

Councilman Thrower moved approval of Change Order #1 in the contract with Electrical Contracting & Engineering Company for the installation of electrical equipment at Catawba River Pumping Station, for furnishing and installing fuses on auxiliary equipment increasing the original contract price by \$403.49. The motion was seconded by Councilman Dellinger, and unanimously carried.

SETTLEMENT OF CLAIM OF JOHN C. MCKEON FOR PERSONAL INJURIES.

Motion was made by Councilman Dellinger, seconded by Councilman Thrower, and unanimously carried, authorizing settlement of claim of Mr. John C. McKeon in the amount of \$189.57 as recommended by the City Attorney, for personal injuries sustained from stepping into a hole in the planting strip on The Plaza near 34th Street.

CLAIM OF AMERICAN HARDWARE & EQUIPMENT COMPANY FOR DAMAGES DENIED.

Upon motion of Councilman Smith, seconded by Councilman Bryant, and unanimously carried, the claim of American Hardware & Equipment Company for water damages to merchandise in the basement due to a leak in a water pipe was denied as recommended by the City Attorney, due to no negligence on the part of the City having been disclosed upon investigation.

DESTRUCTION OF OBSOLETE MUNICIPAL RECORDS FROM ACCOUNTING DEPARTMENT AUTHORIZED.

Motion was made by Councilman Thrower, seconded by Councilman Smith, and unanimously carried, approving the destruction of the following obsolete municipal records from the Accounting Department, same having been approved as to legality by the State Department of Archives & History:

Collector's daily and weekly reports of taxes collected, July 1938 through June, 1956.

Cashiers tickets, July 1938 through June, 1960.
 Cashiers daily report of collections, City of Charlotte, Jan. 1948 through June, 1954.
 Cashiers daily report of collections, City Water Dept., July, 1954 through June, 1955.
 Journal, cash disbursements - City of Charlotte, Jan., 1909 through June, 1952.
 Journal, cash disbursements - Water Dept., March 1924 through June, 1932.
 Ledgers, Appropriation and Expenditures, July 1930 through June, 1940.
 Ledgers, General, July 1924 through June 1941.
 Ledgers, Revenue, July 1930 through June 1940.
 Records of material consumed by department, July 1952, through Feb., 1955.
 Daily record of Stores withdrawn by departments, July 1953 through June, 1956.
 Bank Statements - City of Charlotte (Payroll), Jan., 1922 through Oct. 1955.
 City of Charlotte (Voucher), July 1925 through Dec., 1950.
 Park and Recreation Commission (Payroll & Voucher), Nov., 1930 through Oct., 1933, and Oct. 1936 through Dec., 1952.
 Carnegie Library, August, 1926 through June, 1939.
 Cancelled Checks, original
 City of Charlotte (Payroll), Jan., 1922 through Oct., 1955.
 City of Charlotte (Voucher), July 1925 through Dec., 1950.
 Park & Recreation Commission (Payroll & Voucher), Nov., 1930 through October 1933, and Oct. 1936 through Dec., 1952.
 Duplicate copies of checks, July 1930 through Dec., 1950.
 Requisitions- City of Charlotte, Jan. 1949 through Dec. 1950.
 Requisitions - Mecklenburg County Civil Defense, Feb. 1942 through Aug. 1945.
 Purchase Orders, Feb. 21, 1950 to May 27, 1952.
 Various Business licenses and permits- City of Charlotte, July, 1947 through June, 1949.
 Copy of dog licenses issued and receipts for payment, June 1955 through July 1955.
 Bicycle registration cards, July 1954 through June, 1955.

CONSTRUCTION OF SANITARY SEWER MAINS AUTHORIZED.

Upon motion of Councilman Dellinger, seconded by Councilman Jordan, and unanimously carried, the construction of sanitary sewer mains were authorized at the following locations:

- (a) Construction of 88-ft. of sewer in Custer Street, inside the city limits, at the request of M. F. Crouch, at an estimated cost of \$225.00. All costs to be borne by the applicant whose deposit of the entire amount will be refunded as per terms of the contract.
- (b) Construction of 475-ft of sewer in Drexel Place, inside the city limits, at an estimated cost of \$2,435.00, at request of the City Engineer, with all costs to be borne by the City.
- (c) Construction of 175-ft. of sewer in Walker Road, inside the city limits, at request of Johnson Investment Company, at an estimated cost of \$625.00. All costs to be borne by the applicant whose deposit of the entire amount will be refunded as per terms of the contract.

- (d) Construction of 24-ft. of sewer in South Boulevard inside the city limits, at request of C. H. Talley, 2505 South Boulevard, at an estimated cost of \$605.00. All cost to be borne by the applicant, whose deposit of the entire cost will be refunded as per terms of the contract.
- (e) Construction of 2,807-ft. of sewer in Darby Acres #4, inside the city limits, at request of Ed Griffin Development Corp., at an estimated cost of \$10,575.00. All cost to be borne by the applicant, whose deposit of the entire cost will be refunded as per terms of the contract.

CONTRACTS FOR THE INSTALLATION OF WATER MAINS AUTHORIZED.

Motion was made by Councilman Albea, seconded by Councilman Smith, and un-animously carried, authorizing contracts for the installation of water mains as follows:

- (a) Contract with Charles H. and Rex H. Wheatley and Ben F. Turner, for the installation of 3,365-ft. of water mains and 2 hydrants, in Rockbrook Subdivision, inside the city limits, at an estimated cost of \$9,000.00. The City to finance all costs and applicants to guarantee an annual gross water revenue equal to 10% of the total cost.
- (b) Contract with Marsh-Broadway Construction Company, for the installation of 2,655-ft. of water mains and one hydrant, in Prince Charles Woods Subdivision, inside the city limits, at an estimated cost of \$7,400.00. The City to finance all costs and applicant to guarantee an annual gross water revenue equal to 10% of the total cost.
- (c) Supplementary contract to contract dated August 28, 1962, with John Crosland Company, for the installation of 620-ft. of additional mains in Sharon Road, at an estimated cost of \$2200.00. All costs to be borne by the applicant, who will dedicate same to the City without cost upon acceptance of the work by the City.

RESOLUTION ORDERING THE MAKING OF CERTAIN LOCAL IMPROVEMENTS ON TRESEVANT AVENUE, FROM THE 1949 CITY LIMITS TO DAVENPORT STREET, ADOPTED.

Upon motion of Councilman Dellinger, seconded by Councilman Thrower, and un-animously carried, Resolution Ordering the Making of Certain Local Improvements on Tresevant Avenue, from the 1949 city limits to Davenport Street, was un-animously adopted. The resolution is recorded in full in Resolutions Book 4, at Page 215.

AMENDMENT TO CONTRACT WITH ED GRIFFIN DEVELOPMENT CORPORATION EXCLUDING A PORTION OF THE SEWER LINES AUTHORIZED CONSTRUCTED IN DARBY ACRES ON MAY 22, 1962.

Councilman Albea moved approval of an amendment to the Contract with Ed Griffin Development Corporation, dated May 22, 1962, reducing the number of feet of sanitary sewer authorized constructed in Darby Acres from 4,180 to 2,509, resulting in a reduction in the estimated cost from \$10,215.00 to \$5,066.85. The motion was seconded by Councilman Whittington, and un-animously carried.

STREETS TAKEN OVER FOR CONTINUOUS MAINTENANCE.

Upon motion of Councilman Albea, seconded by Councilman Whittington, and

unanimously carried, the following streets were taken over for continuous city maintenance:

- (a) Winterfield Drive, from 280' SW of Rosenhaven Drive to 155' NE of Driftwood Drive.
- (b) Driftwood Drive, from 400' south of Winterfield Drive to 160' north of Winterfield Drive.
- (c) Rosenhaven Drive, from Winterfield Dr to 115' NE of McManus Drive.
- (d) McManus Dr, from Rosenhaven Dr to 80' SE of Rosenhaven Drive.
- (e) Westchester Blvd from Independence Blvd to Dresden Dr.
- (f) Londonderry Road, from Tyvola Road to 155' SW of Kentland Lane.
- (g) Chedworth Drive, from 210' SE of Londonderry Rd to Londonderry Rd.
- (h) Kentland Lane, from Londonderry Rd to 225' W of Londonderry Rd.
- (i) N. Davidson St, from Craighead Avenue to Sugar Creek Rd.
- (j) Northmore St, from Norwell Place to 240' E of Norwell St.
- (k) Anderson St, from N. Davidson St to 19' N of Atmore St.
- (l) Norwell Place, from N. Davidson St to 19' N of Atmore St.
- (m) Seaforth Rd, from 110' W of Glenstar Terrace to 190' W of Gladstone Lane.
- (n) Gladstone Lane, from Seaforth Rd to 825' S of Seaforth Road.
- (o) Snow White Lane, from 160' W of Friendly Place to 105' E of Friendly Pl.
- (p) Friendly Pl, from Snow White Lane to Echo Glen Road.
- (q) Marcus Court, from Friendly Pl to 290' SE of Friendly Pl.
- (r) Echo Glen Road, from 725' S of Friendly Pl to Log Cabin Road.
- (s) Log Cabin Road, from Echo Glen Rd to 160' NW of Echo Glen Rd.
- (t) Matton Street, from 40' S of Crestview Dr to 180' N of Crestway Circle.
- (u) Crestview Dr, from 145' E of Matton St to Matton St.
- (v) Crestway Circle, from 275' E of Matton St to Matton St.

ENCROACHMENT AGREEMENT AUTHORIZED WITH STATE HIGHWAY COMMISSION FOR RIGHT-OF-WAY FOR CONSTRUCTION OF SANITARY SEWER LINE ACROSS SOUTH BOULEVARD.

Councilman Thrower moved approval of an encroachment agreement with the State Highway Commission for right-of-way for the construction of a sanitary sewer line crossing South Boulevard (N.C. #21) at the intersection with Seneca Place. The motion was seconded by Councilman Whittington, and unanimously carried.

PAYMENTS AUTHORIZED FOR RIGHTS-OF-WAY FOR SEWER CONSTRUCTION.

Upon motion of Councilman Jordan, seconded by Councilman Bryant, and unanimously carried, payment was authorized for right-of-way for the construction of sewer lines:

- (a) Payment of \$862.27 to Southern States Improvement Company for strip of land 10' x 862.27' for a sanitary sewer line to serve a portion of Bingham Park.
- (b) Payment of \$17.30 to George W. Childrey & wife, Robena, for strip of land 10' x 17.3' for a sanitary sewer line in Brookway Drive.

SETTLEMENT OF WORKMEN'S COMPENSATION CLAIM OF POLICE OFFICER D. M. MANESS.

Upon motion of Councilman Dellinger, seconded by Councilman Thrower, and unanimously carried, settlement of the Workmen's Compensation Claim of Police Officer D. M. Maness for injury to his back while on duty on September 22, 1958, on the basis of 20% loss of his back, whereby the City will pay him \$2,100.00 and such medical expenses to the extent it is fixed by the North Carolina Industrial Commission, as recommended by the City Attorney and concurred in by Officer Maness and his attorney.

TRANSFER OF CEMETERY LOTS.

Motion was made by Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, authorizing the Mayor and Clerk to execute deeds for the transfer of the following cemetery lots:

- (a) Deed with Mrs Lucille D. Fultz, for Graves 3 and 4, in Lot 15-B, Section 3, Evergreen Cemetery, at \$120.00.
- (b) Deed with Mr & Mrs Vander R. Phillips and Earl Gosnell, for Graves 1, 2 and 3, in Lot 25-A, Section 3, Evergreen Cemetery, at \$180.00.
- (c) Deed with Mr. J. M. Justice and wife, Ila, for Lot 699, Section 6, Evergreen Cemetery, at \$3.00 for exchange from Lot 127 previously purchased.
- (d) Deed with Mr & Mrs William W. Benton, for Lot 151, Section 2, Evergreen Cemetery, at \$240.00.
- (e) Deed with Mrs Elizabeth L. Shuford, for Grave 6, Lot 23, Section 3, Evergreen Cemetery at \$60.00.
- (f) Deed with Mrs Leila W. Diggers, for Lot 273, Section 3, Evergreen Cemetery, at \$283.50.

CONTRACT AWARDED MINNESOTA MINING & MFG. COMPANY FOR 18 ROLLS SCOTCHLITE MATERIAL.

Councilman Jordan moved the award of contract to the only bidder, Minnesota Mining & Mfg. Company for 18 rolls of Scotchlite Material, as specified, at a total bid price of \$7,130.95. The motion was seconded by Councilman Dellinger, and unanimously carried.

CONTRACT AWARDED SOUTHERN ELECTRONIC CORP. FOR 1,327 RADIO AND CONTROL TUBES.

Upon motion of Councilman Dellinger, seconded by Councilman Albea, and unanimously carried, contract was awarded the low bidder, Southern Electronics Corp., for 1,327 Radio and Control Tubes, as specified, on a unit price basis, at their bid price of \$7,146.72.

The following bids were received:

Southern Electronics Corp.	\$ 7,146.72
Dixie Radio Supply Co.	7,258.36
Westinghouse Electric Supply Co.	7,306.36
Electronics Wholesalers	7,337.23
The Lukko Sales Corp.	7,623.12

CONTRACT AWARDED SAVIN BUSINESS MACHINES CORP. FOR 20,000 SETS REPRODUCTION PAPER.

Motion was made by Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, awarding contract to the low bidder, Savin Business Machines Corp., for 20,000 sets of Reproduction paper, as specified, on a unit price basis, at their bid price of \$2,028.72.

The following bids were received:

Savin Business Machines Corp.	\$ 2,028.72
Transcopy, Inc.	2,068.49
Zerex Corporation	2,797.72

CONTRACT AWARDED CREECH MOTORCYCLE COMPANY, INC. FOR FIVE MOTORCYCLES.

Councilman Dellinger moved the award of contract to the low bidder, Creech Motorcycle Company, Inc. for five Motorcycles, as specified, at their bid price of \$8,193.95. The motion was seconded by Councilman Jordan, and unanimously carried.

The following bids were received:

Creech Motorcycle Company, Inc.	\$ 8,193.95
Harley-Davidson Motor Company	8,763.50

CONTRACT AWARDED CREECH MOTORCYCLE COMPANY, INC. FOR FOUR TRUCKSTERS.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, contract was awarded Creech Motorcycle Company, Inc., the only bidder, for Four 3-wheel Trucksters, as specified, at their bid price of \$5,612.34.

CONTRACT AWARDED A. E. FINLEY & ASSOCIATES, INC. FOR FIVE SUCTION HOSE AND FIVE EXHAUST HOSE.

Motion was made by Councilman Albea, seconded by Councilman Smith, and unanimously carried, awarding contract to the only bidder, A. E. Finley & Associates, Inc., for Five Suction Hose and Five Exhaust Hose, as specified, at their bid price of \$2,137.25.

CONTRACT AWARDED LYNCHBURG FOUNDRY COMPANY FOR 10,000 FEET CAST IRON PIPE.

Councilman Dellinger moved the award of contract to the low bidder, Lynchburg Foundry Company, for 10,000 feet of Cast Iron Pipe, as specified, on a unit price basis, at their bid price of \$26,677.00. The motion was seconded by Councilman Smith, and unanimously carried.

The following bids were received:

Lynchburg Foundry Company	\$26,677.00
Glamorgan Pipe & Foundry Company	27,295.00
James B. Clow & Sons, Inc.	27,449.50
American Cast Iron Pipe Company	27,707.00
U. S. Pipe & Foundry Company	27,810.00

CONTRACT AWARDED THE PURE OIL COMPANY FOR 823,200 GALLONS GASOLINE.

Upon motion of Councilman Thrower, seconded by Councilman Albea, and unanimously carried, contract was awarded the low bidder, The Pure Oil Company, for 750,000 gallons of Regular Gasoline and 73,200 gallons of Premium Grade Gasoline, as specified, on a unit price basis, at their bid price of \$159,512.41.

The following bids were received:

The Pure Oil Company	\$159,512.41
Gulf Oil Corporation	161,585.25
American Oil Company	161,831.65
Sinclair Refining Company	162,563.36
Cities Service Oil Company	171,944.24

CONTRACT AWARDED THE PURE OIL COMPANY FOR 900,600 GALLONS OF MOTOR OIL.

Motion was made by Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, awarding contract to the low bidder, The Pure Oil Company, for 900,600 gallons of Motor Oil, as specified, on a unit price basis, at their bid price of \$4,821.58

The following bids were received:

The Pure Oil Company	\$ 4,821.58
Sinclair Refining Company	5,124.48
Liquids, Inc.	5,246.88
Shell Oil Company	5,383.52
Cities Service Oil Company	5,499.84
Gulf Oil Corporation	6,413.76

CONTRACT AWARDED SINCLAIR REFINING COMPANY FOR 17,400 GALLONS KEROSENE.

Councilman Dellinger moved the award of contract to the low bidder, Sinclair Refining Company for 17,400 gallons of Kerosene, as specified, on a unit price basis, at their bid price of \$1,987.54. The motion was seconded by Councilman Smith, and unanimously carried.

The following bids were received:

Sinclair Refining Company	\$ 1,987.54
The Pure Oil Company	2,030.36
American Oil Company	2,095.08
Cities Service Oil Company	2,213.37

CONTRACT AWARDED SINCLAIR REFINING COMPANY FOR 149,500 GALLONS OF NO. 2 FUEL OIL.

Upon motion of Councilman Dellinger, seconded by Councilman Smith, and unanimously carried, contract was awarded Sinclair Refining Company, the low bidder, for 149,500 gallons of No. 2 Fuel Oil, as specified, on a unit price basis, at their bid price of \$15,706.47.

The following bids were received:

Sinclair Refining Company	\$15,706.47
The Pure Oil Company	15,919.95
Gulf Oil Corporation	16,784.37
American Oil Company	17,230.92
Cities Service Oil Company	17,554.29

CONTRACT AWARDED SINCLAIR REFINING COMPANY FOR 56,400 GALLONS OF DIESEL FUEL.

Motion was made by Councilman Albea, seconded by Councilman Dellinger, and unanimously carried, awarding contract to the low bidder, Sinclair Refining Company, for 56,400 gallons of Diesel Fuel, as specified, on a unit price basis, at their bid price of \$5,925.38.

The following bids were received:

Sinclair Refining Company	\$ 5,925.38
The Pure Oil Company	6,149.74
Cities Service Oil Company	6,622.49
American Oil Company	6,732.86

CONTRACT AWARDED CROWDER CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF STREET IMPROVEMENTS ON LABURNUM AVENUE, FROM WESTOVER STREET WEST TO DEAD END.

Councilman Dellinger moved the award of contract to the low bidder, Crowder Construction Company, for the construction of Street Improvements on Laburnum Avenue, from Westover Street west to the dead-end, as specified, on a unit price basis, at their bid price of \$20,485.90. The motion was seconded by Councilman Jordan, and unanimously carried.

The following bids were received:

Crowder Construction Company	\$20,485.90
Blythe Brothers Company	21,005.85
Rea Construction Company	21,159.90
T. A. Sherrill Constr. Co.	21,764.80

PROGRESS REPORT MADE ON REQUEST OF RESIDENTS OF MYERS PARK MANOR SECTION FOR CORRECTION IN DRAINAGE CONDITION, WITH FINAL REPORT PROMISED AS SOON AS POSSIBLE.

Councilman Whittington asked the City Manager if he can give a report on the request of Mr. Wiley Shaw and other residents of the Myers Park Manor section, Manor Drive, Willow Drive etc. Mr. Veeder advised he could not give a final report indicating specifically what to do, but he will give a progress report. That the Engineering Department has made a rather thorough study of the problem and at least three different approaches have been made that might be used to improve the water problem in the area, each approach having varied degrees of merit and the cost of each varying from \$29,000 up to \$100,000 so we are talking about big money to do something that would improve the drainage of this flood plain area. That the other thing pertinent to this, which he has discussed briefly with the City Attorney, there are some approaches which might be made toward the end of setting up some sort of an assessment project, and he thinks this has some possibilities but also thinks there are some limitations and he wishes to go over it with the City Attorney very thoroughly before he suggests there is an approach here for improving the situation on an assessment basis. Mr. Veeder stated he will be glad to give Mr. Wiley Shaw, who made the request for a correction of the problem, a copy of the City Engineer's report.

Councilman Whittington asked if Mr. Veeder can tell Council next week exactly what they can and cannot do in the matter? Mr. Veeder stated he doubted so as the City Attorney, who is on vacation, will not be back until next Monday, and it will hinge in a large measure on what he says from the legal point of view, but he will do so just as soon as possible.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA APPROVING UNDERTAKING OF SURVEYS AND PLANS FOR AN URBAN RENEWAL PROJECT AND FILING OF AN APPLICATION, ADOPTED.

Councilman Smith moved the adoption of a resolution entitled: "Resolution of the City Council of the City of Charlotte, North Carolina Approving Undertaking of Surveys and Plans for an Urban Renewal Project and Filing of an Application" which was seconded by Councilman Thrower, and carried by the following recorded vote:

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

The resolution is recorded in full in Resolutions Book 4, beginning at Page 216.

540.000

REPORT OF THE U. S. HOUSING AND HOME FINANCE AGENCY ON THE CHARLOTTE WORK-
ABLE PROGRAM FOR URBAN RENEWAL APPROVED.

Councilman Smith moved that the Report of Progress of the Workable Program for Urban Renewal be approved and submitted to the U. S. Housing and Home Finance Agency. The motion was seconded by Councilman Jordan, and unanimously carried.

RULES AND REGULATIONS FOR POLICE DEPARTMENT ADOPTED.

Councilman Smith moved that the revised Rules & Regulations for the Police Department submitted by Chief Hord be approved, which was seconded by Councilman Whittington, and unanimously carried.

Councilman Dellinger suggested that the City Attorney be instructed to give some study to the Civil Service Rules and see if there are any general changes that should be made in them; that this has been discussed for several years but nothing done about it. For instance, other cities could be asked what they are doing about theirs, and probably get some good ideas.

CITY ATTORNEY REQUESTED TO WRITE OPINION AS TO LEGALITY OF PROPOSED AMENDMENT TO SUNDAY OBSERVANCE ORDINANCE AND IT BE MAILED TO COUNCIL.

Councilman Bryant asked regarding further hearings on the Sunday Observance question? Councilman Whittington asked if we are not going to vote on the question next week?

Mayor Brookshire called attention that the matter has been tabled by motion and it can be taken up at Council's pleasure.

Councilman Smith asked the City Manager to have the City Attorney write up his opinion on the Sunday Observance ordinance, as proposed, and let them have it.

\$10,500 AUTHORIZED TRANSFERRED FROM CONTINGENCY FUND FOR SURFACING ALLEGHANY STREET FROM ITS PRESENT IMPROVED END TO DENVER STREET AND IN THE INTERIM PROPERTY OWNERS AFFECTED BE CONTACTED AND THE STREET BE OPENED TO WILKINSON BOULEVARD IN A JOINT EFFORT.

Councilman Albea moved the adoption of the recommendation of the City Manager that under the terms of the subdivision ordinance Spangler Construction Company is required to build that portion of Alleghany Street in the Wandawood Subdivision to a roadway width of 26-ft. and Spangler recognizing that the 26-ft roadway is not in keeping with the 45-ft. roadway section recently completed, or the long range plan for this street, submitted a proposal that they would bear all the costs of improving and widening this street through their subdivision, except the surface course. That the proposal is contingent upon the City surfacing the roadway and improving the remaining section from Denver Street to Wilkinson Boulevard at a future date.

Councilman Whittington asked the City Manager if we will take Alleghany Street Improvements all the way to Wilkinson Boulevard? Mr. Veeder advised he would prefer that the City accept the responsibility to see that it comes to Wilkinson Boulevard but not that the City pay for it lock, stock and barrel; that he would like to hope the City will not have to pay for all of it. Councilman Dellinger stated he would like to delete the last sentence in the motion, and say we are going to Wilkinson Boulevard, and try to work out an agreement with the property owners along the road; that he thinks we will be

throwing money away unless the street is improved all the way to Wilkinson Boulevard.

Councilman Albea stated if the last sentence of his motion is deleted then the purpose is not being accomplished.

Councilman Smith asked the City Manager if it is his intention to take the improvement on to Wilkinson Boulevard? Mr. Veeder advised it is not; that he would say to Spangler the City will pay the \$10,500 for the additional work from your subdivision and we will see that the balance of the street is opened up to Wilkinson Boulevard but he does not think we should make Spangler a commitment as to how it will be done or who will pay for it.

Councilman Dellinger stated his point is, he is opposed to going to Denver Street and stopping that close to Wilkinson Boulevard.

Councilman Whittington offered a substitute motion that the expenditure of \$10,500 be authorized from the Contingency Fund for surfacing Alleghany Street from its present improved end to Denver Street and in the interim that we contact the property owners affected and get the street opened to Wilkinson Boulevard in a joint effort. The motion was seconded by Councilman Smith.

Councilman Dellinger asked the City Manager what it will cost to run the street from Denver Street to Wilkinson Boulevard, and Mr. Veeder stated the cost would be about \$22,000. Councilman Dellinger stated he is of the opinion that the \$22,000 should be included in the motion and try to get the property owners in on the deal. Several members expressed objections to this suggestion.

Councilman Albea stated this means it will be at least five years before the street is opened to Wilkinson Boulevard and he is opposed to spending this much money on a dead-end street.

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

YEAS: Councilmen Bryant, Jordan, Smith, Thrower and Whittington.

NAYS: Councilmen Albea and Dellinger.

Councilman Albea stated for the record that he is not voting against a street improvement but the way in which it is done.

PURCHASE OF AMERICAN CRANKSHAFT COMPANY AND CLANTON PROPERTY ON WEST MOREHEAD STREET BY SOUTHERN RAILWAY AUTHORIZED, AS RIGHT OF WAY IN WEST SIDE GRADE CROSSING PROJECT.

Councilman Dellinger moved approval of the purchase by the Southern Railway of all property and buildings at 510 West Morehead Street owned by American Crankshaft Company at a price of \$50,000 and the Clanton property immediately adjoining the American Crankshaft Company, at a price of \$11,750.00, to be used as right-of-way in connection with the West Side Grade Crossing Project. The motion was seconded by Councilman Bryant and unanimously carried.

LEE KINNEY AND J. E. BARRENTINE COMMENDED FOR EXCELLENT WORK IN ACQUIRING RIGHT OF WAY FOR WEST SIDE GRADE ELIMINATION PROJECT.

Councilman Smith moved that the Council give a vote of thanks to Mr Lee Kinney

and Mr. J. E. Barrentine for the excellent job they have done in connection with the acquisition of right of way for the West Side Grade Elimination Project, that they thought it would take about three months when they began this work and have spent over a year, at the figure they quoted the City. The motion was seconded by Councilman Whittington, and unanimously carried.

APPOINTMENT OF H. H. BAXTER AS MEMBER OF REDEVELOPMENT COMMISSION.

Councilman Dellinger moved the appointment of Mr. H. H. Baxter as a member of the Redevelopment Commission to fill the existing vacancy, for an unexpired term ending November 27, 1966. The motion was seconded by Councilman Albea, and unanimously carried.

ALBERT PIERSON GRANTED PERMISSION TO SPEAK TO RESOLUTION HE PRESENTED AT COUNCIL MEETING ON AUGUST 20TH.

Mr. Albert Pierson appeared before Council and stated at the last Council Meeting he requested the opportunity to discuss a proposed resolution, and due to the lateness of the hour today he requests that he be given the opportunity next week.

Mayor Brookshire stated that Mr Pierson brought the resolution to his attention and also left a copy with the Clerk at the last meeting and it was copied into the Minutes of that meeting, and the Minutes also show - "Mayor Brookshire asked Mr. Pierson to leave the resolution with Council and they will give it consideration". That by the fact the resolution is in the Minutes, it has the attention of Council and if any member of Council wants to bring it up for action, he may do so, otherwise he knows of no reason why it should be called to their attention again.

Mr. Pierson disagreed with the Mayor, stating the Resolution was given to the Clerk at the last meeting at the request of the Mayor and he did not speak on it at that time and it was deferred until today's meeting. Mr. Pierson asked that he be allowed to speak on the resolution at the next Council Meeting because of the lateness of the hour today.

Councilman Dellinger suggested that Mr. Pierson come back to the next meeting.

VOTERS, ORGANIZATIONS AND NEWS MEDIA THANKED FOR THEIR SUPPORT IN THE SPECIAL BOND ELECTION ON SEPTEMBER 8TH.

Councilman Whittington moved that the Council express its appreciation and thanks to the voters of Charlotte for approving each of the four Bond Issues at last Saturday's election; and that the Council express a sincere thank you to the several organizations that actively supported and worked for each Bond Issue, among them are the League of Women Voters, The Chamber of Commerce, Charlotte Junior Chamber of Commerce, Schloss Outdoor Advertising Company and the News media, with particular thanks to The Charlotte News and Observer, WBT Radio and T.V. and WSOC Radio and TV. The motion was seconded by Councilman Bryant and unanimously carried.

CITY MANAGER REQUESTED TO BRING TO COUNCIL IMMEDIATELY FOR CONSIDERATION SOMETHING RELATIVE TO SUBSURFACE DRAINAGE IN RESIDENTIAL AREAS, NOT NECESSARILY FLOOD PLAIN AREAS.

Councilman Whittington stated he wants to bring the matter of the drainage

problem up once again, relating to Subdivision control. That he quite frankly does not know where we stand on this item but can say it is the opinion of the majority of the Council we should have something immediately for consideration, not necessarily flood plain but subsurface drainage in residential developments. That Mr. Veeder could get with Mr. McIntyre and Building Inspection Superintendent and bring Council something for consideration.

REPORT REQUESTED ON OPERATIONS OF ICE CREAM TRUCKS, PREVIOUSLY REFERRED TO CITY MANAGER AND CITY ATTORNEY FOR RECOMMENDATION.

Councilman Albea asked the City Manager if he has a report on the Ice Cream Truck situation, and Mr. Veeder stated he does not, that he and the City Attorney have discussed it but due to the Bond Election and other pressing matters he has nothing at this time, and they will get back on the subject just as soon as possible after Mr. Morrissey returns from vacation.

RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE THE REQUIRED AGREEMENT BETWEEN THE CITY OF CHARLOTTE AND THE STATE HIGHWAY COMMISSION PROVIDING FOR THE IMPROVEMENT OF SHARON ROAD - PROJECT W.O. 6.672075.

The City Manager advised he has a resolution for adoption in connection with an Agreement with the State Highway Commission for improvements to Sharon Road, from Wendover Road to the city limits, and from the city limits to Fairfield Road, at a cost of \$65,000.00 as the City's participation in the project.

Councilman Albea moved the adoption of a resolution entitled, "Resolution Authorizing and Directing the Mayor and City Clerk to Execute the Required Agreement between the City of Charlotte and the State Highway Commission providing for the Improvement of Sharon Road - Project W.O. 6.672075", which was seconded by Councilman Smith, and unanimously carried. The resolution is recorded in full in Resolutions Book 4, beginning at Page 218.

CONFIRMATION OF SALE OF FRACTION OF LOT AT REAR OF FIRE STATION NO. 12 ON INWOOD DRIVE TO JACK D. FARR.

Upon motion of Councilman Thrower, seconded by Councilman Albea, and unanimously carried, the sale at public auction on August 6, 1962 of a fraction of the lot at the rear of Fire Station No. 12 at 420 Inwood Drive, was confirmed to the high bidder, Mr. Jack D. Farr, at \$500.00.

RESOLUTION HONORING ALBERT COATES ON HIS RETIREMENT AS DIRECTOR OF THE INSTITUTE OF GOVERNMENT.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, a resolution entitled: "Resolution Honoring Albert Coates on his Retirement as Director of the Institute of Government" was unanimously adopted. The resolution is recorded in full in Resolutions Book 4, Page 219.

REQUEST THAT ENGINEERING DEPARTMENT HAVE HEDGES AT STREET CORNERS TRIMMED.

Councilman Dellinger requested the City Manager to have the Engineering Department trim the hedges at street intersections and corners, which are obstructing the view making it dangerous, and also for them to look out for them and keep them trimmed.

CITY MANAGER REQUESTED TO HAVE ENGINEERING DEPARTMENT CORRECT INADEQUACIES
IN HOUSE NUMBERS.

Councilman Dellinger referred to the house numbers on various streets which do not run consecutively, for example Woodlawn Road starts at 100 and goes to 4000 and on one corner all four houses are numbered 4000. He requested the City Manager to have the Engineering Department do something to correct this condition.

CONSTRUCTION OF TEMPORARY SIDEWALK TO JOHN T. WILLIAMS JUNIOR HIGH SCHOOL
APPROVED.

The City Manager advised that the School Board brought to his attention the necessity of having a walkway to John T. Williams Jr High School completed by the time school opened, and the request was made during the period Council Meeting were not being held; therefore, in order to make the dead-line of school opening, he authorized the construction of this temporary walkway at a cost of approximately \$300.00. Councilman Smith moved approval of the expenditure for this purpose, which was seconded by Councilman Albea, and unanimously carried.

ADJOURNMENT.

Upon motion of Councilman Bryant, seconded by Councilman Whittington, and unanimously carried, the meeting was adjourned until 10 o'clock, September 11th in the Board of County Commissioners' Chamber, Mecklenburg County Court House, for the purpose of canvassing the returns of the Special Bond Election on September 8th.

Lillian R. Hoffman

Lillian R. Hoffman, City Clerk