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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, in the City Hall, on Monday, September 14, 1964, at 3 o'clock p.m., with Mayor Brookshire presiding, and Councilmen Albea, Bryant, Dellinger, Jordan, Smith and Whittington present.

ABSENT: Councilman Thrower.

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INVOCATION.

The invocation was given by Reverend Leroy Scott, Pastor of St. James Methodist Church.

MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, the Minutes of the last meeting on August 24th were approved as submitted.

ORDINANCE NO. 270-X EXTENDING THE CORPORATE LIMITS OF THE CITY OF CHARLOTTE, NORTH CAROLINA, BY ANNEXING 19.228 ACRE TRACT OF LAND IN CRAB ORCHARD TOWNSHIP ON PETITION OF CHARLOTTE-MECKLENBURG BOARD OF EDUCATION, ADOPTED.

The public hearing was held on Petition of Charlotte-Mecklenburg Board of Education for the annexation of 19.228 acre tract of land in Crab Orchard Township to the City, as continued from the Council Meeting on August 24th.

No objections were expressed to the proposed annexation.

Councilman Bryant moved the adoption of Ordinance No. 270-X Annexing the said property to the City of Charlotte. The motion was seconded by Councilman Albea, and unanimously carried. The ordinance is recorded in full in Ordinance Book 14, beginning at Page 410.

CONSIDERATION OF PETITION FOR SIDEWALK IMPROVEMENTS ON WOODLAND DRIVE, POSTPONED FOR ONE WEEK.

The public hearing was held on Petition of 66.7% of the number of abutting property owners on Woodland Drive, from Roanoke Avenue to Sheffield Drive, representing 65.0% of all the lineal feet of frontage, for Sidewalk Improvements. The estimated total project cost having been determined by the Engineering Department as \$2,145.00, and the entire amount at an estimated \$2.30 per front foot to be assessed against the properties abutting on the improvements.

Mr. O. J. Bradley, 1921 Woodland Drive, stated the petition was originally presented for sidewalks, not only along this particular block of Woodland Drive, but reached from Eastway Junior High School along Norland Road to Woodland and Sheffield up to the new school called Winterfield. He stated he objects to the sidewalk in just the one block because it should reach throughout the area. That they were informed when the petition was circulated that the sidewalk would reach to these schools.

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The City Manager stated the Petition filed includes only the area defined; that there was some interest among the property owners for carrying it further but this did not result in the property owners signing a petition for it. Mr. Bradley stated they see no need for the sidewalk in a single block area; that he has spoken to some of the neighbors who signed the petition and they are in agreement that it should cover the area.

Mr. Cheek, City Engineer, stated the only petition they have had for a sidewalk in this area is on Woodland, between Sheffield and Roanoke Avenue, approximately a two block area; however, in cooperation with the School Board, provisions are made for a sidewalk along Winterfield Drive. He presented a map of the area, showing the locations of the schools, and Mr. Bradley discussed the streets on which they feel the sidewalks should be improved. He stated they would like Council to delay action on the petition and give them time to circulate a petition for improvements to all of the sidewalks that should be improved. He stated he is interested primarily in the safety of the school children throughout the area.

Mr. Bradley and Mr. Hartis stated they would like to withdraw their names from the petition, and it was determined by the City Engineer that this would leave the petition representing a majority of the front footage and an even split on the number of property owners.

The City Attorney called attention that the petition must be signed by more than 50% of the abutting property owners.

Mr. Edward Talbot stated that two persons have moved on the street since the petition was circulated who have indicated they will be willing to join in the petition, and he would like to take the petition, secure their, and maybe other, signatures and bring it back for action next week.

Councilman Bryant moved that action be postponed for one week. The motion was seconded by Councilman Albea, and unanimously carried.

RESOLUTION ORDERING THE MAKING OF CERTAIN LOCAL IMPROVEMENTS ON SPRINGVIEW ROAD, FROM WELLINGFORD STREET TO THE EXISTING PAVEMENT, ADOPTED.

The public hearing was held on petition of 86% of the number of abutting property owners on Springview Road, from Wellingford Street to the existing pavement, representing 88% of the lineal feet of frontage, for improvements to be made by installing storm drainage facilities and constructing roll type curb and gutter, for a distance of approximately 635.97 front feet. The estimated total project cost is \$2,372.00, of which the City's share is estimated at \$782.00, and the total amount to be assessed against the properties abutting on the improvements is estimated at \$1,590.00, at an estimated \$2.50 per front foot.

No objections were expressed to the proposed improvements.

Councilman Albea moved the adoption of the Resolution authorizing the making of the said improvements. The motion was seconded by Councilman Jordan, and unanimously carried.

The resolution is recorded in full in Resolutions Book 4, at Page 40.

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HEARING ON REDEVELOPMENT PLAN FOR REDEVELOPMENT SECTION NO. 3, BROOKLYN URBAN RENEWEL AREA, AND RESOLUTION OF THE CITY COUNCIL APPROVING THE PLAN AND THE FEASIBILITY OF RELOCATION FOR REDEVELOPMENT SECTION NO. 3, PROJECT NO. N. C. R-37.

The public hearing was held on Redevelopment Plan for Redevelopment Section No. 3, Brooklyn Urban Renewal Area.

The City Attorney called attention to some minor changes or amendments that have been made to the Plan and to the Resolution and Memorandum of Understanding that Council will be asked to act upon. In each instance reference is made in these documents to the use of non ad valorem tax revenues for appropriation to the projects; that the words ad valorem have been stricken out so that in each place it occurs in the documents it will now read "non tax revenue".

No objections were expressed by the public to the proposed project.

Councilman Albea moved the adoption of Resolution of the City Council of the City of Charlotte Approving the Redevelopment Plan and the Feasibility of Relocation for Redevelopment Section No. 3, Project No. N. C. R-37. The motion was seconded by Councilman Whittington.

Councilman Bryant commented that he feels is is right ridiculous to get into another of these when we have not sold the first piece of property, to his knowledge, to a private developer in the other areas. That it is his understanding this is one of the areas where the Thoroughfare must go, and he would be much more inclined to see it done by condemnation for the Thoroughfare, and then hope that the privately owned property would be developed to the best business advantage. That we use an awful lot of money that is the citizens money, whether it is non-tax or otherwise, and we are not at all sure that we are going to get any return from it, and he thinks we are just compounding a bad situation.

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

YEAS: Councilmen Albea, Dellinger, Jordan, Smith and Whittington.

NAYS: Councilman Bryant.

The resolution is recorded in full in Resolutions Book 4, beginning at Page 41.

LEAGUE OF WOMEN VOTERS INVITE MAYOR AND COUNCIL TO SEE LIBRARY WINDOW WHICH LEAGUE MEMBERS HAVE DECORATED IN OBSERVANCE OF NATIONAL LEAGUE OF WOMEN VOTERS WEEK.

Mrs Joan Cross, representing the League of Women Voters, advised that President Johnson has declared the Week of September 13th, which is this week, as National Women Voters Week, and in this connection they have decorated windows in our Main Library, and they would like to extend an invitation to the Mayor and Council to come down and see the window, which revolves around getting people out to register, and having informed voters. Mrs Cross remarked that the League is still quite interested in having voting machines in Charlotte and Mecklenburg County.

REPRESENTATIVE OF VOTING MACHINE COMPANY DISCUSSES POSSIBILITY OF THE CITY AND COUNTY ACQUIRING VOTING MACHINES.

Mr. Henry Bost, representing a voting machine company of Wilmington, stated

he has not bothered the Council for the last couple of years on the subject of voting machines, because he found the last time he was here the desire for voting machines in Charlotte not as intense as he had hoped it was. However, he has continued to come to Charlotte from Wilmington and talk with the Board of Elections and members of the County Commissioners from time to time, and also to see his friend, Mayor Brookshire, and some members of the Council, and he does think with the general election coming up Mecklenburg residents would find that voting machines would do a good job for them in November. That his only reason for coming today is that prior to going again to the County Commissioners, he would much appreciate some indication from the Council as to their interest or willingness to participate in the procurement of these voting machines. That about three years ago the Council had a Committee, consisting of Mr. Albea, Mr. Thrower and Mr. Lawing and Mr. Blythe from the County, who met and discussed the matter and their basic recommendation, which was never adopted or probably never formally recommended to Council, was that the City might participate in the cost of these machines to the extent of one-third of the cost of the machines which were used within the corporate limits of Charlotte. That based on today's registration, today's cost of voting machines and on that formula, the cost to the city would not exceed \$110,000.00, and that prorated over a 5 year period would run about \$22,000.00, or over a ten year period about \$12,000.00. He stated he does not want to go back to the County Commissioners without having some idea from the Council as to its interest financially; that he is not asking the Council to take any formal action, but he is wondering if this same Committee is functioning. Also, if the County approached the Council and asked for financial consideration, he would make himself available to help in any way.

Mayor Brookshire advised Mr. Bost that the Committee has not been ^{dismissed} ~~discussed~~, so he assumes it is still functioning. Councilman Albea stated that Committee died a natural death, as far as he is concerned.

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Councilman Dellinger stated he supported the move to buy voting machines several years ago, but the election lost, and he would vote for it again, but this particular time is inopportune as we do not have the money unless it is set up in the Budget. Mr. Bost remarked that he would not suggest bringing the machines into Charlotte prior to the General Election this fall, but the municipal election is next spring. He stated that Mrs Hair, Chairman of the Election Board wanted to be here today but she had another engagement; however, she said that he might say she is in favor of voting machines. That he would deeply appreciate whatever consideration the Council might give working with the County Commissioners in the not too distant future, to determine whether or not to bring them in. That he feels an election on it now would carry both in the City and County.

Mr. Veeder, City Manager, remarked that he recalls reading an article sometime ago pointing out some of the things that were being tried in other communities, and the article seemed to imply many advantages to the use of the machines.

Mr. Bost explained in detail the various types of voting machines, and various places where they are in use.

Mayor Brookshire told Mr. Bost that the City Council and Board of County Commissioners meet together with some regularity and the Council will discuss the question with the Commissioners at some subsequent meeting.

PETITION NO. 64-49 PROPOSING CHANGES IN THE OFFICIAL ZONING MAP OF THE CITY AND PERIMETER AREA IN THE VICINITY OF DOUGLAS MUNICIPAL AIRPORT TO BE DOCKETED FOR CONSIDERATION AT THE NEXT COUNCIL MEETING.

In response to the inquiry of several persons in the audience if Petition No. 64-49 in connection with the change in zoning of property adjacent to the Airport will be considered today, Councilman Bryant moved that it be docketed for consideration at the Council Meeting on next Monday. The motion was seconded by Councilman Whittington, and unanimously carried.

AGREEMENT BETWEEN THE CITY OF CHARLOTTE, N. C. AND THE REDEVELOPMENT COMMISSION OF THE CITY OF CHARLOTTE MAKING PROVISION FOR THE CITY'S ONE THIRD SHARE OF THE NET COST OF REDEVELOPMENT SECTION NO. 3, BROOKLYN URBAN RENEWAL AREA, AUTHORIZED.

Upon motion of Councilman Albea, seconded by Councilman Dellinger, and carried, an Agreement was authorized between the City of Charlotte, North Carolina, and the Redevelopment Commission of the City of Charlotte, making provision for the City's one third share of the net cost of Redevelopment Section No. 3, Brooklyn Urban Renewal Area, in the amount of \$588,942.00, with the vote cast as follows:

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

MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CHARLOTTE AND THE REDEVELOPMENT COMMISSION OF THE CITY OF CHARLOTTE FOR THE ACQUISITION OF FEDERALLY-AIDED HIGHWAY RIGHTS-OF-WAY IN AN URBAN RENEWAL AREA, AUTHORIZED.

Councilman Dellinger moved that the Mayor and City Clerk be authorized to execute a Memorandum of Understanding between the City of Charlotte and the Redevelopment Commission of the City of Charlotte for the acquisition of Federally-Aided Highway rights-of-way in an Urban Renewal Area. The motion was seconded by Councilman Whittington, and carried by the following recorded vote:

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

ORDINANCE NO. 271-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING THE ZONING OF LOT AT THE SE CORNER OF CENTRAL AVENUE AND WINTERFIELD PLACE, ADOPTED.

Motion was made by Councilman Albea, seconded by Councilman Whittington, and unanimously carried, adopting Ordinance No. 271-Z Amending Chapter 23, Section 23-8 of the City Code changing the zoning from R-6MF to O-6 of a lot at the southeast corner of Central Avenue and Winterfield Place, petitioned for by Winterfield, Inc., and recommended by the Planning Commission. The ordinance is recorded in full in Ordinance Book 14, at Page 412.

ORDINANCE NO. 272-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING THE ZONING OF A TRACT OF LAND ON THE NORTHEASTERLY SIDE OF MCALWAY ROAD, NEAR WALKER ROAD, ADOPTED.

Councilman Whittington moved the adoption of Ordinance No. 272-Z Amending Chapter 23, Section 23-8 of the City Code changing the zoning from R-9 and R-9MF to R-6MF of a tract of land on the northeasterly side of McAlway Road, near Walker Road, on petition of Mr. C. N. Plyler, and recommended by the Planning Commission. The motion was seconded by Councilman Albea, and unanimously carried.

The ordinance is recorded in full in Ordinance Book 14, at Page 413.

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PETITION NO. 64-54 BY CARSON INSURANCE AGENCY FOR CHANGE IN ZONING OF TRACT OF LAND ON THE SE SIDE OF AMBASSADOR STREET, DENIED.

Upon motion of Councilman Bryant, seconded by Councilman Jordan, and un-animously carried, Petition No. 64-54 by Carson Insurance Agency for change in zoning from R-6MF to I-2 of a tract of land 150' x 350' on the southeast side of Ambassador Street, from near Carol Street to near Ruby Avenue, was denied as recommended by the Planning Commission.

ORDINANCE NO. 273-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING THE ZONING OF A TRACT OF LAND BOUNDED BY SUGAR CREEK, WOODLAWN ROAD AND BRANDYWINE AVENUE, ADOPTED.

Councilman Bryant moved the adoption of Ordinance No. 273-Z Amending Chapter 23, Section 23-8 of the City Code changing the zoning from R-6 to B-1 of a tract of land bounded by Sugar Creek, Woodlawn Road and Brandywine Avenue, as petitioned for and recommended by Charlotte-Mecklenburg Planning Commission. The motion was seconded by Councilman Whittington, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 14, at Page 414.

ORDINANCE NO. 274-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING ZONING OF PROPERTY AT 3401-09 SPENCER STREET, ADOPTED.

Motion was made by Councilman Jordan adopting Ordinance No. 274-Z Amending Chapter 23, Section 23-8 of the City Code, changing zoning from R-6MF to I-1 of property at 3401-09 Spencer Street, as initiated and recommended by the Charlotte-Mecklenburg Planning Commission. The motion was seconded by Councilman Whittington, and unanimously carried.

The ordinance is recorded in full in Ordinance Book 14, at Page 415.

PETITION NO. 64-32 FOR CHANGE IN ZONING FROM R-6MF TO I-2 OF PROPERTY AT 3401-09 SPENCER STREET, DENIED.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, Petition No. 64-32 by R. W. Davis and L. B. Stevens for a change in zoning from R-6MF to I-2 of property at 3401-09 Spencer Street, was denied as recommended by the Planning Commission.

ORDINANCE NO. 275-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING ZONING OF PROPERTY ON THE SOUTHEASTERLY SIDE OF I-85 EXTENDING FROM GLENWOOD DRIVE TO REID STREET AND FRONTING ON GLENWOOD DRIVE AND REID STREET, ADOPTED.

Upon motion of Councilman Albea, seconded by Councilman Whittington, and un-animously carried, Ordinance No. 275-Z Amending Chapter 23, Section 23-8 of the City Code, changing zoning of property on the southeasterly side of I-85 extending from Glenwood Drive to Reid Street, and fronting on Glenwood Drive and on Reid Street, from R-6 to O-6 and B-1, as initiated by the Charlotte-Mecklenburg Planning Commission to conform to its recommendation to the City Council, was adopted.

The ordinance is recorded in full in Ordinance Book 14, at Page 416.

PETITION NO. 64-41 FOR CHANGE IN ZONING OF PROPERTY ON THE SOUTHEASTERLY SIDE OF I-85 EXTENDING FROM GLENWOOD DRIVE TO REID STREET, DENIED.

Councilman Whittington moved that Petition No. 64-41 by Mrs Odessa Hartsell for change in zoning from R-6 to B-1 of property on the southeasterly side of I-85 extending from Glenwood Drive to Reid Street, and fronting on Glenwood Drive and Reid Street, be denied as recommended by the Planning Commission. The motion was seconded by Councilman Dellinger, and unanimously carried.

CONTRACTS AUTHORIZED FOR APPRAISAL OF PROPERTY FOR THE NORTHWEST EXPRESSWAY.

Upon motion of Councilman Jordan, seconded by Councilman Albea, and unanimously carried, the following contracts for the appraisal of property for right-of-way for the Northwest Expressway were authorized:

- (a) Contract with Brevard Brookshire for 1 tract of land at 451 Seigle Ave.
- (b) Contract with L. H. Griffith for 3 tracts of land on Louise Avenue and 8th Street.
- (c) Contract with Alfred E. Smith for 2 tracts of land on Corner of W. 11th Street and N. Church and E. 4th Street.
- (d) Contract with D. A. Stout for 1 tract of land on Elizabeth Avenue.

SUPPLEMENT TO LEASE WITH SHARON DEVELOPMENT CORPORATION FOR AIRPORT PROPERTY AUTHORIZED.

Councilman Bryant moved approval of a supplement to a lease with Sharon Development Corporation dated November 4, 1963, for a house and two outbuildings together with approximately 3.4 acres of land on airport property, reducing the monthly rental from \$200.00 to \$125.00. The motion was seconded by Councilman Jordan, and unanimously carried.

RIGHT-OF-WAY AGREEMENT BETWEEN WILL J. WIDENHOUSE AND N. C. STATE HIGHWAY COMMISSION FOR INSTALLATION OF WATER MAIN ACROSS NATIONS FORD ROAD, AUTHORIZED CO-SIGNED BY THE CITY.

Motion was made by Councilman Albea, seconded by Councilman Whittington, and unanimously carried, authorizing the Mayor and City Clerk to co-sign a right of way agreement between the City of Charlotte and Will J. Widenhouse and the N. C. State Highway Commission for the installation of a 2" water main across Nations Ford Road, outside the city limits.

CONTRACTS FOR THE INSTALLATION OF WATER MAINS.

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

- (a) Contract with Will J. Widenhouse for the installation of 605-ft. of water mains in the Widenhouse Property, outside the city limits, at an estimated cost of \$975.00. The applicant will pay the entire cost of the main and will dedicate same to the City without cost or further agreement upon the acceptance of the work by the Water Department.
- (b) Contract with Ed Griffin Development Corporation for the installation of 1,035 ft. of water mains to serve the Glenwood Apartments Area, inside the city, at an estimated cost of \$3,455.00. The City to finance all construction costs and applicant will guarantee an annual gross water revenue equal to 10% of the total construction cost.

CONSTRUCTION OF SANITARY SEWER MAINS AUTHORIZED.

Councilman Jordan moved approval of the construction of sanitary sewer mains, all inside the city limits. The motion was seconded by Councilman Albea, and unanimously carried, as follows:

- (a) Construction of 200-ft. of sewer main in South Boulevard, at the request of Williams Building Corporation, at an estimated cost of \$830.00. All costs to be borne by the applicant whose deposit of the full amount will be refunded as per terms of the agreement.
- (b) Construction of 425-ft. of sanitary sewer main, in McDonald Avenue, at the request of Investment Properties, Inc., at an estimated cost of \$1,300.00. All costs to be borne by the applicant whose deposit of \$1,300.00 will be refunded as per terms of the agreement.
- (c) Construction of 160-ft. of sanitary sewer main in Yadkin Avenue, at the request of Mr. Walter Smith, at an estimated cost of \$848.00. All costs to be borne by the Applicant whose deposit of the full amount will be refunded as per terms of the agreement.

STREETS TAKEN OVER FOR CONTINUOUS CITY MAINTENANCE.

Motion was made by Councilman Albea, seconded by Councilman Dellinger, and unanimously carried, approving the following streets being taken over for continuous maintenance by the City:

<u>STREET</u>	<u>FROM</u>	<u>TO</u>
Pelton Street	Existing paving	326' south
Winterfield Place	100' N. of McManus Drive	Central Avenue
Unnamed Street	Winterfield Place	East 140'
Slagle Drive	Old paving in Tiffany Terrace	Colebrook Drive
Malta Place	Slagle Drive	West 140'
Oak Forest Drive	Slagle Drive	West 150'
Colebrook Drive	Slagle Drive	West 265'
Colebrook Drive	Slagle Drive	East 150'

CLAIMS OF C. P. AND HALL M. JOHNSTON, AGENTS FOR ZEKE JOHNSTON HEIRS AND LEROY DULIN, DENIED.

Councilman Whittington moved that Claims filed by C. P. and Hall M. Johnston, Agents for Zeke Johnston Heirs, in the amount of \$1,987.58 for damages to plate glass windows in their buildings located in the first block of South College Street and by Leroy Dulin in the amount of \$496.00 for damages to plate glass windows in his building at 115 South Church Street, be denied, as recommended by the City Attorney. The motion was seconded by Councilman Dellinger, and unanimously carried.

CLAIM OF DETECTIVE BOYD GIBSON FOR DAMAGES TO CAR, DENIED.

Upon motion of Councilman Bryant, seconded by Councilman Whittington, and unanimously carried, the claim of Detective Boyd Gibson for damages to his car parked in the City's Parking Lot, was denied as recommended by the City Attorney.

RESOLUTION FIXING DATE OF PUBLIC HEARING ON PETITION FOR LOCAL IMPROVEMENTS ON OLINDA STREET, FROM KILDARE DRIVE TO ILFORD STREET.

Upon motion of Councilman Bryant, seconded by Councilman Jordan, and unanimously carried, a Resolution Fixing Date of Public Hearing on Monday, September 28th on Petition for Local Improvements on Olinda Street, from Kildare Drive to Ilford Street, was adopted.

The resolution is recorded in full in Resolutions Book 4, at Page 45.

RESOLUTION FIXING DATE OF PUBLIC HEARING ON PETITION FILED BY SPANGLER LAND COMPANY FOR THE ANNEXATION OF LAND LOCATED IN PAW CREEK TOWNSHIP.

Motion was made by Councilman Bryant moving the adoption of a Resolution Fixing Date of Public Hearing on Monday, September 28th, on Petition filed by Spangler Land Company for the annexation to the City of 28.126 acres of land located on both sides of Hoskins Road, in Paw Creek Township. The motion was seconded by Councilman Jordan, and unanimously carried.

The resolution is recorded in full in Resolutions Book 4, at Page 46.

RESOLUTION FIXING DATE OF PUBLIC HEARING ON PETITION FILED BY S & T DEVELOPMENT COMPANY FOR THE ANNEXATION OF LAND LOCATED IN SHARON TOWNSHIP.

Councilman Whittington moved the adoption of a Resolution Fixing Date of Public Hearing on Monday, September 28th, on Petition of S & T. Development Company for the annexation to the City of 2.42 acres of land on Rokmont Road, adjoining Robinson Woods in Sharon Township. The motion was seconded by Councilman Albea, and carried unanimously.

The resolution is recorded in full in Resolutions Book 4, at Page 47.

SPECIAL OFFICER PERMIT AUTHORIZED ISSUED TO GEORGE WALLACE BLIZZARD.

Upon motion of Councilman Albea, seconded by Councilman Dellinger, and unanimously carried, the issuance of a Special Officer Permit to George Wallace Blizzard for use on the premises of Charlotte Branch, Federal Reserve Bank, was approved.

TRANSFER OF CEMETERY LOTS.

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

- (a) Deed with Mr. H. Wilson Glasgow, for Lot No. 275, Section 3, Evergreen Cemetery, at \$283.50.
- (b) Deed with Dr. Harry L. Hinson for south half of Lot No. 37, Section Q, Elmwood Cemetery, transferred by Mr & Mrs G. F. Daniel, at \$3.00 for transfer deed.
- (c) Deed with Mrs Lula D. Hinson, for north half of Lot No. 37, Section Q, Elmwood Cemetery, at \$3.00 for new deed.
- (d) Deed with Mr William O. Bridger for Perpetual Care on south half of Lot No. 27, Section L, Elmwood Cemetery, at \$100.80.

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CONTRACT AWARDED GRAYBAR ELECTRIC COMPANY, INC. FOR TRAFFIC SIGNALS.

Motion was made by Councilman Jordan awarding contract to the low bidder, Graybar Electric Company, Inc. in the amount of \$2,482.30, for 50 one way three-section traffic signals, as specified. The motion was seconded by Councilman Smith, and unanimously carried.

The following bids were received:

Graybar Electric Company, Inc.	\$ 2,482.30
Westinghouse Elec. Supply Co.	2,490.00
Wilmington Elec. Supply Co.	2,497.75
Mill-Power Supply Company	2,502.90
Marbelite Company, Inc.	2,661.01
Southeastern Safety Supplies	2,662.55
Traffic Engineers Supply Corp.	2,701.18

CONTRACT AWARDED PRISMO SAFETY CORPORATION FOR PLASTIC REFLECTORIZED PAVEMENT MARKERS.

Upon motion of Councilman Albea, seconded by Councilman Whittington, and unanimously carried, contract was awarded Prismo Safety Corp. for plastic reflectorized pavement markers, as specified, in the amount of \$9,331.80.

The following bids were received:

Prismo Safety Corp.	\$ 9,331.80
Southeastern Safety Supplies, Inc.	10,207.30

CONTRACT AWARDED BLYTHE BROS COMPANY FOR 5,000 TONS PLANT MIX ASPHALT.

Councilman Jordan moved award of contract to Blythe Bros. Company, in the amount of \$33,475.00 for 5,000 tons plant mix asphalt, as specified. The motion was seconded by Councilman Albea.

Councilman Albea called attention that two companies have bid the same price of \$33,475.00, and he is interested in why the bids are the same right down to the penny?

Mayor Brookshire asked if there is any possibility of getting any other competition into the picture? Mr. Veeder stated he did not believe so as no one else has been in a position to bid. That the price as bid by both corporations is the same as the city is currently paying.

Councilman Bryant asked if the recommendations on the next three bids are because of location and the City Manager stated yes. That it was bid in three sections because of locations, recognizing the plant location of the firm. That each of the bidders knew the price that each is now charging the city.

The vote was taken on the motion and carried unanimously.

The following bids were received:

Blythe Bros Company	\$33,475.00
Asphalt Div. of Rea Construction Co.	33,475.00

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CONTRACT AWARDED ASPHALT DIVISION OF REA CONSTRUCTION COMPANY FOR 2,500 TONS PLANT MIX ASPHALT.

Motion was made by Councilman Dellinger awarding contract to Asphalt Division of Rea Construction Company in the amount of \$16,737.50 for 2,500 tons plant mix asphalt, as specified. The motion was seconded by Councilman Albea.

Councilman Smith stated it is quite obvious this is a split in the contract, with the two different bids he wondered why it was not split with 10,000? Mr. Veeder stated it is based on our anticipated use and location of the plants as we know it. Councilman Smith called attention that there is 5,000 Plant Mix on Sections 1 and 3, and on Sections 3 to 5, and he wondered why it was not split so that one would get it? Mr. Veeder replied that we pick this material up at the plant ourselves so we buy it at the plant that will be the shorter haul realizing that the haul distance as far as the City is concerned has a real dollar factor. Councilman Smith remarked that the dollar factor must not have ^{been} an important thing or it would have been split 5 and 5. Mr. Veeder stated the point is that the location of the Plants are such if we had to haul all the asphalt we used from one location it would cost us more than hauling it from two locations.

Mayor Brookshire stated he knows of no way to check this, since we have no competitive bids except to inquire of other cities what they are paying for the same material.

Mr. Cheek, City Engineer, stated this is the price we have paid for several years and it compares with a commercial price of around \$8.00 to \$8.50 per ton, That from his knowledge of what other cities pay for this type of material he thinks this price is very reasonable.

Mr. Beatty, Purchasing Agent, stated there are three companies now engaged in Charlotte in the sale of asphalt - Blythe Bros., Rea and Carolina Paving Company. The material is used in the maintenance and repair of streets and is needed on short notice and we haul it in our own trucks. That the next source of supply is in Monroe - Dickerson Company. That the specifications were made up and advertised for bids. That they discussed with Carolina Asphalt Company whether or not they were interested in bidding, as in the past they had said they were too small and were not ready and could not supply the material on a yearly contract, so the city only had two bids in the beginning - Blythe Bros and Rea. That last year, the material was bid at the same unit prices by both concerns, and we went to their two separate plants which was to the City's advantage in convenience of delivery. That this year the situation has changed to some extent in that Rea has constructed a new plant in the eastern part of the city. That the specifications were set in quantities according to the city's requirements - setting up three sections, permitting any and all bidders to bid on the three sections. That he selected the sections which suited the City best. The price being the same, he selected Rea on the Airport, Rea again for the eastern section and Blythe for the north section at the same unit price. That he did not know how they figured their bid but they came in with the exact same price, \$6.50. That he checked last year with several cities and the City's price is in line with the price other cities are paying. That the price of \$6.50 is the same as we have paid for a period of 10 years, and the same price the State of North Carolina has paid for the last 6 or 8 years.

Councilman Whittington stated it would behoove the City to try and get the Carolina Paving Company to bid next year, and invite Dickerson or anyone else to bid.

The vote was taken on the motion and carried unanimously.

The following bids were received:

Asphalt Div. of Rea Construction Co.	\$16,737.50
Blythe Bros Company	16,737.50

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CONTRACT AWARDED ASPHALT DIV. OF REA CONSTRUCTION COMPANY FOR PLANT MIX ASPHALT.

Upon motion of Councilman Albea, seconded by Councilman Smith, and un-animously carried, contract was awarded Asphalt Div. of Rea Construction Company in the amount of \$33,475.00, for 5,000 tons plant mix asphalt, as specified.

The following bids were received:

Asphalt Div. of Rea Construction Co.	\$33,475.00
Blythe Bros Company	33,475.00.

CONTRACT AWARDED C. M. ALLEN CONSTRUCTION COMPANY FOR CONSTRUCTION OF SANITARY SEWER IN ROBINSON WOODS SUBDIVISION.

Councilman Dellinger moved award of contract to the low bidder, C. M. Allen Construction Company, for sanitary sewer construction in Robinson Wood Subdivision as specified, in the amount of \$6,455.40. The motion was seconded by Councilman Whittington, and unanimously carried.

The following bids were received:

C. M. Allen Construction Co.	\$ 6,455.40
Sanders Brothers Company	6,600.00
Howie Crare Service	6,620.50
C. D. Spangler Constr. Co.	6,712.00
Ben B. Propst of Concord	7,291.50

ORDINANCE NO. 276 AMENDING CHAPTER 20, ARTICLE VI OF THE CODE OF THE CITY OF CHARLOTTE RELATIVE TO THE COLLECTION OF FINES AND CIVIL PENALTIES FOR TRAFFIC VIOLATIONS.

Upon motion of Councilman Bryant, seconded by Councilman Jordan, and un-animously carried, Ordinance No. 276 Amending Chapter 20, Article VI, Sections 20-92, 20-93 and 20-121 of the City Code of the City of Charlotte Relative to the Collection of Fines and Civil Penalties for Traffic Violations, was adopted to become effective October 1, 1964.

The ordinance is recorded in full in Ordinance Book 14, at Page 417.

TRANSFER OF TRAFFIC CITATION COLLECTION FROM POLICE DEPARTMENT TO CLERK OF CITY RECORDER'S COURT OFFICE, AUTHORIZED.

Upon motion of Councilman Bryant, seconded by Councilman Jordan, and unanimously carried, the transfer of Traffic Citation Collection from the Police Department to Office of Clerk of City Recorder's Court office, was authorized with funds required in connection therewith authorized transferred to Clerk of Recorder's Court Budget, as follows:

Transfer of \$9,000.00 from Police Department Budget
Transfer of \$425.00 from Contingency Fund.

INSTALLATION OF IMPROVED STREET LIGHTING IN THE GREENVILLE AREA AND DOUBLE OAKS SECTION AUTHORIZED.

Mayor Brookshire called attention to an article in the Charlotte Observer

from Mexico City saying they had installed additional lighting in those areas where crime had been running excessively high and also imposed a 1 o'clock curfew on businesses operating in the area and cut their crime rate substantially.

Councilman Smith moved approval of the expenditure of \$7,166.00 for improved street lighting in the Greenville Area and Double Oaks Section. The motion was seconded by Councilman Jordan.

Mr. Bill Carstarphen, Administrative Assistant, outlined the boundaries of the areas to be improved. He stated the areas together form a triangle, bounded at the bottom by Seaboard Street, on the right by Irwin Creek, and on the left by Statesville Avenue. That they are contiguous with the common boundary being Oaklawn Avenue, separating Double Oaks from the Greenville Section. He advised the lights would be located about 125 feet apart.

Councilman Smith stated at Budget Time the City had had such good experience with Police Chief Hord's recommendation of lighting in the Fourth Ward district, that the Council allocated this \$10,000 for just such an occasion.

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

ACQUISITION OF RIGHTS-OF-WAY FOR AIRPORT EXTENSION, NORTHWEST EXPRESSWAY, SEWER LINE EASEMENTS AND WATER LINE EASEMENT.

Upon motion of Councilman Bryant, seconded by Councilman Albea, and un-animously carried, acquisition of rights of way for airport extension, Northwest Expressway, Sewer line easements and water line easement was authorized, as follows:

- (a) Acquisition of 1.78 acres of land on Wilmont Road and Horseshoe Lane from Bryce W. Griffith and wife, at \$15,000 for the Airport Extension.
- (b) Acquisition of 1.4 acres of land on Wilmont Road and New Dixie Road, from Gardner M. Clark and wife, at \$16,300 for the Airport Extension.
- (c) Acquisition of 59,089 sq. ft. of land on Old Dowd Road, from Southern Spindle and Flyer Co., Inc. at \$30,000 for Airport Clear Zone, north end of N. S. Runway.
- (d) Acquisition of 372 sq. ft. of land at 615 Louise Avenue, from Homer A. and Flora J. Wickert, at \$5,100.00 for Northwest Expressway.
- (e) Acquisition of 5,065 sq. ft. of land at 316-18 North Long Street, from C. F. and Mary J. Ritch, at \$4,800 for Northwest Expressway.
- (f) Acquisition of 9,372 sq. ft. of land at 614 Central Avenue, from Harriet Bogart, W. M. Bogart, Jr. and wife, at \$18,000 for Northwest Expressway.
- (g) Acquisition of 5,148 sq. ft. of land at 312 E. 12th Street, from Charles W. Bundy and wife, and Henry E. Fisher and wife, at \$4,400 for Northwest Expressway.
- (h) Acquisition of 14,415 sq. ft. of land at 521 W. 11th Street, from H. Clay Felts and wife, at \$28,000 for Northwest Expressway.
- (i) Acquisition of 6,000 sq. ft. of land at 1012-14 Pharr Street, from Lawrence K. Colvin and wife, at \$5,000 for Northwest Expressway.

(continued)

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- (j) Acquisition of right-of-way 10' x 680' in Granby Circle, from W. W. Gray, Jr., Heirs, at \$680 for Greenwood Lake Water Line.
- (k) Acquisition of right-of-way 10' x 541.44' from Marcus S. Mauney and wife, at \$270.67, for Lincoln Heights sanitary sewer line.
- (l) Acquisition of right-of-way 10' x 820.22' in Milton Road, from Charlotte-Mecklenburg Board of Education, at \$410.11, for Milton Road School sanitary sewer.
- (m) Acquisition of right-of-way 10' x 476.04' in Michigan Avenue and Audrey Street, from Trotter & Allen Construction Co., at \$45.00 for Michigan Avenue to Audrey Street sanitary sewer.

TRANSFER OF \$1,200 FROM CONTINGENCY FUND FOR OPENING OF LINDA LANE, AUTHORIZED.

Upon motion of Councilman Albea, seconded by Councilman Bryant, and unanimously carried, \$1,200 was authorized transferred from the Contingency Fund for the opening of Linda Lane 200 feet leading to Cotswold Elementary School, between Walker Road and Water Oak Road.

N. C. LEAGUE OF MUNICIPALITIES CONVENTION TO BE HELD IN RALEIGH OCTOBER 18TH THRU OCTOBER 20TH.

The Mayor called Council's attention to the Fifty-Fifth Annual Convention of the North Carolina League of Municipalities to be held in Raleigh, October 18th thru October 20th.

ZONING HEARING DATE FOR MONTH OF OCTOBER SET FOR MONDAY, OCTOBER 12TH.

Councilman Bryant moved that all zoning hearing scheduled for month of October be set for October 12, 1964. The motion was seconded by Councilman Jordan, and unanimously carried.

CITY ENGINEER REQUESTED TO CONTACT RESIDENTS OF RANCH ROAD TO DETERMINE IF THEY WILL GIVE THE CITY THE NECESSARY RIGHT OF WAY FOR WIDENING OF STREET.

Councilman Dellinger requested the City Manager to have Mr. Cheek, the City Engineer, contact all the residents on Ranch Road - a distance of 200 or 300 feet which has not been paved - to find out if they will give the City the necessary 50-ft. right-of-way to widen the street, from Freedom Drive about 300 feet back to connect the street to the Ervin development.

CITY MANAGER REQUESTED TO ARRANGE MEETING BETWEEN THE COUNCIL AND VETERANS RECREATION AUTHORITY TO WORK OUT A SOLUTION FOR FINANCING REPAIRS TO VETERANS CENTER.

Councilman Jordan stated he has a letter regarding the Veterans Center which stated the Deed to the land has a reverter clause and the property would come back to the City when the Center is no longer needed. That the improvements to this property has amounted to \$87,924.23 from the time of construction, and at this time it is actually worth more than the cost. At the present time the Authority is about \$1,700.00 in debt and they do not have any money to pay these bills, and he moved that Council appropriate \$2,500.00 in non-tax money to the Veterans' Authority, and when the next Legislature convenes see

if the necessary legislation cannot be approved to take care of the Center. Councilman Dellinger seconded the motion.

Councilman Bryant asked the City Attorney if this is a legal appropriation, and the City Attorney replied no.

Councilman Albea asked what the Council could do, and the City Attorney stated until the Legislature gives more authority to do something, the Council cannot do anything. Mr. Morrissey stated further that it makes no difference whether it is tax money or non-tax money, the hitch comes in the Enabling Act which created the Veterans Recreation Authority which limited the authority of the City to appropriate money to it. That the City is enabled only to convey property. That about three sessions after the original act, there was an amendment which was adopted to authorize the appropriation of money to the authority and for reasons unknown to him the amendment was never made. Councilman Dellinger stated the Council's legislative committee should be appraised of this and they should bring it to the legislative group. Mayor Brookshire asked if the title did revert to the City and it was placed with the Park & Recreation Commission could it then not be supported and maintained not only for Veterans but for other purposes, and the City Attorney replied it could.

Councilman Bryant made a substitute motion that Council make an effort to get the proper legislation through the next session of the Legislature. The motion was seconded by Councilman Dellinger.

Councilman Whittington stated the building is in bad shape; it is a disgrace to the City and we own it. That it is either let it fall down or try to pay the bills and bring the building up to some feasible appearance and he is going to vote to appropriate this money.

Councilman Albea stated he was on the Council when the Veterans Center was built and his Legion Post meets there and he belongs to two or three groups who meet there and would stretch a point to do something for it, but he cannot justify himself voting for something which the City Attorney says is illegal.

Mr. Veeder, City Manager, suggested that members of the Authority might be in a position to have credit extended to them by a bank and Council would seek legislative remedy, and then the Council could return the money to the Authority, and they could pay off their debt.

Councilman Jordan stated he also was on the Council at the time and voted for the building and also did most of the fighting to get the zoning changed as the neighborhood was against it, and he is as interested now as he was then and hates to see the building deteriorate.

Councilman Smith made a substitute motion that the City advance to the Authority \$2,500.00 from AEC Funds, specifically, and ask for a change in legislature to legalize this act. The motion was seconded by Councilman Dellinger. Mr. Morrissey ruled that action would have to be taken on the substitute motion by Councilman Bryant before Councilman Smith's substitute is recognized.

Councilman Smith then suggested if Council is reasonably sure of Legislature approval they could all obligate themselves to the extent of \$300 or \$400 a piece on a note as a Council, as individuals, and then repay this to the Council as a repayment of the note. That Council has two alternatives. The majority of the Council wants to do something to preserve the building in the interest of the City and in the interest of the Veterans. That they can either

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do it illegally and take a chance on being sued, or they can endorse something themselves and put it up and take a chance.

Councilman Jordan suggested that Council meet with the Authority within the next day or two to see what they can work out together and come up with something definite by next Monday.

Mr. Morrisey, City Attorney, called Council's attention to the Charter Review Commission now in operation and stated it would be appropriate to refer the item to them for inclusion in the proposed Charter. Councilman Bryant stated with Councilman Dellinger's approval he would include this in his motion.

The vote was taken on the substitute motion by Councilman Bryant, and lost by the following recorded vote:

YEAS: Councilmen Bryant and Dellinger.

NAYS: Councilmen Albea, Jordan, Smith and Whittington.

Councilman Jordan made a substitute motion that the City Manager arrange a meeting for Council with the Veterans Recreation Authority as soon as possible this week and see if they can find the money.

The motion was seconded by Councilman Dellinger, and carried unanimously.

LETTER FROM STUDENT REGARDING TREATMENT AT STADIUM REFERRED TO PARK AND RECREATION AUTHORITY.

Councilman Whittington called attention to the letter received by Council from a student who lives on Woodland Dr. about the way he was treated at the Football Stadium and requested the City Manager to refer the letter to Mr. Diehl of the Park and Recreation Authority.

PETITION OF RESIDENTS ON LONDONBERRY & TYVOLA ROAD FOR TEMPORARY SIDEWALKS REFERRED TO CITY MANAGER.

Councilman Whittington stated he has received a petition in connection with the temporary sidewalks on Londonberry and Tyvola Road which the City Manager has been working on. He stated it is signed by all the people who want the sidewalk and asked the Manager to notify these residents on his decision.

REPORT ON WORK ON SHARON-AMITY ROAD.

Mr. Veeder stated he would like to report on Sharon-Amity Road work, and presented a map pointing out the location of Sharon Lane, running over to Independence Boulevard, and Sharon-Amity Road, from Independence Boulevard to Providence Road, and Sharon Lane, from Providence Road to Sharon Road. That the area shown in the middle is Providence Road going over to Tangle Drive and is the area that is scheduled for improvement in the Bond Issue. That they believe there is enough money to take the improvement to about Tangle Drive, which is short of Monroe Road. That to improve the road from Tangle Drive to Albemarle Road to a desirable width - 45 feet - would cost another \$300,000, and then from Providence Road to Sharon Road would be \$114,000. Recognizing the two ends are not scheduled in the Capital Improvement program for the current year, and recognizing there is a need to do something with the ends of the project, they would like to do some maintenance work which will result in improving the two travel lanes there. That at present there is about 18 to 19 feet of pavement on both ends, and they plan to add a little more than a foot and half on both sides, not changing the drainage ditches, but to fix up

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the shoulders and widening it a little and resurface the whole thing from Sharon Road to Providence Road, and from Tangle Drive over to Independence. That this is the minimum type of treatment that the City can afford this type of facility at this time to keep it in use until such time as the real improvements are made. That the property owners who abut these two ends are real interested in what does or doesn't happen to the road, and each one will be written to tell them in essence what has been discussed today - that the street will be widened out to have two good travel lanes and we are not going to take down the first tree and then it will be resurfaced so they will have a better facility than they have now. The City Manager stated further they anticipate the maintenance work will cost about \$16,000 on the Providence Road to Sharon Road section and about \$20,000 on the Tangle to Independence section. That nothing they are doing out there now would have any determinental effect on the State investing any money; that this is so essential they cannot wait for anything to get some improvements on the two sections. That as it stands now this road is not under the State System and if it came under the State System tomorrow the work that is contemplated immediately would not be money wasted, but would be complimentary to any major project. That traffic is so heavy it needs to have something done.

Councilman Smith asked if the State has been asked to help with the project and the City Manager advised it is not under the State System. Councilman Smith suggested that the City Manager ask the City to participate in the project as it is a connecting road between two State Highways - No. 16 and 74, and Mr. Veeder stated he would do so.

Mr. Cheek, the City Engineer, stated what they are talking about is nothing more than interim maintenance to get us by until some program can be set up to make the permanent improvements. Councilman Whittington asked if there is anything that can be done to get the State to appropriate money in the middle of the year for this type of work. The City Manager stated he would think if the State were most receptive to participating in such a project that assistance could not be forthcoming until spring. That what they have in mind is just an interim thing to try to get us through in a little better shape than we are now. That what they are talking about spending is \$30,000 against \$400,000, the difference which the City doesn't have. Councilman Whittington stated anything that is done to the road would be an improvement. Mr. Veeder stated the engineering has been substantially finished on the project, and especially the middle section and the bond issue will provide the dollars to build it, and as soon as possible after the bond issue is approved, this would go to bid - the middle section; and if in the interim between now and then there is some way to come up with the money to permit the widening of either or both ends, it would be money well spent.

Councilman Jordan suggested that Mr. Veeder check with the Highway Department to see if they will participate in this and if they will not then go ahead with the suggestion as outlined by the City Manager as it is needed. Councilman Smith stated if the State would take care of both these ends it would help the City's bond election.

AIRPORT IMPROVEMENTS SCHEDULING REPORT.

The City Manager stated he would like to familiarize Council with some of the scheduling of improvements at the airport to help with their future actions this fall relating to the airport. That the new North South Runway, which is under construction, will hopefully be completed before December 1st. One of the Capital Improvement projects for the current fiscal year is the improvements to the taxiway which connects with the new runway. To coordinate this work and get it related to the completion date of the runway, tying in and following

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the procedures set by the FAA calls for tight scheduling. That the City's share is some \$111,000 with the FAA matching the amount. That we will be receiving bids on the 21st and with the FAA having gone through its necessary steps, Council will be in a position to act on bids and on the FAA Grant on the 28th. The City would then be in a position to complete the paving and the site preparation by December 1st so that it will relate to the other main project - the completion of the runway.

COUNCIL'S ATTENTION CALLED TO NOTICE IN PAPER IN CONNECTION WITH THE FINANCIAL CONDITION OF THE WEBB & KNAPP COMPANY WHOSE PRESIDENT HAS APPEARED IN CHARLOTTE TO GIVE FINANCIAL ADVICE.

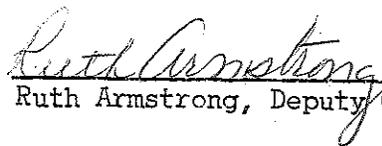
Mrs H. W. Case stated she wanted to comment on Urban Renewal, and asked if Council had noticed in the Observer on August 28th and also in the Wall Street Journal, the notice on the Webb and Knapp Company, that they are \$32,000,000 on the point of bankruptcy and are being investigated. That she has seen from the newspaper that the president of the company, Mr. Zeckendorf, has been here giving the City and County financial advice. She asked Council to look up the information and check out the man and the company. Mayor Brookshire stated that Mr. Zeckendorf has not appeared before Council; that he was invited to Charlotte by the Chamber of Commerce to make a speech but not to give advice to the Council.

REQUEST OF CITIZEN FOR THIRD LANE FOR TRAFFIC TURNING AT THE INTERSECTION OF PARK ROAD AND FAIRVIEW ROAD.

Mr. Carlyle Campbell stated he would like to comment on the street paving which is going to be made on Park Road, from the City limits to South Boulevard, and he was advised this would be a state project. He stated his point was about traffic which backs up so badly at the stop light at the intersection of Park Road and Fairview Road with all the people going to the Eastern and Celanese offices, and it would seem the money would be a little better spent to put in a third lane - where there would be a left turn and a right turn, and you could get twice as many cars through.

ADJOURNMENT.

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


Ruth Armstrong, Deputy City Clerk