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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Monday, September 20, 1965, at 2 o'clock p.m., with Mayor Brookshire presiding and Councilmen Jordan, Short, Thrower, Tuttle and Whittington present.

ABSENT: Councilmen Albea and Alexander.

The Charlotte-Mecklenburg Planning Commission met with the City Council for the purpose of hearing petitions for change in the Zoning Ordinance and Map of the City of Charlotte. Present: Mr. Sibley, Chairman, and Mr. Ashcraft, Mr. Jones, Mr. Lakey, Mr. Olive, Mr. Stone, Mr. Tate and Mr. Turner.

ABSENT: Mr. Gamble and Mr. Toy.

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INVOCATION.

The invocation was given by Councilman Sandy R. Jordan.

MINUTES APPROVED.

Upon motion of Councilman Short, seconded by Councilman Jordan, and un-animously carried, the Minutes of the last meeting on September 13, 1965 were approved as submitted.

HEARING ON PETITION NO. 65-78 FOR CHANGE IN ZONING OF A 7.543 ACRE TRACT OF LAND SOUTHWEST OF THE INTERSECTION OF STATESVILLE AVENUE AND I-85.

The public hearing was held on Petition No. 65-78 by Frank Graham Templeton for change in zoning from R-6MF to I-1 of a 7.543 acre tract of land southwest of the intersection of Statesville Avenue and I-85, beginning 398' west of Statesville Avenue and 300' south of I-85.

The Planning Director advised that the property is a short distance from I-85 and Statesville Avenue; is irregularly shaped and undeveloped. At the intersection of these streets a Howard Johnson Restaurant is located, and is adjoined by an Auto Repair and Floor Covering business, otherwise the adjoining property is vacant except between the property and I-85 there is a structure to be developed into a Warehouse. The property is presently zoned R-6MF and is adjoined on two sides by Industrial zoning and on one side by multi-family zoning.

Councilman Whittington asked if the warehouse proposed to be built on the property will be next to the Howard Johnson Restaurant and Mr. McIntyre replied that it will be approximately 200 feet distant.

Mr. Frank Templeton, Jr., stated they have a 10,000 square feet building going up to be used for office space and two additional 10,000 square feet buildings at the rear for warehouse space and in order to complete their lease they need this change in zoning.

Councilman Short asked if in other words they are not already using the area they own for this same purpose. Mr. Templeton replied that is correct, they own all of the land up to the highway.

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

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HEARING ON PETITION NO. 65-79 FOR CHANGE IN ZONING OF A LOT ON THE NORTH-EAST SIDE OF MONROE ROAD, BEGINNING 224' EAST OF MCCAULEY ROAD.

The scheduled hearing was held on Petition No. 65-79 by The Howey Company, Inc., for change in zoning from R-9MF and O-6 to O-6 and B-2 of a lot 62' x 400' on the northeast side of Monroe Road, beginning 224' east of McCauley Road.

Mr. McIntyre, Planning Director, advised this lot is on the left side of Monroe Road going out of Charlotte; on the front of the property is a house converted to business use. To the east of the property is a church, directly across Monroe Road there is a residential development, diagonally across Monroe Road there is a business development at the intersection with McAlway Road, and across McAlway Road there is an Industrial development, and towards town there are business and residential developments, and Cathey Lumber Company. That the land behind the property is vacant and diagonally behind the property there is a residential development. He stated the property has two types of zoning, the front is zoned for Office and the rear R-9MF. That on the town side the zoning is B-2 and behind that O-6, and diagonally across Monroe Road it is zoned Industrial.

No opposition was expressed to the proposed rezoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 65-80 FOR CHANGE IN ZONING OF A TRACT OF LAND ON THE EAST SIDE OF KILBORNE DRIVE, BEGINNING ABOUT 765' NORTH OF CENTRAL AVENUE.

The public hearing was held on Petition No. 65-80 by Ed Griffin Development Company for change in zoning from R-9 to R-9MF of a tract of land approximately 400' x 989' on the east side of Kilborne Drive, beginning about 765' north of Central Avenue, on which a protest petition had been filed by 82 residents of the surrounding area, but was not sufficient to invoke the statutes requiring the approval of six Council members to rezone the property as requested.

The Planning Director advised the property lies on the westerly side of Kilborne Drive and is vacant. Across Kilborne Drive the land is vacant and behind that a residential development extends along Dunaire Drive and other streets. There is a Drive-In Theatre across Kilborne Drive, which is immediately behind property developed for business. To the south the land is vacant, to the west there is a residential development. The property is zoned R-9 and is adjoined on three sides by R-9 zoning; that for a short distance across Kilborne Drive it is zoned O-6 and to the south towards Central Avenue the zoning is R-6MF.

Mr. Joe Griffin stated immediately to the south of the property the zoning is R-6MF; to the east there is a Drive-In Theatre and there is vacant land on all sides except one, and the new residences that are going up there are also owned by Ed Griffin Development Company. That the property is located on Kilborne Drive, which connects Central Avenue and Eastway Drive, a busy area and they think the property is more suitable for multifamily.

Councilman Whittington asked if they have started any building in the R-9 single family area, and Mr. Griffin replied they have the driveways laid out but the building has not been started.

Councilman Tuttle asked the size and rental value of the apartments they propose to build, and Mr. Griffin advised they will be one, two and three bedroom apartments renting between \$100.00 and \$170.00 per month.

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Councilman Short asked what is now on the R-6MF property and Mr. Griffin replied that it is undeveloped at present.

Mr. Jim Harris, 3303 Sudbury Road, stated the Drive-In Theatre has been at its present location for a number of years, and that it did look run down at one time but since the new owners took it over they have it looking nice. That the property in question is so close to the Theatre they are probably making their request for a change in zoning on that fact. He stated that in the area already, there are 90 apartments in two multi-story apartment buildings and there are 70 duplexes and there is plenty of buffer between Central Avenue and the property proposed for rezoning. That Windsor Park where he lives is a very attractive section, with well kept yards, however if you put the apartments or duplexes it is not going to look very attractive right in front of the entrance. Mr. Harris stated if the petitioner plans to put single family homes across in front of this property, then why not put them on this property instead of duplexes. That there will be problems if he puts in duplexes.

Mr. Jim Pendergrass stated this is an area of \$18,000 to \$22,000 homes and more duplexes will detract from their investments as you will have to drive past them to get into the area. He stated there is a history of having trouble in the duplexes in the area and they do not want this.

Mr. Harris asked Mr. Griffin if the Petitioner owns the duplexes on Lookout Lane, and Mr. Griffin stated he does not know. Mr. Harris then asked if the property surrounding the present rezoned area is owned by the petitioner and Mr. Griffin replied that it is not.

Mr. Harris then asked the Council what assurance the property owners of Windsor Park and Darby Acres have if this property is rezoned that it will not go all the way down Kilborne Drive?

Councilman Short asked Mr. Griffin if some of the people who actually bought from the petitioner do not have some deed restrictions? Mr. Griffin replied that the houses across the street will be restricted he understands, and he does not know about the existing homes.

Councilman Whittington stated he thinks it would be of interest to these people if Mr. Griffin would secure for the Planning Commission and the Council what the plans are for the property on each side of Kilborne Drive, and Mr. Griffin stated he would be glad to do so.

Council decision was deferred for one week.

HEARING ON PETITION NO. 65-81 FOR CHANGE IN ZONING OF A TRACT OF LAND AT THE SOUTHWEST CORNER OF BEATTIES FORD ROAD AND GRIERS GROVE ROAD, AND ON BEATTIES FORD ROAD AND ON GRIERS GROVE ROAD.

The public hearing was held on Petition No. 65-81 by Nance-Trotter Realty, Inc., for a change in zoning from R-6 to B-1 of a tract of land 304' x 431' at the southwest corner of Beatties Ford Road and Griers Grove Road, and change from R-6 to R-6MF an adjoining 27.55 acre tract of land fronting 690' on Beatties Ford Road and 504' on Griers Grove Road, on which a protest petition has been filed by owners whose property constitutes more than 20% of the area within 100 feet of each of three sides, and is sufficient to require the approval of six Councilmen in order to rezone the property as requested.

Mr. McIntyre, Planning Director, advised the property is a short distance

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north from the intersection of I-85 and Beatties Ford Road. That some of the Northwood Estates homes have been developed and adjoin this property; to the west the area is rural and undeveloped; across Beatties Ford Road it is developed with single family residences, and diagonally across Beatties Ford Road there are a few business establishments. He stated the property is zoned for single family; across Griers Grove Road the zoning is single family, office and business and there is a business zone in the vicinity of I-85. He stated the request covers two types of zoning - R-6MF and B-1.

Mr. Sydnor Thompson, attorney for the petitioner, stated this is a two prong zoning petition. He presented a map and stated it shows everything north of I-85, the property requested rezoned is in the center of the map and to the west is an industrial area, and the southern portion of it is requested to be made R-6MF, the northeast corner is B-1 at the corner of Griers Grove Road and Beatties Ford Road. He stated that a protest has been filed by people who live in the center of the Nance-Trotter property, and Mrs Dixon who is one of the owners of the property is here today; that they have been negotiating with them for several days and she has stated she will withdraw their protest. That as far as he knows there are not other protests.

In describing the property on Beatties Ford Road north of I-85, he stated on the west side there is B-1, O-15 and B-2 and Industrial property behind the B-1 property, a church, then Nance & Trotter property, then Griers Grove Road, then other Office and Business property to the north, so that Beatties Ford Road has taken the character of other than a residential street. He stated on the east side of Beatties Ford Road the pattern is B-1, O-15 and they understand a petition has been filed to rezone a portion, then R-9 and a non-conforming use. Nance-Trotter owns the entire tract back to the line on the west which he pointed out on the map, and proposes to develop this area in single family residences, which is the portion farther away from Beatties Ford Road. Speaking in favor of the request for multi family zoning, Mr. Thompson stated Beatties Ford Road is a major arterial street and continues to grow in that respect, and it is not practicable to put single family residences on this street. Too, there is very little multi family zoning in this area, and there is need for garden-type apartments, and that is the reason that has prompted his client to develop this idea. He pointed out that there is a creek that actually divides the two properties, and is a natural boundary between the area for single family homes and the area for multi family homes. Mr. Thompson presented photographs of Carmine Apartments on Carmine Street, and of English Village Apartments, developed by Nance-Trotter Company, and pointed out the importance of allowing as much depth as they have requested for the multi-family dwellings, as it is Nance-Trotter's policy to allow for recreational facilities for the apartments. He stated they have already filed with the Planning Commission a single family development plan at the rear of the property.

He called attention that in the Wilbur Smith Thoroughfare Plan, page 16, there is a map showing what is proposed for this particular area. Referring to the belt road proposed through the Wendover area to I-85, he stated at this point there will be much traffic using I-85 to constitute the northern end of that belt road. When the North-South Expressway comes into being, which is directly to the east of Beatties Ford Road, it will run along Griers Grove Road, connecting Nivens Road and Toddville Road. That on Page 24 of the Plan there is a projection of what the volume of traffic will be on these roads - on Griers Grove Road 7,100 vehicles a day and on Beatties Ford Road 7,500 vehicles per day. That his clients have planned for the present and also looking to the future. They have plans for a shopping center on the B-1 property, as there is not a shopping center north of I-85 of any size.

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Mrs Dixon stated that she and her husband filed a petition protesting the requested change in zoning, and they have agreed to withdraw their objections and their petition will be withdrawn by letter.

No objections were expressed to the proposed rezoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 65-82 FOR CHANGE IN ZONING OF TRACT OF LAND ON THE EAST SIDE OF BEATTIES FORD ROAD.

The public hearing was held on Petition No. 65-82 by W. D. Lanham for change in zoning from R-9 to R-6MF of a tract of land approximately 200' x 360' on the east side of Beatties Ford Road, beginning 100' north of "B" Avenue.

Mr. McIntyre, Planning Director, stated that the property is presently developed with single family residences; that to the north and south it is zoned single family and some of the land is vacant. That the property is zoned for single family and is adjoined on three sides by similar zoning. Across Beatties Ford Road it is zoned for business development.

Mr. Leo Phelan, representing the property owners, stated the reason for the request for rezoning is to erect a 32 unit garden type complex of a high type, and the R-6MF zoning will be necessary to complete the project.

No objections were expressed to the rezoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 65-83 FOR CHANGE IN ZONING OF A LOT AT 5107 CURTISWOOD DRIVE.

The scheduled hearing was held on Petition No. 65-83 by Millard E. Alexander for change in zoning from R-6MF to O-6 of a lot at 5107 Curtiswood Drive.

The Planning Director advised the property is a single lot and is used for single family residence. That behind the property the land is vacant; and the zoning of the property is R-6MF and all the property in the area is multi family except the property immediately at the rear extending to Highway 29 is zoned Industrial.

Councilman Tuttle asked about the condition of the homes and Mr. McIntyre replied they are brick, small in size, fairly modest in price and were built in the last 10 years.

Mrs Alexander, petitioner, stated that she filed a petition for a change in zoning to O-6; that she resides on the property and wishes to operate a beauty parlor in the basement. That all of her neighbors have signed a statement that the change in zoning to O-6 is agreeable to them. She advised there will be no sign on the property regarding the beauty parlor.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 65-84 FOR CHANGE IN ZONING OF A TRACT OF LAND ON THE SOUTHEAST SIDE OF GLENWOOD DRIVE EAST OF I-85 AND OF AN ADJOINING TRACT OF LAND.

The public hearing was held on Petition No. 65-84 by Humble Oil & Refining

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Company and Hugh A. Caldwell for change in zoning from O-6 to B-1 of a tract of land 67' x 325' on the southeast side of Glenwood Drive, east of I-85 and change from R-6 to O-6 an adjoining tract of land 200' x 418'.

Mr. McIntyre, Planning Director, advised that the property has two types of zoning - the northern part is zoned O-6 and the remainder R-6. That across Glenwood Drive the zoning is for business and single family residences, and at the rear is vacant land and single family residences.

Mr. Beverly Webb, Attorney for the petitioner, stated that Humble Oil has purchased the tract of land which he pointed out on the map, and stated this is all one parcel. Adjoining the property is a tract owned by Mr. Caldwell and when they appeared before Council last spring it was with the request for rezoning from the zoning at that time which was office for the reason that when the property was originally zoned office, access was not provided to Glenwood Road. It was assumed that the controlled access on the interstate highway would stop at a certain location, but because it did not stop at this point, in order to get access into the property they had to request that all points of the property be rezoned from Office to Business. At that time they asked whether it would be feasible to request that the entire property be rezoned to Business but they were told it would require another zone and the property owner was not interested. Now, circumstances have changed in two regards - the adjoining property owner has requested that the property be rezoned from Residential to Office. Secondly, Humble has undertaken an extensive study and they have come to the conclusion that they must have this initial zoning in order to make a safer development of the property as to traffic control for service station use. He pointed out the ramp on pictures he passed around and stated access is controlled by the State Highway Commission. That all traffic to and from the station - from Glenwood Road and the ramp will come at an angle from one 35-foot driveway. That the difficulty would be that traffic coming north on Glenwood from town would have to cross the traffic zone, which is right at the intersection of the two ramps, and is just a short distance away from the curve and a very dangerous situation. Mr. Webb stated further the situation they have is a piece of property at the end of an incline from a hill, and an interstate highway. There is just a small rental frontage to be used as a buffer zone across from the Caldwell property and there are two small houses located on the property. That they made a count last week and in a two hour period during the morning and two hour period at night only 1250 cars passed. That according to the Thoroughfare Plan, Glenwood Road will be an arterial road which will connect from Tuckaseegee Road across Hovis Road out to Highway 16, and it does not now so connect; but there will be a straight shot from out to Highway 16 straight thru to Tuckaseegee Road, so there is no way to project what the traffic will be. According to a count made last week an average of a car every two minutes entered a Humble Station, and if every two minutes you are going to have cars entering an intersection 35 feet wide, making a turn to the left getting across traffic, it can be avoided only by rezoning. That just down the line is an I-2 zoning, immediately adjacent to a residential area, and there is no buffer, nothing but a driveway; and this is all they are asking. He is only pointing this out to show that a buffer zone is not absolutely necessary; that they believe they have a unique situation, and a situation by which Council can help plan for the future by letting them use the property in this fashion. That the property will be developed as a service station by Humble Oil Company.

Mr. Ben Dowd, District Manager of Humble Oil, stated they have a station at Little Rock Road and I-85 and have a similar situation there as they have only one access - one ramp- and it has caused some problems, and with this in mind, rather than go on without at least making an attempt to lay it out

as they feel it should be, they made the decision to come to Council. That the interstate is very vital to them and other oil companies, and it has created quite an image for the City of Charlotte. That if they go with the original proposal, they would be doing less than what they would ask for the citizens. That if they get the rezoning they plan a ranch type station, and they think they can serve the public better and create the type image that means much to the City of Charlotte.

No opposition was expressed to the proposed rezoning. Council decision was deferred for one week.

HEARING ON PETITION NO. 65-85 FOR CHANGE IN ZONING OF PROPERTY ON THE NORTHEAST SIDE OF CRAIG AVENUE AND OF PROPERTY BOUNDED BY CRAIG AVENUE, DELANE AVENUE, WRIGHT AVENUE AND A LINE NORTH OF JENKINS AVENUE.

The public hearing was held on Petition No. 65-85 by A. P. Perkinson, Jr. and others, for change in zoning from R-9MF to I-1 of property on the northeast side of Craig Avenue, from Delane Avenue to property owned by Charlotte-Mecklenburg Board of Education, and change from R-9MF to R-6MF property bounded by Craig Avenue, Delane Avenue, Wright Avenue and a line north of Jenkins Avenue.

The Planning Director advised the property consists of land on the north and south sides of Craig Avenue. It is adjoined by property owned and used by the School Board and the property requested rezoned Industrial lies next to the railroad. On Craig Avenue, there are both single and multi-family developments. The property across Craig Avenue is vacant. The zoning of the property is R-9MF and to the west the zoning is R-9MF; the property of the School Board is in an I-1 zone; to the east the property is R-9MF and on the south is adjoined by R-12.

Mr. Parker Whedon, Attorney for the petitioners, stated the petition has two parts. That the first part of the petition is to request that the existing I-1 zone be extended to Craig Avenue, and all three petitions contain the property on the northeast side of Craig Avenue extending from Delane Avenue south. He pointed out the property of Mrs. Beasley and Mr. Perkinson, and stated it is adjoined by I-1 property at the rear which is owned by Mr. Perkinson and adjoined by the School Maintenance Department. That across the street between Jenkins Avenue and Delane Avenue and fronting on Craig Avenue, the property is owned by Mr. Perkinson, and the property north of Jenkins Avenue is owned by Mr. Huntley. Mr. Whedon stated they have prepared brochures to illustrate their petition; the first thing in the brochure is a letter from Mr. Harry Swimmer and one from Mr. D. E. Allen who own property in the block just south of their property, and they have no objections to their petition. He called attention to the photographs and explained each one. He stated that as far as they know the property owners who adjoin their property do not oppose the petition. That both Mr. Perkinson and Mr. Huntley adjoin their own property directly across the street from the proposed extension of the I-1 zoning and they have no objections. Their reason for requesting the extension of I-1 is that it will give them a better use of the land. That it is rather rough, rugged land situated near the school maintenance shop and the railroad is very close by which makes it unattractive. Also, there is a very limited access to the property already zoned I-1 to the rear of their requested change.

Mr. Whedon stated that it is impossible when you go over for a preliminary discussion with a member of the Staff of the Planning Commission to get a precise answer as to what recommendation they will make, but he would be less than candid if he failed to mention to Council that they have an idea

there is some misgiving on the part of the Planning Staff to recommend the establishment of a street as a boundary line between a residential and industrial zone. That there are any number of instances in the city where we have streets as a boundary line between industrial zoning and residential zoning; quite frequently between an R-6MF and an I-1 or I-2 zone on the other side. The reasons for this he does not know but he would think for the circumstances surrounding these particular areas. That they say the undesirability here for a residential use and the other circumstance of the location of the railroad makes it undesirable for the residential use.

Mr. Whedon stated on the other portion of the property which is zoned R-9MF and requested rezoned to R-6MF, they feel that it will give them a better use of the property. That they take pride in what Mr. Perkinson has already done in developing the McAlway Road property which is in a R-6MF zone and they submit if this R-6MF zoning is reasonable on McAlway Road, then it is all the more reasonable that they have a less restricted zoning on Craig Avenue because of the Industrial zoning across the street.

Mr. Bill Koester, 4101 Craig Avenue, stated he is opposing the petition for rezoning. First of all, they want to change to R-6MF which will give them more leeway to put more apartments in there. That directly across in front of his house there are apartments at the present time, and for a certain period of time, he thought there was a motel across the street due to the fact there is not enough room for parking on the tract. On the other portion they want changed from R-9MF to Industrial, it is true that the School Board maintenance shop is approximately 1,000 feet from the corner of the property, and he would suppose the reason they did not build right close to Craig Avenue was because of the residential zoning. That he feels if the Industrial zoning is allowed just across the street, it will deteriorate all the homes on Craig Avenue going east. Councilman Whittington asked about the creek located out there, and Mr. Koester replied there is a creek and a sewer outfall, and Councilman Whittington asked if it runs between his property and the petitioner's and Mr. Koester replied no, it runs directly into the petitioner's property he believes.

Mr. Perkinson stated they do not have much land to spare but they realize that this will create a little problem for the neighborhood, and they would be glad to set up a deed restriction, ^{for} at least a 50 foot setback, or if Council would rather, leave 50 or 75 feet as a residential district. Councilman Whittington asked if he is saying on the west side of Delane, they would leave a 75-foot buffer between his property and Mr. Koester's, and Mr. Perkinson replied, yes, that would be fine if they want it.

Mr. Pete Ellington stated he is speaking primarily against the property requested changed from residential to industrial, and he called attention to Section 23-7(a) of the City Code which reads in part "These districts are located in areas that have good access to transportation facilities, (they have already elaborated on the poor access out there) that afford reasonably level sites and that permit expansion of existing industrial areas wherever possible and appropriate to the character of land development in particular areas. Whenever possible, these districts are separated from residential areas by natural or structural boundaries such as drainage channels, sharp breaks in topography, strips of vegetation, traffic arteries and similar features". Mr. Ellington stated none of these presently exist there, and there is nothing that can be done about the north end as it is already zoned industrial, but he thinks it would be a serious mistake to change this section to industrial.

Council decision was deferred for one week.

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MEETING RECESSED FOR 10 MINUTE PERIOD AT 3:50 P.M.

Mayor Brookshire declared a 10 minute recess at 3:50 p.m.

MEETING RECONVENED AT 4 P.M.

The meeting was reconvened at 4 o'clock p.m., and called to order by the Mayor.

W. J. ELVIN ADVISES HE WILL REPRESENT THE CHARLOTTE POST AFTER TODAY, AND REQUESTS THAT NOISE FROM CARS AND MOTORCYCLES CUT OUTS IN AREA OF SELWYN AVENUE AND BRANDYWINE AVENUE BE ELIMINATED.

Mr. W. J. Elvin advised that from today he will represent The Charlotte Post, a newspaper in Charlotte, so that he can have access to all meetings. That he hopes the relationships will be good and he will be awarded the same privileges as other members of the press.

Mr. Elvin stated that he is wondering how many of the Council have read the book by Martin Luther King, the Strength of Love, which he remarked is one of the finest he has ever read. That he knows that Martin Luther King will be spoken of in the future times along with other great Americans like Adlai Stevenson.

Mr. Elvin commented that recently he has been disturbed by automobiles and motorcycles with cut outs open on Selwyn Avenue, Hassell Place and Brandywine Avenue; that he knows there cannot be policemen on every corner but he would like ver much to have some attention given to this situation. Councilman Thrower advised Mr. Elvin that there has been an unmarked patrol car at the corner of Selwyn Avenue and Brandywine for the last two weeks and last Friday night twelve citations were written for excessive noise, so the Police are trying their dead level best to control the noise in that area.

JOHN BENNETT REQUEST COOPERATION IN ORGANIZING AND MAINTAINING ICE HOCKEY LEAGUE FOR BOYS.

Mr. John Bennett stated in his opinion we have the world's finest Ice Skating Rink in Charlotte and Ice Hockey is an international sport. That we used to have a competative league here for the boys like we have Junior Baseball, etc. and Hockey could be made a major sport the same as baseball. That the only reason we do not have it now is the shortage of parents coming down to watch the boys. That he has talked to several persons, including Mr. Mason of the Park Board and a member of the Coliseum Authority, and they are very much in favor of it. That he would like to have Council go on record urging parents to go down and watch the boys play and encourage them by volunteering to work for a League, and that he volunteers his services now.

CONTRACTS APPROVED FOR APPRAISAL OF PROPERTY IN CONNECTION WITH THE WOODLAWN ROAD WIDENING PROJECT.

Councilman Thrower moved approval of contracts with Mr. Alfred E. Smith and Mr. B. Brevard Brookshire, for the appraisal of one parcel of land each on Woodlawn Road, in connection with the Woodlawn Road Widening Project. The motion was seconded by Councilman Whittington, and unanimously carried.

RESOLUTION PROVIDING FOR PUBLIC HEARINGS ON OCTOBER 18TH ON PETITIONS
NUMBERED 65-86, 65-87 AND 65-90 THROUGH 65-96 FOR ZONING CHANGES.

Councilman Jordan moved the adoption of a Resolution Providing for Public Hearings on October 18th on Petitions Numbered 65-86, 65-87, and 65-90 through 65-96 for Zoning Changes. The motion was seconded by Councilman Whittington, and unanimously carried.

The resolution is recorded in full in Resolutions Book 5, at Page 101.

TRANSFER OF CEMETERY LOTS.

Upon motion of Councilman Short, seconded by Councilman Thrower, and un-animously carried, the Mayor and City Clerk were authorized to execute deeds for the transfer of the following cemetery lots:

- (a) Deed with Mrs Edward F. Lukowski, for Graves No. 1 and 2, in Lot No. 157, Section 2, Evergreen Cemetery, at \$120.00.
- (b) Deed with Mrs Marie J. Kubasiewicz, for Graves No. 9 and 10, in Lot 156, Section 2, Evergreen Cemetery, at \$120.00.
- (c) Deed with Mrs Mary C. Gosnell, for Graves No. 1 and 2, in Lot 159, Section 2, Evergreen Cemetery, at \$120.00.
- (d) Deed with Mrs William H. Burnett, for Grave No. 6, in Lot 12, Section 3, Evergreen Cemetery, at \$60.00.
- (e) Deed with Mrs P. E. Ledbetter, for Grave No. 8, in Lot No. 138, Section 2, Evergreen Cemetery, at \$60.00.
- (f) Deed with Mrs Nina B. Williamson, for Lot No. 227, Section Y, Elmwood Cemetery, transferred from Mr. Harry L. Chaney, and wife, Elizabeth Chaney, at \$3.00 for transfer deed.

CONTRACT AWARDED GRINNELL COMPANY FOR WROUGHT IRON PIPE FITTINGS.

Upon motion of Councilman Short, seconded by Councilman Whittington, and un-animously carried, contract was awarded the low bidder, Grinnell Company, for 38,135 items of Wrought Iron Pipe Fittings, as specified, in the amount of \$7,861.37, on a unit price basis.

The following bids were received:

Grinnell Company	\$ 7,861.37
Horne-Wilson, Inc.	8,081.15
Hajoca Corporation	8,181.76
Atlas Supply Company	8,279.50
Parnell-Martin Supply Co.	8,341.05
Dillon Supply Company	10,738.76

CONTRACT AWARDED SANDERS BROTHERS COMPANY FOR THE CONSTRUCTION OF SANITARY
SEWER TRUNK TO SERVE MONTCLAIRE SUBDIVISION NO. 3.

Councilman Jordan moved the award of contract to the low bidder, Sanders Brothers Company, for the construction of Sanitary Sewer Trunk to serve Montclair Subdivision No. 3, as specified, in the amount of \$9,440.00, on a unit price basis. The motion was seconded by Councilman Thrower, and un-animously carried.

The following bids were received:

Sanders Brothers Co.	\$ 9,440.00
Brown Construction Co.	11,840.00
Crowder Construction Co.	13,338.04
A. P. White & Associates	16,876.00
Boyd & Goforth, Inc.	17,690.00

BIDS ON 138,500 LINEAL FEET OF WROUGHT IRON PIPE REJECTED AND REVISION OF SPECIFICATIONS AND READVERTISEMENT FOR BIDS AUTHORIZED.

Councilman Whittington moved that all bids received on 138,500 lineal feet of Wrought Iron Pipe be rejected, as recommended, and that the specifications be revised and readvertised for bids. The motion was seconded by Councilman Thrower, and unanimously carried.

The following bids were received:

Parnell-Martin Supply Co.	\$59,911.98
Atlas Supply Co. -Not on specifications-	57,518.19
Hajoca Corporation " " "	57,536.77
Crane Supply Co. " " "	57,712.86
Horne-Wilson Co. " " "	58,099.14
Grinnell Co., Inc. " " "	59,579.41

PUBLIC HEARING SCHEDULED ON OCTOBER 11, 1965 AT 3 P.M. ON ORDINANCE AMENDING CHAPTER 4, ARTICLE III, OF THE CITY CODE REGULATING AND RESTRICTING THE HEIGHT OF STRUCTURES AND OBJECTS OF NATURAL GROWTH, AND OTHERWISE REGULATING THE USE OF PROPERTY IN THE VICINITY OF DOUGLAS MUNICIPAL AIRPORT.

Upon motion of Councilman Jordan, seconded by Councilman Short, and unanimously carried, a public hearing was scheduled on October 11, 1965 at 3 o'clock p.m., on an Ordinance Amending Chapter 4, Article III, of the City Code Regulating and Restricting the Height of Structures and Objects of Natural Growth, and Otherwise Regulating the Use of Property in the Vicinity of Douglas Municipal Airport.

ACQUISITION OF PROPERTY FOR RIGHT OF WAY FOR WOODLAWN ROAD WIDENING PROJECT, AND RAW WATER TRANSMISSION LINE EASEMENTS.

Upon motion of Councilman Thrower, seconded by Councilman Whittington, and unanimously carried, the acquisition of the following property for right of way for Woodlawn Road Widening Project, and Raw Water Transmission Line easements were authorized:

- (a) Acquisition of 525 sq. ft. of property at 4332 Castlewood Road, from Leonard O. Henry, Sr. and wife, at \$1,000 for right of way for Woodlawn Road Widening Project.
- (b) Acquisition of 30' x 621.81' of property off Mt. Holly-Huntersville Roads, from John H. Shell and wife, at \$350.00 for Raw Water Transmission Line.
- (c) Acquisition of 30' x 1116' of property off Mt. Holly-Huntersville Roads, from McClure Land Company, Inc., at \$1,000 for Raw Water Transmission Line.

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CONDEMNATION OF EASEMENT FOR SANITARY SEWER TO SERVE PARKSTONE AND FAIR-
MEADOWS SUBDIVISIONS.

Upon motion of Councilman Thrower, seconded by Councilman Whittington, and unanimously carried, condemnation proceedings for the acquisition of 15' x 204' of property from James Addison Bell and Janette G. Bell for easement for Sanitary Sewer to serve Parkstone and Fairmeadows Subdivisions, was authorized.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR ACQUISITION OF PROPERTY OF GEORGE PHIFER HOUSTON AND HARRIET HOYLE HOUSTON LOCATED AT 828 NORTH College Street for Northwest Expressway.

Councilman Thrower moved the adoption of resolution entitled: Resolution Authorizing Condemnation Proceedings for Acquisition of Property of George Phifer Houston and Harriet Hoyle Houston Located at 828 North College Street for Northwest Expressway. The motion was seconded by Councilman Whittington, and unanimously carried. The resolution is recorded in full in Resolutions Book 5, at Page 102.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR ACQUISITION OF PROPERTY OF MRS WILLIE EUGENIA SIMS ESTATE LOCATED AT 809 EAST 9TH STREET FOR NORTHWEST EXPRESSWAY.

Upon motion of Councilman Thrower, seconded by Councilman Whittington, and unanimously carried, a resolution entitled: Resolution Authorizing Condemnation Proceedings for Acquisition of Property of Mrs Willie Eugenia Sims Estate Located at 809 East 9th Street for Northwest Expressway, was adopted. The resolution is recorded in full in Resolutions Book 5, at Page 103.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR ACQUISITION OF PROPERTY OF BESSIE FLOWE REDD ESTATE LOCATED AT 805 EAST 9TH STREET FOR NORTHWEST EXPRESSWAY.

Councilman Thrower moved the adoption of a resolution entitled: Resolution Authorizing Condemnation Proceedings for Acquisition of Property of Bessie Flowe Redd Estate Located at 805 East 9th Street for Northwest Expressway. The motion was seconded by Councilman Whittington, and unanimously carried. The resolution is recorded in full in Resolutions Book 5, at Page 104.

CONFIRMATION OF SALE OF LOT AT 805 EAST 16TH STREET TO ELLIOTT M. SWARTZ.

Councilman Thrower moved the confirmation of the sale of a lot 50' x 150' x 150' located at 805 East 16th Street, at public auction on August 2, 1965, to the high bidder, Mr. Elliott M. Swartz, at \$1,005.00. The motion was seconded by Councilman Whittington, and unanimously carried.

POWELL BILL FUNDS AUTHORIZED USED FOR PURCHASE OF ROAD EQUIPMENT.

Councilman Thrower moved that \$28,000 of Powell Bill Funds for the current fiscal year be used for the purchase of a 10-ton Roller and a Loader. The motion was seconded by Councilman Tuttle.

Councilman Whittington asked if these funds have ever before been used for this purpose? Mr. Bobo, Administrative Assistant, replied that last year we spent \$2,600, 1962-63 \$12,000, 1960-61 \$23,000 and 1960 we spent \$44,000 for graders, roller, bulldozers etc from Power Bill funds.

Councilman Whittington asked Mr. Bobo if it is the policy now of the City Manager and Engineering Department to spend Powell Bill money to buy equipment rather than from budgeted funds? Mr. Bobo replied that it is not, that the use of Powell Bill funds should be treated as an exception rather than the rule. Actually we recommend that the purchase of such equipment be brought up at the time the budget is considered, but it happens that the equipment is needed very badly at this time, and that is why it was brought to the attention of Council.

The vote was taken on the motion and carried unanimously.

Councilman Thrower requested that after we get prices on these two pieces of equipment that we look at the possibility of seeing how much an additional road grader would cost as he knows one is badly needed and the ones that we are operating now are being operated in the red and this is necessary for proper road maintenance.

PROPOSED CHANGE TO WEEKLY PAY SCHEDULE FOR EMPLOYEES DIRECTED BROUGHT TO COUNCIL FOR CONSIDERATION PRIOR TO BEING PUT INTO EFFECT.

Councilman Thrower called attention that the City is considering going on a week by week pay schedule; that he has heard quite a few complaints from people who are directly involved and they are highly opposed to it, at least the ones who have contacted him. That before anything like this is done he would like for it to be brought to the Council for consideration, rather than considering it as a routine policy.

Mr. Bobo advised that it is now merely in the discussion stage and it will be brought to Council for consideration and he thinks any opposition is a matter of misunderstanding.

INSURANCE ADVISORY COMMITTEE REQUESTED TO SUBMIT PROPOSAL ON GENERAL LIABILITY INSURANCE COVERING SHOCK FROM CITY OWNED FACILITIES OTHER THAN AUTOMOBILES.

Councilman Tuttle advised that in September 1960 the Insurance Advisory Committee recommended that the City buy general liability insurance. That elevators are covered because of inspection service given the city, and so are cars. That the insurance was not purchased probably because of the cost, but the cost itself indicates the hazards involved. Now we are faced with a law suit that could run into thousands of dollars and he feels we should consider purchasing this coverage.

That he recommends that we ask the City Manager to request the Insurance Advisory Committee to submit a proposal on this shock coverage. The Mayor asked Mr. Bobo to request the Insurance Committee to submit such proposal.

Councilman Tuttle stated that he is in the insurance business but he will not participate in this or any other insurance the City may purchase.

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PLANNING COMMISSION REQUESTED TO SUBMIT REPORT OF STUDY OF ZONING REGULATIONS RELATING TO HIGH RISE STRUCTURES IN THE CENTRAL BUSINESS DISTRICT.

Councilman Tuttle stated that on June 28th he made a motion that the Planning Commission study the high rise zoning situation in central business district and it has been about three months now and he would like to have a report from them, as he is getting calls every day regarding this.

He asked Mr. Bobo to ask Mr. McIntyre when the report on the study may be expected.

PETITION FROM PARENTS OF COTSWOLD SCHOOL CHILDREN IN AREA OF TRINITY PRESBYTERIAN CHURCH REQUESTING SCHOOL CROSSING GUARDS AT ROBIN ROAD AND SHARON-AMITY ROAD, AND AT RANDOLPH ROAD AND GREENWICH ROAD.

Councilman Tuttle advised that he has a petition signed by 50 families in the area of Trinity Presbyterian Church regarding the problem of their children who attend Cotswold School crossing four-lane Sharon Amity Road at Robin Road, and requesting a School Crossing Guard at this location. That there is a sidewalk on the west side of Sharon Amity Road but none on the east side. He advised that Mr. Bobo has sent the petition to the Traffic Engineering Department for a study of the problem, and he wants to make one thing clear now that the study will find only three or four children crossing the street for the reason that it is so dangerous parents are taking their children to school in cars, and there are actually 75 children who would cross Sharon Amity Road at this point if there were a School Guard to protect them.

He also advised that the petition requests a School Crossing Guard on Randolph Road at Greenwich Road on which Cotswold School is located.

COUNCIL INVITED TO ATTEND CEREMONIES AT AUDITORIUM NEXT SUNDAY WHEN PLAQUE WILL BE HUNG COMMEMORATING THE MEMBERS OF THE ORIGINAL AUDITORIUM-COLISEUM AUTHORITY AND BUILDING COMMITTEE.

Mayor Brookshire announced that next Sunday afternoon Lawrence Welk will be appearing at the Coliseum and at 3 p.m., the Auditorium-Coliseum Authority will have a ceremony and hang a Plaque in the Auditorium commemorating the members of the original Authority and Building Committee; and Council members are invited to be present. That if they would like tickets to the Lawrence Welk program to advise his Secretary.

He called attention that the Park & Recreation Commission will open their Arts and Craft Center in Independence Park next Sunday afternoon at 2 p.m.

TRANSFER OF FUNDS FROM CONTINGENCY FUND FOR INSTALLATION OF TRAFFIC SIGNALS AT CHEROKEE ROAD AND PROVIDENCE ROAD, GRAHAM STREET AND MORETZ AVENUE AND NINTH STREET AND CHURCH STREET.

Upon motion of Councilman Whittington, seconded by Councilman Tuttle, and unanimously carried, \$5,365.00 was authorized transferred from the Contingency Account, General Funds, for the installation of traffic signals at the intersections of Cherokee Road and Providence Road, Graham Street and Moretz Avenue, and Ninth Street and Church Street.

ADJOURNMENT.

Upon motion of Councilman Jordan, seconded by Councilman Short, and unanimously carried, the meeting was adjourned.

Lillian R. Hoffman
Lillian R. Hoffman, City Clerk