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The 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, April 1, 1963, at 3 o'clock p.m., with Mayor Brookshire presiding, and Councilmen Albea, Bryant, Dellinger, Jordan, Smith, Thrower and Whittington present.

ABSENT: None.

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INVOCATION.

The invocation was given by the Reverend Vernon A. Morton, Pastor of Spencer Memorial Methodist Church.

MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Smith, and unanimously carried, the Minutes of the last meeting on March 25th were approved as submitted.

MEDALS OF MERIT AWARDED ALBERT REID BLACK AND RUSSELL JONES IN RECOGNITION OF THEIR MERITORIOUS CONDUCT IN RESCUING CHILD FROM HIS BURNING HOME.

Albert Reid Black and Russell Jones, who had been invited to attend the meeting were recognized by Mayor Brookshire, who presented the following resolution:

A RESOLUTION AWARDED THE CITY OF CHARLOTTE
MEDAL OF MERIT TO
ALBERT REID BLACK AND RUSSELL JONES

WHEREAS, Albert Reid Black, age 16, and Russell Jones, age 20, citizens of Charlotte, by their prompt and voluntary action on the 20th day of March, 1963, did effect the rescue of a child of tender years from the upper floor of a burning residence, and

WHEREAS, these young men acted with coolness, courage and compassion in the face of danger without regard to their own safety, thus demonstrating the highest qualities of citizenship, and

WHEREAS, such meritorious conduct is deserving of public acclaim and recognition,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 1st day of April, 1963, that the

CITY OF CHARLOTTE
MEDAL OF MERIT

be, and the same is hereby awarded to Albert Reid Black and Russell Jones, in recognition of their meritorious conduct recited herein.

Councilman Albea moved the adoption of the resolution, which was seconded by Councilman Jordan, and unanimously carried.

Mayor Brookshire then presented Mr. Black and Mr. Jones with copies of the Resolution and the City's Medal of Merit on which the young man's name, deed, and date was inscribed; the Mayor expressed his admiration of the young men for their conduct and valor.

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ORDINANCE NO. 172-X EXTENDING THE CORPORATE LIMITS OF THE CITY OF CHARLOTTE BY ANNEXING 31.28 ACRE TRACT OF LAND IN SHARON TOWNSHIP, ADOPTED.

The public hearing was held on the petition of Kavanagh-Smith-Weaver for the annexation to the City of Charlotte of 31.28 acre tract of land in Sharon Township, located to the east of Rama Road and to the south of the Seaboard Airline Railway.

No objections were expressed by the public.

The City Manager advised the petition has been reviewed by the affected departments and there is no problem as to providing water and sewer under our existing policies, and the Planning Department reports that the property does not bisect any proposed lots and meets their approval.

Councilman Dellinger moved the adoption of Ordinance No. 172-X Annexing the 31.28 Acre Tract of Land. The motion was seconded by Councilman Bryant.

Councilman Whittington asked if before Council votes on these petitions for annexation they cannot get some information from the City Manager as to the cost; in this instance we are bringing 31.28 acres of land into the city, and although we are all interested in the growth of Charlotte, at the same time a lot of financial obligations are being assumed by Council in annexing the property and it would seem to him such information would be helpful, and certainly informative as to the amount Council is obligating the City for, for water and sewer.

The City Manager advised he has not gotten any cost figures, as such; recognizing that the cost involved in any subdivision proposed to come into the city limits are generally in two forms, one, the cost to the developers is not returnable and the costs concerns water and sewer, which in the final analysis are refundable. He stated he thinks it would be of interest to Council as a part of the Hearing process if he had prepared estimates of these costs before the ultimate cost for providing water and sewer is determined, which is borne by the City. At the question of Councilman Dellinger if it would not be difficult to determine the cost, Mr. Veeder stated it would have to be on an estimated basis, without going into the detail engineering involved, but it could be approximated.

Councilman Whittington stated he is not opposed to the annexation proposed today but just thinks it is good business policy for the Council to have some knowledge of the cost to the City, and he would like to have the estimate on this and all future petitions for annexation before they are voted on.

Councilman Dellinger stated he does not believe Mr. Whittington wants to hold up the annexation before Council today, and Councilman Whittington stated he would rather not vote on it until he has the information from the City Manager. Councilman Bryant called attention that this has not been the practice in the past and he thinks it would be taking unfair advantage of the petitioners to wait another week or two since it has been the City's policy in the past, when there are no objections at the Hearings for Council to go ahead and take action, and he would be reluctant to postpone action today.

Councilman Albea asked the City Manager if he has any reservations about annexing the property, and Mr. Veeder advised the petition before Council today is before them in terms of the policies that have been followed previously; at the same time he recognizes that the question posed by Mr. Whittington as to providing information, would be of real interest to Council and he would certainly like to see that the information is available at the time of the Hearing on future requests for annexation.

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Councilman Whittington stated in fairness to these people, as annexations have been handled in this manner heretofore, he will not object to going ahead today, but he thinks it would be proper that the information be furnished in the future before these requests are voted on.

The vote was taken on the motion to adopt the Ordinance Annexing the 31.28 acre tract of land, and carried unanimously. The ordinance is recorded in full in Ordinance Book 13, at Page 408.

DONATION MADE BY ALBERT PEARSON TO LIBRARY PARK FUND WITH SUGGESTION THAT COUNCIL PASS RESOLUTION APPROVING THE LIBRARY PARK AND MEMBERS OF DOWNTOWN CHARLOTTE ASSOCIATION MAKE DONATIONS FROM 1962 GROSS INCOME TO LIBRARY PARK FUND.

Mr. Albert Pearson stated he is present with a suggestion concerning the Charlotte Library Park, which he thought might be of help to the Council. That he hates to see such ideas as this for the Park become political ideas.

Mr. Pearson presented the following statement, signed by himself:

WHEREAS a proposal for a library park next to the library on Tryon Street has been presented to the public and approved by such individuals and groups as the Mayor of Charlotte, the president of Vinson Realty Co., the Downtown Charlotte Association, the Charlotte Chamber of Commerce and many others, it is suggested that the City Council do the following:

- (1) Pass a resolution approving the park idea in principle, as long as it can be done in a way as not to interfere with the normal growth and development of the City of Charlotte, and without cost to the city.
- (2) Pass a resolution commending the individuals and groups for their ideas and effort in trying to obtain the Library Park.
- (3) Suggest to the people of Charlotte to present any ideas that might help to obtain the money necessary for the Library Park, such as the suggestion presented with and attached to this proposal; and that these ideas be presented to the Chamber of Commerce.

Respectfully submitted,

(Signed) Albert T. Pearson

He then presented the following paper:

SUGGESTION FOR FINANCING THE LIBRARY PARK

That the firms and members of the Downtown Charlotte Association, firms and members of the Charlotte Chamber of Commerce, and other interested firms and individuals donate 1/10 of one percent of their firms' or individual gross 1962 income obtained in the Charlotte Area to the Library Park Fund.

That the City not be asked to put up any money to buy any right of way for street improvement in advance, but that if and when the City does improve the street that it be obtained free to the City from the Library Park.

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Mr. Pearson stated that there is attached to this suggestion an envelope containing a small check from himself for the small business he has in the Charlotte area.

Councilman Dellinger moved that should this project not be initiated, Mr. Pearson's money be refunded, according to his resolution. The motion was seconded by Councilman Whittington, and unanimously carried.

RESOLUTION APPROVING CHANGES IN THE MAJOR THOROUGHFARE PLAN OF CHARLOTTE, ADOPTED.

A Resolution Approving Changes in The Major Thoroughfare Plan of Charlotte, was introduced, recommended jointly by the State Highway Commission and City Engineer, whereby a portion of Providence Road Extension, from Caswell Road to Queens Road, and Queens Road, from Providence Road Extension to East Fourth Street, is transferred to the State Highway System and East Fourth Street, from Hawthorne Lane to Caswell Road, and Caswell Road, from East Fourth Street to Providence Road, is transferred to the City of Charlotte's Street System.

In reply to the question of Councilman Thrower as to why this is done, the City Manager advised, basically, this is just a switch taking into account the new recently completed extension of Providence Road into Independence Boulevard. Because this is the ultimate facility and we try to keep the Thoroughfare Plan based on the ultimate facility, this is the continuing process of change; that ultimately we know this street will come on through and we keep it as current as we can.

Councilman Albea moved the adoption of the Resolution, which was seconded by Councilman Bryant.

Councilman Dellinger called the City Manager's attention to the drainage problem between Caswell Road and Fourth Street, where the water stands. The City Manager stated the site distance problem at the intersection must also receive attention.

The vote was taken on the motion for the adoption of the Resolution, which was unanimously adopted.

The resolution is recorded in full in Resolutions Book 4, at Page 284.

RESOLUTION APPROVING THE UNDERTAKING OF SURVEYS AND PLANS FOR URBAN RENEWAL BROOKLYN PROJECT AREA NO. 3, AND FILING OF AN APPLICATION, ADOPTED.

Councilman Whittington moved the adoption of a resolution entitled: "Resolution Approving the Undertaking of Surveys and Plans for Urban Renewal Brooklyn Project Area No. 3, and Filing of an Application" following the reading thereof. The motion was seconded by Councilman Dellinger, and unanimously carried.

The resolution is recorded in full in Resolutions Book 4, at Page 285.

PETITION NO. 63-15 FOR CHANGE IN ZONING OF AN AREA ON THE EAST SIDE OF PARK ROAD BEGINNING AT THE CLEMMER PROPERTY AND RUNNING SOUTH TO SUGAW CREEK FOLLOWING THE VARIOUS COURSES OF THE CREEK TO THE CLEMMER PROPERTY BACK TO THE POINT OF BEGINNING, FROM R-6MFH TO O-15, DENIED.

Councilman Jordan stated that at the last Council Meeting he asked for a

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decision on Petition No. 63-15 by Mr. George S. Goodyear and eight others for change in zoning from R-6MPH to O-15 of an area on the east side of Park Road beginning at the Clemmer Property and running south to Sugaw Creek following the various courses of the creek to the Clemmer Property back to the point of beginning, be postponed until he could look at the property and perhaps some of the other Councilmen would like to do the same thing, and he now moves that the petition be disapproved as recommended by the Planning Commission. The motion was seconded by Councilman Bryant, and carried by the following recorded vote:

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

CONSTRUCTION OF SANITARY SEWER MAIN IN UNIVERSITY PARK APPROVED.

Upon motion of Councilman Dellinger, seconded by Councilman Smith, and unanimously carried, the construction of 1,399 feet of sanitary sewer main in University Park, at the request of C. D. Spangler Construction Company, at an estimated cost of \$4,340.00, was approved. All costs to be borne by the applicant, whose deposit of the entire cost will be refunded as per terms of the contract.

CONTRACT AUTHORIZED WITH ALLAN FINE HOMES CORP FOR INSTALLATION OF WATER MAINS IN AMITY COURT SUBDIVISION.

Councilman Whittington moved approval of a contract with Allan Fine Homes Corp., for the installation of 935 feet of water mains in Amity Garden Subdivision, inside the city limits, at an estimated cost of \$2,553.00. The City to finance all costs and the applicant to guarantee a gross annual water revenue equal to 10% of the total construction cost. The motion was seconded by Councilman Bryant, and unanimously carried.

TRANSFER OF CEMETERY LOTS.

Upon motion of Councilman Whittington, 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 Mrs Dan Manier, for Lot 127, Section 2, Evergreen Cemetery, at \$240.00.
- (b) Deed with Mr. F. C. Switzer, for Grave 3, Lot 20, Evergreen Cemetery, at \$60.00.
- (c) Deed with Mr. L. B. Whiteside, for Grave 3, Lot 18, Section 3, Evergreen Cemetery, at \$60.00.
- (d) Deed with Mrs Ernest Kerhulas, for Lot 113, Section 4-A, Evergreen Cemetery, at \$189.00.
- (e) Deed with Mr & Mrs Jack L. Burnette, for Lot 201, Section U, Elmwood Cemetery, at \$3.00 for transfer from Mrs Alma A. Warren.
- (f) Deed with Estate of Mrs A. J. Goode, for Perpetual Care on Lot 17-F, Section T, Elmwood Cemetery, at \$178.85.

CONTRACT AWARDED NUCLEAR-CHICAGO CORP. FOR LABORATORY EQUIPMENT.

Councilman Albea moved the award of contract to the only bidder meeting the specifications, Nuclear Chicago Corp., for Laboratory Equipment, as specified, at their bid price of \$5,369.36. The motion was seconded by Councilman Jordan, and unanimously carried.

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The following bids were received:

Nuclear-Chicago Corp.	\$ 5,369.36
Baird-Atomic, Inc. (Did not meet specifications)	4,487.71

CONTRACT AWARDED I. L. COOK FOR PAINTING EXTERIOR OF FIRE STATIONS #7 AND #10.

Motion was made by Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, awarding contract to the low bidder, I. L. Cook, for painting the exterior of Fire Stations #7 and #10, at their bid price of \$1,032.42.

The following bids were received:

I. L. Cook	\$ 1,032.42
Grady S. Ritch	1,466.75
C. M. Jordan	1,522.00
F. T. Lyerly & Sons	1,560.00
M. R. Tarlton	1,945.00

CONTRACT AWARDED MERSON UNIFORM COMPANY FOR BADGES FOR POLICE DEPARTMENT.

Upon motion of Councilman Bryant, seconded by Councilman Smith, and unanimously carried, contract was awarded the low bidder, Merson Uniform Company, for 492 coat and cap Badges, as specified, for the Police Department, on a unit price basis, at their bid price of \$2,809.84.

The following bids were received:

Merson Uniform Company	\$ 2,809.84
Goldmark Specialty Co.	3,456.17
W. T. Neill	3,559.78

TRANSFER OF FUNDS FROM CONTINGENCY ACCOUNT TO FIRE DEPARTMENT FOR PURCHASE OF "SPARKY" SAFETY EDUCATIONAL DEVICE AND LITERATURE.

Councilman Thrower moved the transfer of \$1,000.00 from the Contingency Account to the Fire Department for the purchase of "Sparky" safety educational device and literature. The motion was seconded by Councilman Albea, and unanimously carried.

SETTLEMENT FOR PROPERTY FOR RIGHT OF WAY FOR KENILWORTH AVENUE EXTENSION PROJECT.

Motion was made by Councilman Albea, seconded by Councilman Thrower, and unanimously carried, authorizing settlement for the following property for right of way for the Kenilworth Avenue Extension Project:

- (a) Payment of \$34,000 to Scholtz Greenhouse, Inc., for 20,701.5 square feet of property located at 1900 Floral Avenue.
- (b) Payment of \$1,312.00 to F. B. Garrison and wife Eugenia, for 416 square feet of property located at 1218 Kenilworth Avenue.

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CITY MANAGER REQUESTED TO HAVE CONDITION OF NORTH GLENWOOD AVENUE OFF HIGHWAY #16 IMPROVED.

Councilman Jordan stated that he believes that Mr. Albea asked about this sometime ago and they were both asked about it again this week, North Glenwood Avenue off Highway #16, about 3 blocks used by trucks, which is in very bad shape and they would like something done to improve the condition of the street.

DISCUSSION OF METHODS OF GARBAGE DISPOSAL.

Councilman Smith brought up the subject of garbage disposal, saying it must be kept actively in mind, and he thinks Council should not shut their eyes to the idea of an incinerator for Charlotte. That efforts toward locating a site for an additional landfill have resulted in no suitable spot being found nor one that the people in the neighborhood would accept. That he knows for a fact that Portsmouth, Va., has recently put in an incinerator and he has been told it is operating efficiently with very little odor or smoke, if any. That he is bringing up the subject again, as he knows there is some feeling that incineration is expensive but he still thinks some investigation should be made by our engineer, or someone, by going to Atlanta, Portsmouth or some other place where they have an incinerator and examine the modern methods of operating it. That he has a feeling we are running out of land and time on landfills and he does not think they are the answer. That the new landfill is as good as one can get, but there are papers littered all over the place and when the weather is wet they cannot operate and the garbage accumulates. That it seems to him Mecklenburg growing as fast as it is and with land values such as they are, finding 50 acres to dig up and bury garbage is going to be antiquated. Councilman Smith stated further he knows Mr. Veeder's attitude towards incinerators and they would be a last resort to him.

Mayor Brookshire suggested that Mr. Veeder bring Council up to date on some of his investigations of other processes of disposing of garbage.

Mr. Veeder stated he has been approached relative to permitting the construction of a composting operation here as a substitute to landfill and, of course, a substitute for incineration. That Mr. Davis and he have had several meetings with the people interested in this type of activity, have asked and received a lot of information and desire more information, and to the best of his knowledge there is not a plant such as has been suggested in operation in the country today. That the company that has expressed interest in such a facility for Charlotte has had a plant in operation in Kingston, Jamaica since last September, utilizing a compost process resulting in an end-product that is salable as a soil conditioner or fertilizer. He advised they are continuing their talks with these people and he thinks it warrants their continued interest to the point they may make some suggestions as to what might be done here in Charlotte.

Mayor Brookshire advised there is a similar process being employed in Los Angeles.

Mr. Veeder stated there is another process in operation in Phoenix, Arizona; he believes their contract is that their base be taken and converted into compost, but no one apparently is too satisfied with the results.

Councilman Smith stated that was his main purpose in bringing the matter up; he has had a number of calls recently and some of them have been based on the so-called new, unoffensive landfill we have off Pineville Road, but he does not believe there is any such thing, and he wants Council to keep in mind that some answer to our problem must be found and we should keep it in mind.

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BUILDING PERMIT GRANTED REECE BIGHAM TO CONVERT A PORCH INTO A DEN TO HIS RESIDENCE IN AN INDUSTRIAL ZONE.

Councilman Bryant moved that an exception be made to the regulations so that Mr. Reece Bigham may be granted a building permit to convert a porch into a den to his residence on Little Rock Road, between Wilkinson Boulevard and Old Gastonia Road, in an Industrial Zone. The motion was seconded by Councilman Whittington, and unanimously carried.

LARRY TOMLINSON PLACED IN NOMINATION TO SUCCEED HIMSELF ON AUDITORIUM-COLISEUM AUTHORITY, TO REMAIN OPEN FOR ONE WEEK.

Councilman Bryant placed in nomination Mr. Larry Tomlinson to succeed himself on the Auditorium-Coliseum Authority. He stated Mr. Tomlinson was appointed last year to fill an unexpired term and he understands he has done an excellent job on the Authority and he thinks he deserves a term on the board as he has had less than the regular 5-year term.

Mayor Brookshire stated the nomination will be held open for one week for the appointment to the Authority to be made at next Monday's meeting.

COUNCILMEN BRYANT AND JORDAN LEFT THE MEETING.

Councilmen Bryant and Jordan left the meeting at this time and were absent for the remainder of the session.

REQUEST THAT SECONDARY STREETS RECEIVE IMMEDIATE ATTENTION.

Councilman Dellinger asked the City Manager to put every available piece of equipment he has on our secondary streets. That last year we did not do so much and from now until July is the most important period for street work, that he thinks we should concentrate on a lot of streets as lot of them are cracked from our rough winter and he believes it would be wise to spend some money on these streets now and get them in shape.

PLANNING COMMISSION REQUESTED TO REPORT ON SUGGESTION THAT BAN ON RESIDENTIAL BUILDING IN INDUSTRIAL AREAS BE REMOVED.

Councilman Dellinger advised Councilman Smith, who was not present at the Conference session prior to this meeting, that he had discussed his recommendation that the provision of the Zoning Ordinance which bans houses being erected in industrially zoned areas be removed. That some people have new buildings or houses or duplexes four or five years old in remote industrial areas and they are asking why they are not allowed to build houses on lots contiguous to them. He stated he has asked the City Manager to request the Planning Commission to make a report on their thinking on the matter.

Councilman Smith stated he thinks this needs some study, that when the zoning ordinance was adopted, probably Council did not give it the thought they would now as problems arise regarding the individual provisions of the ordinance, and he thinks Councilman Dellinger is right.

ADJOURNMENT.

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


Lillian R. Hoffman, City Clerk