

April 8, 1969
Minute Book 51 - Page 458

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Tuesday, April 8, 1969, with Mayor Stan R. Brookshire presiding, and Councilmen Fred D. Alexander, Milton Short, Gibson L. Smith, James B. Stegall, Jerry Tuttle and James B. Whittington present.

ABSENT: Councilman Sandy R. Jordan.

* * * * *

INVOCATION.

The invocation was given by Councilman Milton Short.

MINUTES APPROVED.

Upon motion of Councilman Whittington, seconded by Councilman Smith, and unanimously carried, the minutes of the last Council Meeting, on March 31, 1969, were approved as submitted.

MAYOR AND COUNCILMEN INVITED TO OPENING OF BASEBALL SEASON IN CHARLOTTE.

Mr. Don Hill stated he is present in reference to the opening of the baseball season; Mr. Phil Houser has just returned from Florida and has asked him to come today and invite the Mayor and Council to a successful season in the baseball park this year. Mr. Hill stated they are happy that the Mayor has agreed to open the season by throwing out the first ball. He stated Mr. Veeder has agreed to accept from the Councilmen the number of tickets for some boxseats for the game on Monday night; that they hope to have the Johnson C. Smith University Band present on Monday for the opening, and they hope to have a good turn-out for the opening season.

STATEMENTS BY VARIOUS CITIZENS.

Mr. W. J. Elvin stated a few weeks ago he suggested that the salaries of the Mayor and Council be increased by 100 percent; that he hoped this increase would encourage people better qualified with a broader general business and financial experience to run for these offices; that he would also suggest that all regular Council Meetings be held in the evening as many of the younger people are not available to hold office or attend meetings or committee assignments unless such a change is made.

Mr. Bobby White of the Derita Jaycees stated they are planning to hold a fair and carnival to open Friday or Saturday night as a project to raise money for their charities.

Mr. White stated the Jaycees want to get involved more in politics; that a lot of their men have expressed interest that has never been expressed before; also, the evening meetings would give them a better chance to attend the meetings and to express their ideas.

Councilman Smith stated he attended their meeting on Monday night and they are really a charitable group and they are young men with a lot of ability; that he commends them to government as the type of people he has talked about who should be involved in city government.

April 8, 1969
Minute Book 51 - Page 459

REPORT OF WATER AND SEWER STUDY COMMITTEE APPROVED AND COMMITTEE INSTRUCTED TO PROCEED WITH THE RECOMMENDATIONS OF THE REPORT.

Councilman Short stated in an effort to resolve the things the Water and Sewer Study Committee have been discussing, some of the members have been meeting almost continuously for the last five days on this matter; that he thinks the problems are resolved and the following report was presented to the County Commission this morning by Mr. Pat Calhoun, Chairman of the Committee, and it was approved and the Commission unanimously ordered the carrying out of the recommendations:

"REPORT OF WATER AND SEWER STUDY COMMITTEE TO THE BOARD OF COMMISSIONERS OF MECKLENBURG COUNTY.

1. It is the conclusion of the Water and Sewer Study Committee that Charlotte and Mecklenburg County plan its water and sewer system to serve primarily as a source of supply for the citizens of Charlotte and Mecklenburg County.
2. It is also the Study Committee's conclusion that the Hoskins and Vest water treatment plants with their expansion potential can supply all of the treated water needed in Mecklenburg County until approximately 1990, and it is therefore not necessary to plan for another major water treatment plant at the present time.
3. It is recommended that HDR be authorized to proceed with further design work on those projects on which it already has design work under way (this to be limited to lines 8 inches in diameter or larger) and to work with the Water and Sewer Study Committee to insure that water lines in projects D through J of the HDR Comprehensive Report be designed in conformance with Paragraphs 1 and 2 above.
4. The Water and Sewer Study Committee has under way an in-depth study of extension policies for smaller lines and will present recommendations to the City and County governments as soon as possible.
5. With reference to the "Joint Statement of Policy for Extension of Water Service Along Old Monroe Road to Matthews" which was presented to the Mecklenburg Board of County Commissioners and to the Charlotte City Council on February 3, 1969 and was formally approved by both governments, the Water and Sewer Study Committee recommends the immediate implementation of that project as a substitute for Project K in the HDR Comprehensive Report with the following amendment.

Paragraph 6 of the water line proposal for Old Monroe Road which now reads: "The size of the lines shall be as specified in the HDR Comprehensive Report." should be amended to read: "The size of the line shall be 20 inches throughout."

Councilman Short moved that the report be approved and that the Committee be instructed to proceed with the recommendations of the report. The motion was seconded by Councilman Tuttle.

Councilman Whittington thanked the members of this Committee and particularly Mr. Short who has worked long and hard to get this resolved and stated this is an indication of how Council many times involves itself with various projects.

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

April 8, 1969
Minute Book 51 - Page 460

RESOLUTION DECLARING THAT PUBLIC CONVENIENCE AND NECESSITY REQUIRE THE TAXICAB SERVICE PROPOSED BY THE APPLICATION OF WILLIAM JAMES DILLESBOW FOR TRANSFER OF A CERTIFICATE HELD BY HERBERT LEE JOHNSON.

Councilman Whittington moved the adoption of the resolution authorizing the transfer of the certificate held by Herbert Lee Johnson to William James Dillesbaw. The motion was seconded by Councilman Tuttle, and carried unanimously.

The resolution is recorded in full in Resolutions Book 6, at Page 289.

ORDINANCE NO. 173-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE AMENDING THE ZONING MAP BY CHANGING THE ZONING OF A PARCEL OF LAND AT 2700 EASTWAY DRIVE.

Councilman Smith moved the adoption of the subject ordinance, as recommended by the Planning Commission, changing the zoning from R-6 to R-6MF of a 1.98 acre tract of land at 2700 Eastway as requested in petition by Carl W. Kissiah. The motion was seconded by Councilman Whittington and carried unanimously.

The ordinance is recorded in full in Ordinance Book 16, at Page 132.

PETITION NO. 69-30 BY HUMBLE REALTY AND INVESTMENTS, INC., FOR A CHANGE IN ZONING FROM O-6 TO B-1 OF PROPERTY AT 1400 HARDING PLACE, AND A STRIP OF LAND ON THE OPPOSITE SIDE OF THE STREET, DENIED.

Motion was made by Councilman Stegall, seconded by Councilman Whittington, and unanimously carried, to deny the subject petition as recommended by the Planning Commission.

PETITION NO. 69-31 BY CHARLOTTE-MECKLENBURG PLANNING COMMISSION FOR A CHANGE IN ZONING FROM R-9 TO R-9MF OF PROPERTY ON BOTH SIDES OF PARK ROAD, FROM YALE PLACE TO HILLSIDE AVENUE, DENIED.

Councilman Whittington moved that the subject petition for a change in zoning be denied. The motion was seconded by Councilman Tuttle, and carried unanimously.

PETITION NO. 69-4 BY R. L. MCGINN FOR A CHANGE IN ZONING FROM R-9 TO R-9MF OF A TRACT OF LAND ON THE WEST SIDE OF PARK ROAD, SOUTH OF MARSH ROAD, DENIED.

Councilman Tuttle moved to deny subject petition as recommended by the Planning Commission. The motion was seconded by Councilman Whittington, and carried unanimously.

PETITION NO. 69-12 BY CHARLES R. COLLINS FOR A CHANGE IN ZONING FROM R-15 TO R-12MF OF A 27.992 ACRE TRACT OF LAND ON THE NORTH SIDE OF SHARON VIEW ROAD AT MCMULLEN CREEK, DEFERRED.

Motion was made by Councilman Whittington, seconded by Councilman Short, and unanimously carried, to postpone decision on the subject petition.

April 8, 1969
Minute Book 51 - Page 461

PETITION NO. 69-13 BY LINCOLN COMPANY, INC. FOR A CHANGE IN ZONING FROM B-1 AND R-6MF TO B-2 AND O-6 OF PROPERTIES ON THE SOUTH SIDE OF CENTRAL AVENUE, BEGINNING AT CAROLYN DRIVE AND EXTENDING EASTWARD 847.49 FEET, DEFERRED.

Councilman Whittington moved that decision on the subject petition be deferred until seven members of Council are present. The motion was seconded by Councilman Smith, and carried unanimously.

ORDINANCE NO. 174-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE BY AMENDING THE ZONING MAP TO CHANGE THE ZONING OF PROPERTY ON THE EAST SIDE OF NATIONS FORD ROAD, BEGINNING 943 FEET NORTH OF ARROWOOD ROAD.

Motion was made by Councilman Smith to approve the subject ordinance changing the zoning from R-9 to R-6MF of a 16.80 acre tract of land as petitioned by Henry L. Harkey. The motion was seconded by Councilman Stegall, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 16, at Page 133.

APPROVAL OF AN AMENDMENT TO LEASE WITH UNITED AIR LINES FOR ROOM 125 AT DOUGLAS MUNICIPAL AIRPORT.

Councilman Alexander moved approval of an amendment to lease with United Air Lines for Room 125 at Douglas Municipal Airport, containing approximately 1,365 square feet, to be used as operations space incident to United's expanded operations at the Airport, at an annual rent of \$5,460. The motion was seconded by Councilman Whittington and after discussion, the vote was taken on the motion and carried unanimously.

LEASE WITH SHARON VOLUNTEER FIRE DEPARTMENT, INC. FOR PORTION OF WATER DEPARTMENT PROPERTY OFF SHARON ROAD, APPROVED.

Councilman Whittington moved approval of the subject lease of property consisting of approximately 125' x 211' to be used as site for volunteer fire station. The motion was seconded by Councilman Stegall.

Councilman Short stated there has been discussion by the Water and Sewer Study Committee for getting underway a tank that ultimately might involve this particular property.

The vote was taken on the motion and carried unanimously.

Mr. Veeder, City Manager, stated the only concern the city had about the Fire Department's use of this property was because of the proximity of the property to the church which adjoins the property; that the members of the Volunteer Fire Department have assured the city this is no problem as they speak to a degree for the church as some of the members are deacons in that church, and they have assured them there is no conflict in terms of the church's views toward this property.

ENCROACHMENT AGREEMENTS WITH STATE HIGHWAY COMMISSION, AUTHORIZED.

Upon motion of Councilman Tuttle, seconded by Councilman Stegall, and unanimously carried, the following encroachment agreements were authorized:

- (a) Encroachment Agreement with the State Highway Commission permitting the City to construct an 8-inch sanitary sewer line within the right of way of Woodlawn Road at Nations Ford Road to serve Gulf Oil Corporation.
- (b) Encroachment Agreement with State Highway Commission permitting the City to construct an 8-inch sanitary sewer line within the right of way of Beatties Ford Road and Hoskins Road.

April 8, 1969
Minute Book 51 - Page 462

PROPERTY TRANSACTIONS AUTHORIZED.

Motion was made by Councilman Smith, seconded by Councilman Alexander, and unanimously carried, to approve the following property transactions:

- (a) Negotiated settlement with James Edward Goines and wife, Elsie L., for 952 square feet of property, and 140 square feet of easement area, at 3418 Eastway Drive, in the amount of total settlement of \$1,600.00, in connection with the Eastway Drive Widening Project.
- (b) Acquisition of 1.02 acres of property on Nations Ford Road, in Sharon Township, from Henry Grady Nash, Jr., and wife, in the amount of \$2,500.00, for sanitary sewer easement to serve J. A. Jones Construction Company.
- (c) Temporary construction easement of 75 square feet at 1036 Druid Circle, from Harold L. Walker and wife, Alice P., at \$1.00, for Druid Circle.

TRANSFER OF CEMETERY DEEDS.

Upon motion of Councilman Tuttle, seconded by Councilman Stegall, and unanimously carried, the Mayor and City Clerk were authorized to execute deeds for the transfer of cemetery lots, as follows:

- (a) Deed with Mrs. Walter Aubrey Davis for Northeast portion of Lot No. 142, Section S, Elmwood Cemetery, transferred from Mr. J. A. Robinson, at \$3.00, for transfer deed.
- (b) Deed with J. A. Robinson for Northwest portion of Lot No. 142, Section S, Elmwood Cemetery, at \$3.00, for new deed.
- (c) Deed with Samuel Walker Brown and Ethel Boyte Brown, for Lot No. 268, Section 3, Evergreen Cemetery, at \$504.00.
- (d) Deed with Ralph A. Sams and wife, Margaret S. Sams, for east half of Lot No. 22, Section F, Elmwood Cemetery, transferred from Charles H. Daughtry and wife, at \$3.00, for transfer deed.
- (e) Deed with William R. Jones, Sr. and Bertha Pearce Jones and William R. Jones, Jr. and Virginia Hewitt Jones, for Lot No. 312, Section 6, Evergreen Cemetery, at \$320.00.
- (f) Deed with William S. Medlin for Graves 1 and 2, in Lot No. 701, Section 6, Evergreen Cemetery, at \$160.00.
- (g) Deed with Mr. and Mrs. Julian Jerome Clark for Lot No. 385, Section 3, Evergreen Cemetery, at \$630.00.
- (h) Deed with Mrs. Donald H. Kirby, Sr. for Graves 3 and 4, in Lot No. 701, Section 6, Evergreen Cemetery, at \$160.00.
- (i) Deed with Mrs. Louise Merita Paine for Fraction of Lot No. 17, Section Q, Elmwood Cemetery, transferred from Surviving heirs of Mrs. Louise Melton Phillips, at \$3.00, for transfer deed.

REAPPOINTMENT OF MRS. ROBERT D. HOWERTON TO PARK AND RECREATION COMMISSION.

Councilman Stegall moved the reappointment of Mrs. Robert D. Howerton to the Park and Recreation Commission for a term of five years. The motion was seconded by Councilman Whittington, and carried unanimously.

April 8, 1969
Minute Book 51 - Page 463

RESOLUTION ALLOWING THE CITY COUNCIL TO INCREASE THE COMPENSATION OF THE MAYOR AND THE COMPENSATION AND ALLOWANCES OF THE COUNCILMEN.

Mayor Brookshire stated a Bill was passed by the General Assembly this morning authorizing the City Council to set the rate of salaries and allowances for the next Council that will take office on May 19.

He presented the following resolution:

"RESOLUTION ALLOWING THE CITY COUNCIL TO INCREASE THE COMPENSATION OF THE MAYOR AND THE COMPENSATION AND ALLOWANCES OF THE COUNCILMEN.

WHEREAS, House Bill 52, recently ratified by the North Carolina General Assembly, allows the governing boards of the cities and towns of North Carolina to fix their own compensation and allowances and the compensation and allowances of the Mayor; and

WHEREAS, Section 2 of House Bill 52 permits the governing board of a city to take action until fourteen (14) days before a municipal primary; and

WHEREAS, in order to adequately compensate the Mayor and the members of City Council, the City Council is desirous of increasing the compensation for the Mayor and members of the City Council, and fix allowances for the members of the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte that:

1. The compensation for the Mayor be increased from \$5,000 to \$10,000 per year.
2. The compensation for members of the Council be increased from \$1,800 per year to \$3,600 per year, and their individual expense allowance be set at \$75.00 per month.
3. That these increases become effective May 19th, 1969."

Mayor Brookshire stated in his opinion these increases are fully justified, and if Council sees fit to make them, he is sure that both the City Councilmen and the Mayor will continue to serve at considerable sacrifice, and instead of being overpaid, they will continue to be underpaid; he stated he recommends the passage of the resolution.

Councilman Whittington thanked the Mayor for bringing this resolution to Council and stated he thinks it is appropriate that the Mayor do so as he is not offering again for re-election.

Councilman Whittington moved the adoption of the resolution as presented. The motion was seconded by Councilman Short.

Councilman Tuttle thanked the Mayor for his remarks and stated it is quite evident in this particular council race the absence of young businessmen and the move today will make it more feasible for those - particularly the salesman type and young lawyers - who cannot afford to run for this job as the present compensation does not even pay expenses; that it is most appropriate the Mayor has done this, and he is happy to vote for it.

Councilman Short stated this increase is aimed very much at the public interest in the way Mr. Tuttle mentioned; the present pay scale and the present financial loss is such that it is a very real difficulty to get candidates to run; while this will work to the benefit somewhat financially of those who are elected, or re-elected, the public interest will be served by this.

The vote was taken on the motion and carried unanimously.

April 8, 1969
Minute Book 51 - Page 465

people on the committee are representative of the overall city? Mayor Brookshire replied he will see that at least two members of the Committee - new ones to be added yet, and he does plan to expand the committee to give geographic representation - will be from the west side.

Councilman Smith stated he thinks this is effect answers their objections and it is a good resolution.

Councilman Short stated Mr. Tuttle has worked very hard on this and he should be publicly commended for the long hours and the very careful work and the fact he has been a real good ambassador for Council in this endeavor. Mayor Brookshire stated Mr. Rowe has spent hours on this in the past two weeks.

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

CITY ATTORNEY REQUESTED TO REPORT ON THE RIGHT OF SOMEONE TO PETITION FOR THE REZONING OF PROPERTY OF ANOTHER WITHOUT THEIR CONSENT.

Councilman Alexander stated on many occasions he has stated his opposition to any type of regulations that gives someone authority over someone else's property, and he refers to the zoning provisions which permit anyone to request zoning for anyone else's property. He stated he finds there is a lot of sentiment against this type of regulations in the zoning ordinance; that he thinks the same purpose can be accomplished by changing this. He suggested that Council ask the Planning Commission to give some thoughts to this to see what they can come up with; that we are getting to the point where the zoning seems to permit a circus type activity; that he is aware that zoning is needed; that planned, orderly development is needed in the cities today, but we offer a big gap whenever zoning gets to the point where a person who lives 10 and 12 miles away from the contested site can come in and register objections when they have no direct interest, and whatever decision is made on that particular piece of property would have no direct interest on their property. He stated he would like the Planning Commission to consider this, so that Council would have some suggested regulations to fill this gap.

Councilman Short stated the right of someone to protest legislation is fundamental in America; that Council might be able to classify these protestors, or those appearing on either side, and require that all those within two blocks sign one petition and the others sign another petition; that it would be unconstitutional to do anything to prevent someone from objecting to the course of legislation. He stated on the matter of ownership that would lead to all kinds of problems if Council was required to have the consent of the owner in order to consider zoning; it would tend to litigate against the idea that zoning is a legislative matter.

After further discussion, Councilman Alexander asked the City Attorney to check into the right of anyone to have someone else's property rezoned without their consent.

CITY MANAGER TO REPORT WITHIN TWO WEEKS ON MAKING SEWER CHARGE A TAX CHARGE.

At the question of Councilman Smith, Mr. Veeder, City Manager, stated he and Mr. Underhill are studying the request of Councilman Smith that the sewer charge be made a tax charge and he will report back within ten days to two weeks.

April 8, 1969
Minute Book 51 - Page 466

RE-INSTATEMENT OF COMMITTEE ON OBSCENITY TO BE DISCUSSED WITH PRIOR
CHAIRMAN OF MAYOR'S COMMITTEE.

Councilman Stegall stated several weeks ago Council adopted the ordinance on obscenity; that before that time he mentioned a prior Committee appointed by the Mayor on obscenity, and the Mayor said he would consider the re-instatement of the Committee. Mayor Brookshire stated Mr. Paul Ervin served as Chairman of this Committee and he has tried to reach him, but he was in the hospital for a rather serious operation, and he is not back in his office.

TRAFFIC ENGINEER REQUESTED TO SURVEY INTERSECTION OF SUMMIT AVENUE AND WEST
FOURTH STREET FOR POSSIBLE TRAFFIC SIGNAL INSTALLATION LATER.

Councilman Stegall requested the City Manager to have Mr. Hoose, Traffic Engineer, to look at the intersection of Summit Avenue and West Fourth Street; that since West Fourth Street opened and if you are going north or south on Summit during peak traffic periods, it is very difficult to cross the widened portion of West Fourth Street; that one afternoon last week he was there around five and he must have been there about ten minutes in a line of ten cars trying to cross West Fourth Street.

Councilman Alexander stated this request was brought to Council several weeks ago by both he and Mr. Jordan. Mr. Veeder advised that Mr. Hoose is looking at this and he will have a report for Council shortly.

CITY ATTORNEY AUTHORIZED TO SUBMIT BILL REGARDING CIVIC CENTER TO LOCAL
LEGISLATIVE DELEGATION.

Mr. Underhill, City Attorney, stated April 11 has been established as the deadline for local legislation introduction into the General Assembly; this means that any Bill the City has regarding the Civic Center will have to be introduced on or before that date. He stated last week he was informed by the City's Bond Attorneys, who are preparing the Bill, that the Bill would be prepared and in his hands this morning; when the mail came in he did not receive it and called the Bond Attorneys and they now say he will have the Bill tomorrow morning.

Mr. Underhill stated the Bill as proposed by the Bond Attorneys will be a local act; it will allow the City and the County, after prior vote of approval, to enter into a long term lease; it will extend and broaden the powers of the Charlotte Auditorium-Coliseum Authority and the operating agency for the civic center, and will generally establish the rights of cities and counties to enter into this type of agreement; that this is not a state-wide but a local act and has to be introduced by the April 11 deadline. He stated he has scheduled a caucus at 4:00 o'clock Wednesday with the Legislative Delegation to introduce the Bill; that as soon as he gets the Bill he will put it into the hands of Council, and the County Attorney will receive copies for the County Commissioners. He stated the Bill will contain specifics on the general items; that because of the time element he is going ahead tomorrow and introduce and present it to the Legislative Delegation so they will be able to introduce it into the General Assembly by the 11th.

Mr. Underhill stated the Bill is being prepared along the lines of the general proposals of CDA; it will give the City all rights and broad powers in which to exercise those proposals as submitted to Council.

After discussion, Councilman Whittington moved approval of the submission of the Bill by the City Attorney to the Legislative Delegation. The motion was seconded by Councilman Tuttle, and carried unanimously.

April 8, 1969
Minute Book 51 - Page 467

DISCUSSION OF SPEED LIMITS ON STATE CONTROLLED ROADS AND STREETS INSIDE THE CITY LIMITS.

Councilman Smith asked if the City would have to get permission from the State Highway Commission to regulate the speed limits inside the city limits? Is this a legislative act or a regulation of the State Highway Commission? Mr. Underhill, City Attorney, replied the state law gives the State Highway Commission the authority to set and post speeds on those highways or streets that are a part of its system; that they enter into an agreement with all the cities and towns; that it is more of a cooperative agreement. Councilman Smith stated if this will have to wait for two years before the City can do anything, he would like to ask our Delegation to investigate the possibility of the City setting its own speed limits.

Councilman Smith stated he has Eastway Drive in mind, and also Providence Road; that he would like the right to regulate the speed limits whether the city exercises it or not, depending on the circumstances. Councilman Tuttle stated he thinks Mr. Smith is right except he does not think legislation is needed; that all the city has to do if it wants to change the speed limits is to make the request and give the reason to the State; the State has never turned the city down; that Mr. Hoose is a good salesman and he very wisely uses the state rule; that if the City wants to change the speed limit on any state street, all it has to do is ask for permission to do so. Councilman Smith stated he thinks it should be the prerogative of the Council to set the speed limits; the Council is responsible for the welfare and safety of the people inside the city limits; that if it requires a local act to give the City permission to set speed laws, then he thinks we should ask for it; there will be some federal exceptions to this; but as far as state maintained streets are concerned, he thinks the City should have this authority.

Mr. Veeder, City Manager, stated every time the city is involved in some cooperative project with the State Highway Department, among other things we contract as a part of the agreement certain things such as signalization and parking, and he would imagine there is some language referring to speed limits; that legislation per se might get at part of this and amendments to some contracts might get at it another way.

Councilman Smith stated he thinks it is ridiculous for a road going through a residential area - like the belt road - at 45 MPH; then next to this road coming into it there is a 30 MPH street; that he thinks there should be some uniformity.

Councilman Smith requested Mr. Veeder to get with Mr. Vogler of the Legislative Delegation and ask if we can regulate speed limits on state roads inside the city limits and what will be necessary to accomplish this.

Councilman Whittington stated he thinks there should be a stronger tie of cooperation between the State and local authority and have one speed limit; that on Providence Road there is one place where it is 50 MPH and two blocks later it is down to 35 MPH and then you go back to 45 MPH.

Councilman Smith stated over a year ago someone brought up that the traffic on Eastway Drive was too fast, and everyone said 45 MPH was too fast through these residential areas, and someone said Council could not do much about it as the state controls it.

Councilman Smith stated he thinks the speed on Eastway Drive should be 35 MPH as it is a residential area; if it is to be an expressway then the zoning should be changed to business and go from there. Councilman Whittington stated on Woodlawn Road the people complain that the speed limit is not 45 MPH; it is 35 MPH.

April 8, 1969
Minute Book 51 - Page 468

Councilman Smith stated his point is that Council would have the control of the speed limits; Mr. Hoose would have to make recommendations on the speed limits for Council to approve; if Council brings up the fact it thinks it is too fast down Providence Road and Mr. Hoose stands there and says he cannot do anything about it because it is state controlled, Council should have the right to back up what Mr. Hoose recommends.

Mr. Veeder advised he would talk with Mr. Vogler and recognizing the deadline that this will put the Legislative Delegation on notice that Council is thinking about requesting this legislation.

LETTER FROM MR. CHAMBERS CONCERNING LEGISLATION ON FIREMEN'S RETIREMENT FUND TO BE STUDIED BY CITY MANAGER AND STAFF.

Mr. Underhill, City Attorney, stated he has received a letter from Mr. Chambers, Attorney, and asked if Council would like him to take any action on the letter; that each member of Council has received a copy of the letter. That it is suggesting a piece of local legislation; it is asking for a change in the method of financing the Charlotte Firemen's Retirement System by adding two phases "not less" in two different places which would permit the city and the individual fireman in the retirement system to maintain their present contributions at the same rate without any worry of a decrease of the percentage of contribution; that the amendment would clarify the present position.

Councilman Stegall suggested that Council not consider this until it receives recommendations from the City Manager's office.

Later in the meeting, Councilman Short stated this letter has some significance that they are seeking a certain equalization which they do not think they have. He asked if there is some way to ask for a reservation for other possible legislation from the Delegation with the understanding that it will have to be discussed first? Mr. Underhill replied he understands that request for local legislation after the cut off date will only be approved by the Rules Committee. Councilman Short stated he thinks Mr. Earle should be asked to comment on the contents of the letter.

COUNCILMAN WHITTINGTON LEAVES MEETING TO RETURN LATER.

Councilman Whittington left the meeting at this time and returned later in the meeting.

JOINT HEARING WITH COUNTY COMMISSIONERS ON APPLICATION FOR PLANNED UNIT DEVELOPMENT SET FOR MAY 5 AT 11:00 O'CLOCK A.M.

The City Manager stated Mr. McIntyre, Planning Director, advises he is working towards a joint hearing on a zoning matter with the Council and the Board of County Commissioners; that recently Council and the Board of County Commissioners approved a new category of zoning for planned unit development. The first application requiring a hearing is a development that is partially inside the perimeter and partially outside the perimeter where the Board of County Commissioners has jurisdiction; that Mr. McIntyre suggests this should be a joint hearing, so that the decision of Council will be compatible with the County Commissioners; that the date of May 5 either at 9:00 or 11:00 A.M. is suggested as the date and time of hearing.

Councilman Short moved that the hearing be set for Monday, May 5, at 11:00 o'clock a.m. The motion was seconded by Councilman Smith, and carried unanimously.

April 8, 1969
Minute Book 51 - Page 469

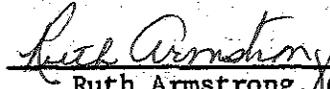
PAYROLL DEDUCTION FOR VOLUNTEER PLEDGE FUND FOR FIRE DEPARTMENT AUTHORIZED.

Mr. Veeder, City Manager, stated in 1966 Council approved a Volunteer Pledge Fund for the Police Department permitting payroll deduction of \$5.00 each when there is a death of a member of the department, with the money going to the beneficiary. That the Fire Department through a memorandum from Chief Black has asked for similar privileges for the Fire Department.

Councilman Stegall moved approval of the request as recommended. The motion was seconded by Councilman Short, and after discussion, carried unanimously.

ADJOURNMENT.

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


Ruth Armstrong, City Clerk