

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, in the City Hall, on Monday, April 13, 1964 at 3 o'clock p.m., with Mayor Brookshire presiding, and Councilmen Albea, Jordan, Smith and Whittington present.

ABSENT: Councilmen Bryant, Dellinger, and Thrower.

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INVOCATION.

The invocation was given by the Reverend L. L. Dattler, Pastor of Glenwood A. R. P. Church.

MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Whittington, and unanimously carried, the Minutes of the last meeting on April 6th were approved with the following correction requested by Councilman Smith: on Page 129 change the entire second paragraph regarding the petition for rezoning of property on Rozzells Ferry Road to read - "Councilman Smith asked the City Attorney to give a ruling as to where three lots are requested rezoned, can the Council rezone only two of the lots, leaving the third lot as presently zoned? Mr. Morrissey replied the Council cannot do so under the present law."

CLAIM OF MRS VERGIE SHYTLER FOR PERSONAL INJURIES DENIED.

Councilman Whittington moved that the claim of Mrs Vergie Shytle for personal injuries alleged to have been sustained as a result of falling on a raised section of the sidewalk at 1511 Seigle Avenue on March 12th, be denied as recommended by the City Attorney in view of the investigation of the claim revealing that the City had not been negligent in the matter. The motion was seconded by Councilman Jordan, and unanimously carried.

CONSTRUCTION OF SANITARY SEWER MAIN AUTHORIZED IN HONDURAS DRIVE.

Upon motion of Councilman Albea, seconded by Councilman Smith, and unanimously carried, the construction of 270 feet of sanitary sewer main in Honduras Drive, at the request of Mr. G. P. Ferguson, 4226 Honduras Drive, at an estimated cost of \$665.00, was approved, with all costs to be borne by the Applicant whose deposit of the full amount of the costs to be refunded as per terms of the contract.

ISSUANCE OF SPECIAL OFFICER PERMIT AUTHORIZED TO D. H. SHEALY.

Councilman Jordan moved approval of the issuance of a Special Officer Permit to Mr. D. H. Shealy, 931 Hickory Nut Street, for use on the premises of King's College. The motion was seconded by Councilman Whittington, and unanimously carried.

TRANSFER OF CEMETERY LOTS.

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

- (a) Deed with Mr Keith A. Richardson, for Grave 6, Lot 20-C, Section 3, Evergreen Cemetery, at \$60.00.
- (b) Deed with Mrs Ralph Poteat, for Grave 2, Lot 20-A, Section 3, Evergreen Cemetery, at \$60.00.
- (c) Deed with Mrs Haido A. Tingas, for Lot 263, Section 4-A, Evergreen Cemetery, at \$189.00.

AWARD OF CONTRACT FOR TIRE RECAPPING AND REPAIR SERVICE POSTPONED FOR ONE WEEK.

Councilman Jordan moved that the award of contract for Tire Recapping and Repair Service on one year's estimated requirement of tires be postponed for one week. The motion was seconded by Councilman Whittington, and unanimously carried.

BID ON ELEVEN PIECES OF RADIO EQUIPMENT FOR MOTORCYCLES ET CETERA REJECTED AND SPECIFICATIONS AUTHORIZED REVISED AND READVERTISED.

Councilman Whittington moved that the one bid of Motorola Communications & Electronics on Eleven Pieces of Radio Equipment for Motorcycles, et cetera, be rejected, as recommended by the Purchasing Agent as the specifications seem too restrictive in the understanding of some bidders, and that they be revised and readvertised. The motion was seconded by Councilman Albea, and unanimously carried.

CONTRACT AWARDED O'BRIAN MANUFACTURING CORP FOR FLEXICRONE RODS.

Upon motion of Councilman Jordan, seconded by Councilman Albea, and unanimously carried, contract was awarded the low bidder, O'Brian Manufacturing Corp., for 750 Flexicrone Rods, as specified, in the amount of \$1,212.83.

The following bids were received:

O'Brian Manufacturing Corp.	\$ 1,212.83
W. H. Stewart Company	1,401.38
Southern Pipe & Tool Company	1,460.03

CONTRACT AWARDED ITHACA GUN COMPANY FOR 36 SHOT GUNS.

Councilman Whittington moved the award of contract to Ithaca Gun Company, Inc., the only bidder meeting the specifications, for 36 Shot Guns, as specified, in the amount of \$2,507.03. The motion was seconded by Councilman Jordan, and unanimously carried.

The following bids were received:

Ithaca Gun Company, Inc.	\$ 2,507.03
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Bids not meeting specifications:

Savage Arms Division of American Hardware Corp.	\$ 2,092.80
Federal Laboratories, Inc.	2,591.52

ACQUISITION OF PROPERTY FOR RIGHT-OF-WAY FOR NORTHWEST EXPRESSWAY AND SANITARY SEWERS.

Councilman Alba moved the acquisition of the following property for right-of-way for the Northwest Expressway and easements for Sanitary Sewers. The motion was seconded by Councilman Jordan, and unanimously carried:

- (a) Acquisition of 4,400 sq. ft. of property at 515 W. 11th St., from Mattie M. Deffenbaugh, at a price of \$7,200.00, for right-of-way for Northwest Expressway.
- (b) Acquisition of 5,664 sq. ft. of property at 629-31 E. 11th Street, corner of Alexander Street, from Thos F. Kerr Company, Inc., at a price of \$10,850.00, for right-of-way for the Northwest Expressway.
- (c) Acquisition of 9,800 sq. ft. of property at 813-15 N. Alexander Street, from Edna Love Caldwell, at a price of \$8,870.00, for right-of-way for the Northwest Expressway.
- (d) Acquisition of 7,351 sq. ft. of property at 808-10 N. Davidson Street, from G. Howard Webb and Louise K. Webb, at a price of \$5,800.00 for right-of-way for the Northwest Expressway.
- (e) Acquisition of 8,118 sq. ft. of property at 825-31 N. Davidson Street, from Mrs Daisy Feimster, et al, at a price of \$21,900.00, for right-of-way for the Northwest Expressway.
- (f) Acquisition of 8,295 sq. ft. of property at 308-10, 312 W. 12th Street, from G. Howard Webb and Louise K. Webb, at a price of \$13,000.00, for right-of-way for the Northwest Expressway.
- (g) Acquisition of 16,892 sq. ft. of property at 1004-10 Elizabeth Avenue, from Mary Anderson Allen, at a price of \$33,000.00, for right-of-way for the Northwest Expressway.
- (h) Acquisition of 6,000 sq. ft. of property at 1004-06 Pharr Street, from Georgia C. McDowell, at a price of \$2,550.00, for right-of-way for the Northwest Expressway.
- (i) Acquisition of easement 25' wide x 127.94' long in Melbourne Court, from Frank J. Rodgers, Jr. and Katherine K. Rogers, at a price of \$127.94 for Melbourne Court Sanitary Sewer.
- (j) Acquisition of easement 25' wide x 93.28' long in Melbourne Court, from Francis P. White and Mrs Lois H. White, at a price of \$93.28, for Melbourne Court Trunk Line.

RESOLUTION EXPRESSING GRATITUDE TO THE CHARLOTTE CHAMBER OF COMMERCE FOR THE SIGNAL HONOR OF THE APPRECIATION DINNER FOR LOCAL GOVERNMENT OFFICIALS.

Councilman Whittington introduced the following resolution, and following the reading thereof moved its adoption, which was seconded by Councilman Alba, and unanimously carried:

A RESOLUTION EXPRESSING GRATITUDE TO THE CHARLOTTE CHAMBER OF COMMERCE FOR THE SIGNAL HONOR OF THE APPRECIATION DINNER FOR LOCAL GOVERNMENT OFFICIALS.

BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, that the Council, for itself and all other city officials, does hereby thank the Charlotte Chamber of Commerce for the signal honor accorded us on Monday, March 30, 1964, by the Chamber's appreciation dinner for local governmental officials and for the program featuring Governor Sanford and Billy Graham, and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the President of the Charlotte Chamber of Commerce, and that this resolution be spread upon the minutes of this meeting.

CLAIM OF WILLIE MACK FOR DAMAGES TO AUTOMOBILE DENIED.

Councilman Albea moved that the claim of Mr Willie Mack for the total loss of his 1950 Buick automobile, as a result of an accident on Mulberry Street, on January 6th, alleged to have been caused when he had to leave the roadway to avoid striking a City truck, be denied as recommended by the City Attorney, as an investigation reveals no negligence on the part of the City. The motion was seconded by Councilman Whittington, and unanimously carried.

LEASE WITH B.S.R. CORPORATION AUTHORIZED FOR ADDITIONAL SPACE FOR MENTAL HEALTH CLINIC.

The City Manager called attention that a few weeks ago Council approved an additional appropriation from the Contingency Account to permit an expansion of space utilized in the B.S.R. Building by the Mental Health Clinic, and as a follow up to this approval he has a form of lease involving the use of this 700 square feet of space, and recommends Council's approval of the Lease calling for a payment of \$212.00 per month. He advised the lease has been so specified by the B.S.R. Corp. that it can be assigned to the County when the County takes over the responsibility of the Clinic. Councilman Jordan moved approval of the Lease as specified. The motion was seconded by Councilman Albea.

Councilman Smith asked where the Mental Health operation is now being conducted and the City Manager advised that a part of it has been in the B.S.R. Building for the past year and the additional money Council approved was to increase the space used for that purpose; the remainder of the operation is presently in the Health Center.

Councilman Smith stated that is the point, since some relief is being gotten at the Health Center for these patients going to Memorial, could they not provide additional space? Mr. Veeder advised that they cannot. Councilman Smith stated he hates to go outside and rent space if we have anything available.

The vote was taken on the motion and unanimously carried.

PUBLIC HEARING TO BE HELD ON APRIL 27TH AT 3 P.M. ON APPLICATION FOR THE ISSUANCE OF CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO CHARLOTTE CAB COMPANY, INC.

Upon motion of Councilman Albea, seconded by Councilman Whittington, and unanimously carried, a Public Hearing was authorized on April 27th, beginning at 3 o'clock p.m. on the application for the issuance of certificates of public convenience and necessity to the Charlotte Cab Company, Inc., as requested by the City Attorney.

W. J. ELVIN COMMENTS ON PROPOSED BELT ROAD ROUTE AND ADVISES HE WILL BE A CANDIDATE FOR COUNTY COMMISSIONER.

Mr. W. J. Elvin appeared before Council and commented on the very able solution to the problem of the Beltway offered by Mr. Charles Ervin. He stated he has not met Mr. Ervin but talked with him today over the phone and was much impressed with his sincerity. That he thinks the proposal made by Mr. Ervin is a wonderful solution to the problem of the Beltway and we should proceed with it, assuming that the Golf Course Management accepts Mr. Ervin's offer to purchase the 75 acres. Mr. Elvin stated he is of the opinion that they should go further than that and sell all of the land, with the exception of the Club House, as the older members do not care to go further out as they probably did some three score years ago. He stated he believes the members of the City Council will do what they consider for the betterment of Charlotte, even though some of them have property along the route proposed by Mr. Ervin. He stated that he thinks the Council has done a very good job up to now and he is very pleased with them.

Mr. Elvin advised his real reason for coming before Council today is to say that tomorrow he shall announce that he intends to run for the County Commissioners, and he intends to make a strong bid for the position. He stated he had rather live in Charlotte than any other place, unless perhaps Victoria, British Columbia.

Mayor Brookshire told Mr. Elvin that he is always welcomed at the Council Meetings.

RESIDENT OF BEAUX STREET ADVISED THAT STREET DOES NOT MEET CHARTER REQUIREMENTS FOR IMPROVEMENTS.

Mr. Dan Porter appeared before Council in regard to a petition that was filed three or four months ago for improvements to Beaux Street; he advised he owns one side of the block and the other man owns the other side and he does not want to do anything about his property, and Mr. Porter owns some houses on his side on which he cannot get a decent loan. He advised he has a house to live in now which is a nice house and he would like to sell it and would like to build some more rental property on the street, but cannot do so unless he can get the loan. He stated that Beaux Street came into the city under the perimeter streets, and his petition for improvements to the street has been turned down by the City. Mr. Porter stated the City is repaving Middleton Avenue, from one end to the other at this time, which is nearby, and this would be a good time to get his street paved, if he can do so. He advised that he thinks it takes about a day and a half to fix it, and he spends \$150.00 to \$200.00 a year on the street and he thinks he should be able to have it improved.

The City Attorney stated the petition was processed, as all petitions are, and under the so-called 25% petition it is required that the Traffic Engineering Department certify that the improvement is necessary in the interest of traffic circulation in the area, and the Traffic Engineering Department could not so certify, and so the petition was not forwarded to the Council.

Mayor Brookshire advised Mr. Porter that it appears Council cannot do anything for him under the present law, and he is sorry.

CITIZEN REQUESTS THAT TRAFFIC CONGESTION AT EAST FIFTH AND NORTH CHURCH STREETS CAUSED BY PARKING GARAGE AT REAR OF SELWYN HOTEL AND IVEY'S ON NORTH CHURCH STREET BE CORRECTED.

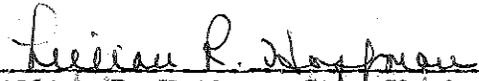
Mr. L. F. Snyder advised that Charlotte has one of its worse traffic bottle-necks, as far as a parking garage is concerned, at the Parking Garage between the rear of the Selwyn Hotel and rear of Ivey's. That on Friday afternoons and Saturdays especially when there are visitors here for Conventions, and also on Monday nights when the stores are open, Fifth Street is blocked so badly that you cannot get through, the problem being that traffic coming north going east on Fifth will pull up and block Fifth Street for three or four minutes at a time, waiting for the cars to get into the Parking Garage, which is against the law. That we have a Fire Station two or three blocks down Fifth Street and he, himself, on several occasions has had to clear the street for emergency vehicles coming through there, and the same thing happens to cars coming from the west on Fifth Street going east, they will pull out and make a circle and block Church Street. Mr. Snyder stated the Police are aware of the condition but they cannot patrol it at all times, and they are of the opinion that the Garage, with the tremendous business they do, should hire an off-duty Policeman to move these cars on that cannot get into the Garage or the Garage itself should put someone out in the street to move the cars on. He stated he is downtown a lot and has watched this condition grow worse for the last six months; that Councilman Albea knows about it and he has talked with Councilman Whittington about it. He stated the Garage has only one attendant and sometimes two pulling the cars into the Garage and people get out and leave the cars to be taken into the Garage. Mr. Snyder stated that we are trying to keep our downtown business, and the downtown merchants are concerned about keeping the business downtown and not running it off to the Shopping Centers, but when these conditions exist and people cannot get through the traffic, they are going right on out to the Shopping Centers.

Mr. Snyder asked that the Council have this condition checked into and corrected.

Mayor Brookshire advised that the City Manager would be requested to give this his close attention.

ADJOURNMENT.

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


Lillian R. Hoffman, City Clerk