

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, August 24, 1964, at 2 o'clock p.m., with Mayor Brookshire presiding, and Councilmen Albea, Bryant, Dellinger, Jordan, Smith, Thrower and Whittington present.

ABSENT: None.

Sitting as a Joint Body with the City Council to hear petitions for changes in zoning were the following members of the Charlotte-Mecklenburg Planning Commission: Mr. Sibley, Chairman, Mr. Ervin, Mr. Jones, Mr. Stone and Mr. Turner.

ABSENT: Mr. Lakey, Mr. Olive, Mr. Suddreth, Mr. Toy and Mr. Ward.

* * * * *

INVOCATION.

The invocation was given by the Reverend Mr. O. Dewey Smith, Pastor of Mouzon Methodist Church.

MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and un-animously carried, the Minutes of the last meeting on August 10, 1964, were approved as submitted.

HEARING ON PETITION NO. 64-52 FOR CHANGE IN ZONING OF LOT AT THE SE CORNER OF CENTRAL AVENUE AND WINTERFIELD PLACE.

The scheduled hearing was held on Petition No. 64-52 by Winterfield, Inc., for change in zoning from R-6MF to O-6 of a lot approximately 69' x 297' at the southeast corner of Central Avenue and Winterfield Place.

Mr. Fred Bryant, Senior Planner, advised this is a tract of land which has 69' of frontage on Central Avenue and almost 400' on Winterfield Place. The land uses in the area are a mixture of single-family residences on Winterfield Place, and at the rear of the property there is an area of duplexes and apartments; to the west and across the street on Central Avenue there are single-family residences, and down at the corner of Sharon-Amity Road and Central Avenue there are several business and office uses. The zoning in the area consists of Business zoning around Sharon-Amity Central Avenue intersection on all four corners, then a transitional area of office zoning to the north, west and east of the Business property. The tract is across Winterfield Place from the O-6 zoning at the corner; then there is another Business zone up Central Avenue a short distance, other than that the area is entirely residentially zoned.

Councilman Whittington asked if Winterfield Place does not run into the Winterfield Development in the area of the new School, and Mr. Bryant stated that it does, the new school is at the end of Winterfield and Rosehaven is back toward town.

August 24, 1964
Minute Book 44 - Page 325

Mr. Sol Levine, Attorney representing the Petitioner, stated they are petitioning for the rezoning because they want to put a Business structure on the property. That across the street there is property zoned O-6. That their property is 69' in width and approximately 397' long, and with the Zoning requirements of bringing it in 12 ft. in width - 6 feet on one side and 12½ on the other, only gives them a 50' width to work with, and they will also have to come back 20 to 40 feet from Central Avenue and 20 feet from the alley in the back, so they are actually talking about a piece of property approximately 50' in width and approximately 330' long. He stated his client is desirous of erecting a building for office use only to centralize all of its business, which is Lansdown, Hidden Valley and Winterfield, which will actually be the home office of Hobart Smith Company. That they feel the property cannot be used for residences as it is right across from an O-6 zoning, and they will have no other use for the property than to erect an office building. He stated again that the building will be for offices only, and parking around the building.

No objections were expressed to the proposed rezoning.

Council action was deferred until the next meeting.

HEARING ON PETITION NO. 64-53 FOR CHANGE IN ZONING OF TRACT OF LAND ON THE NE SIDE OF MCALWAY ROAD NEAR WALKER ROAD AND A TRACT ON THE SW SIDE OF HOLLY DRIVE NW OF HOLLYWOOD STREET.

The public hearing was held on Petition No. 64-53 by C. N. Plyler, for change in zoning from R-9 and R-9MF to R-6MF of a tract of land 75' x 381' on the northeast side of McAlway Road near Walker Road, and a tract 100' x 132' on the southwest side of Holly Street northwest of Hollywood Street.

Mr. Bryant, Senior Planner, advised they have found this is actually one tract; that at the time they were writing the description of the property they had a record of a street dedication separating the two tracts, and have since found the street has been abandoned. The property is located on the north east side of McAlway Road, very near where McAlway changes into Walker Road. It is a very narrow strip of land, and is adjacent to an area that is in the process of having four new apartments built on it; other than that the area is a mixture of single-family and multi-family uses and a great deal of vacant land. To the rear of the property there is a new area of residential structures on Bobby Lane and Nancy Drive coming off Craig Avenue. The zoning in the area is R-6MF and R-9MF.

Mr. Parker Whedon, Attorney representing the Petitioner, advised they are joined in this petition by McAlway Manor Corporation, who has the contract for purchasing the property. As Mr. Bryant stated, it is in fact one tract instead of two and is owned by the Petitioners as one tract; that the property on one side is zoned R-6MF to the O-6 zoning on Craig Avenue, and on the other side R-9MF, it is just a narrow strip of single-family zoning left in between two multi-family zonings and was not included last year in the request for the R-6MF zoning which was granted as it was not owned by them at that time. He presented a brochure of photographs of existing structures on the adjoining property, showing the development of McAlway Manor Corp., who propose to develop the subject property, and also photographs of property across the street. He stated they think this is an obvious case of the gap which should be bridged as it is unreasonable, they think, to reserve a 75 ft. wide strip of single-family zoning between two strips of multi-family zoning, which could serve no residential purpose for the land owner, nor for the neighborhood as that side of the street is already multi-family.

Councilman Whittington asked Mr. Whedon to point out on the map where Mr and Mrs Plyler, the petitioners, live, and are they the residents who would be affected by the change? Mr. Whedon showed the location of their house, stating that they live directly across McAlway Road. Mr. Whedon also presented the plot plan of the building proposed to be erected on the property, consisting of three buildings, of 18 multi-family units, and the location of the approximate number of parking spaces.

No objection were expressed to the proposed zoning.

Council decision was deferred until the next meeting.

HEARING ON PETITION NO. 64-54 FOR CHANGE IN ZONING OF A TRACT OF LAND ON THE SE SIDE OF AMBASSADOR STREET, FROM NEAR CAROL STREET TO NEAR RUBY AVENUE.

The scheduled hearing was held on Petition No. 64-54 by Carson Insurance Agency, for change in zoning from R-6MF to I-2 of a tract of land approximately 150' x 350' on the southeast side of Ambassador Street, from near Carol Street to near Ruby Avenue.

Mr. Bryant, Senior Planner, stated this is an area on the western side of the city; that the property requested rezoned is in the vicinity of the area that is changing from industrial development in one direction to residential zoning and usage; that the property across the street is a mixture of industrial type usage that are - Cooper Products Warehouse, Southern States Chemical Plant, Simmons Mattress Warehouse and Colonial Stores Warehouse, and a Garage on the corner of State Street and Berryhill and another Garage on the corner of Tuckaseegee Road and Berryhill Street. Other than that, the immediate area is made up of a combination of single-family and duplex usage, and a non-conforming business structure, which is now vacant. The subject property is vacant, and residences on the street face Ambassador Street its full length. The zoning is Industrial up to Berryhill Street, then R-6MF and Business. He stated the subject property was requested rezoned in October 1959, so this is the second time it has been considered.

Mr. Bill Hedrick, representing the Petitioner, advised this property and adjoining property were previously requested rezoned before it was purchased by the present Petitioners. That they purchased it about a year ago and do not have any definite plans for its development; they feel the only use it could be put to would be industry, and most of the property in the area is being developed or already so, for industrial usage. That although property in the area is zoned for multi-family use, it is quite run-down; across the street the property is some 25 ft. lower than the street level, and the industrial use would face down Berryhill Street, and the property on the other side of Berryhill Street is already industrial.

Councilman Whittington asked where the entrances to his property would be? Mr. Hedrick stated they would have to be down Berryhill Street.

Councilman Thrower asked why they are requesting I-2 zoning? Mr. Hedrick replied he knows of no particular plans for the property, he assumes the Petitioner and their real estate agents would decide that and they apparently think the I-2 zoning would be proper for their future plans.

No opposition was expressed to the proposed rezoning.

Council decision was deferred until the next meeting.

August 24, 1964
Minute Book 44 - Page 327

HEARING ON PETITION NO. 64-55 FOR CHANGE IN ZONING OF THREE LOTS ON THE NW SIDE OF GARNETTE PLACE NORTH OF ST. LUKE STREET AND THREE LOTS ON WEST SIDE OF CUSTER STREET SOUTH OF LASALLE STREET, POSTPONED UNTIL SEPTEMBER 21ST AT REQUEST OF THE PETITIONER.

The City Clerk advised that a letter dated August 21st has been received from Mr. Francis N. Fletcher, Jr. of the law firm of Harkey, Faggart, Coira and Fletcher, stating that due to their Court schedule neither he nor Mr. Harkey are able to appear at the Hearing on Petition No. 64-55 by their client, Furr Realty Company, for a change in zoning from R-6 to R-6MF of three lots on the northeast side of Garnette Place, and three lots on the west side of Custer Street, and they therefore request that the Hearing be postponed until the next scheduled date for hearings on zoning changes.

Councilman Albea moved that the Hearing on the Petition be postponed until the next Hearings on zoning petitions, on September 21st. The motion was seconded by Councilman Whittington.

Mayor Brookshire asked the City Attorney if that would call for the readvertising of the Hearing, and Mr. Morrissey stated that he thinks so in order that all persons affected might be advised of when they might be heard. Councilman Thrower asked if that would require another \$100.00 deposit, and the City Attorney advised that it would not.

Mr. Morrissey stated that he thinks under the circumstances, since it has been advertised for hearing, that if persons are in the audience who want to be heard, Council might well consider hearing them. Councilman Albea stated he would approve of that, as some person might be here today who could not come on September 21st.

Mayor Brookshire stated if there is anyone present who objects to the Petition and who would like to speak today, he may do so, on the other hand the Petition is being postponed for public hearing and will be readvertised to be heard on September 21st.

Mr. Howard W. Hill, stated that he resides in the area requested rezoned, and there are a number of other residents with him who have come for the purpose of registering their objections to the change in zoning. That they realize it is within the discretion of the City Council to do what they wish about postponing the Hearing, but they are here for that purpose, and they feel they have complied with the arrangement made for the Hearing, and therefore, if there is any way for it to be done, he thinks they should be heard.

Mayor Brookshire advised Mr. Hill the Council and Planning Commission will be glad to hear them but the Attorney for the Petitioner explained they must be in Court, and they cannot be here to make their presentation of the Petition. Mr. Hill asked if it does not seem they should have been advised of the postponement. Mayor Brookshire stated the Hearing could not be postponed until this meeting.

Councilman Albea stated as the maker of the motion to postpone the hearing he would like to say that he would have made the same motion had Mr. Hill or any of the other persons opposing the Petition requested postponement.

Mayor Brookshire again stated that anyone may be heard but he would suggest that they not do so unless they think it would be impossible to come back on September 21st, as he thinks it would be more effective to speak then. Mr. Hill advised they would accept the suggestion.

The vote was taken on the motion to postpone the hearing until September 21st, and carried unanimously.

Mr. Harry Faggart, a member of the Law Firm of Harkey, Faggart, Coira and Fletcher, advised that Mr. Fletcher, Mr. Harkey and the President of the Petitioner's Company are appearing before Judge Fountain this afternoon, and they did not know until Friday that the case was to be heard today, and therefore, could not notify Council earlier. He stated that Mr. Fletcher and Mr. Harkey are the only members of the firm familiar with the Petition for the change in zoning, and asked him to come by and explain their reason for not being present.

HEARING ON PETITION NO. 64-56 FOR CHANGE IN ZONING OF TRACT OF LAND BOUNDED BY SUGAR CREEK, WOODLAWN ROAD AND BRANDYWINE AVENUE.

The public hearing was held on Petition No. 64-56 by Charlotte-Mecklenburg Planning Commission for change in zoning from R-6 to B-1 of a tract of land bounded by Sugar Creek, Woodlawn Road and Brandywine Avenue.

Mr. Bryant, Senior Planner, advised this is a situation they will have to admit that an error was made; apparently this was an error in the drafting of the Zoning Map at the time the first ordinance was adopted, it is on about three separate maps and we have been fortunate in not finding more errors than we have.

That the area involved in the Petition is the Park Road area, it is bounded by Brandywine, Woodlawn Road and Sugar Creek, an odd-shaped area that in some way ended up with a Residential classification on it; that the Planning Commission feels the line should have been drawn down Sugar Creek itself instead of coming around Brandywine and Woodlawn, and when it was called to the attention of the Planning Commission, they agreed that it was something they should initiate on their own, which they have done and present it today for Council's consideration. They feel that Sugar Creek itself is the proper boundary between the Residential Zoning to the East and Business zoning to the west, therefore, they petition for the change in zoning classification.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until the next meeting.

HEARING ON PETITION NO. 64-57 BY CHARLOTTE-MECKLENEBURG PLANNING COMMISSION FOR CHANGE IN ZONING OF PROPERTY AT 3401-09 SPENCER STREET.

The public hearing was held on Petition No. 64-57 initiated by Charlotte-Mecklenburg Planning Commission for change in zoning from R-6MF to I-1 of property at 3401-09 Spencer Street, rather than approve the Petition of R. W. Davis and L. B. Stevens for a change in zoning to I-2.

Mr. Bryant, Senior Planner, called attention to the fact as to why this matter is again before Council; it is a case where the Planning Commission felt that something other than what the Petitioner requested was best for the community, therefore, instead of recommending the I-2 classification petitioned for the lots at the corner of Herrin and Spencer Streets, recommended a change to I-1 classification. This takes into consideration the fact there is a school property here, some residential property here, and single-family structures along the area. The Commission felt the I-1 would be more compatible with the surrounding usage than the I-2.

No objections were expressed to the proposed change.

Council decision was deferred until the next meeting.

HEARING ON PETITION NO. 64-58 FOR CHANGE IN ZONING OF PROPERTY ON THE SE SIDE OF I-85 EXTENDING FROM GLENWOOD DRIVE TO REID STREET.

The public hearing was held on Petition No. 64-58 initiated by Charlotte-Mecklenburg Planning Commission for change in zoning from R-6 to B-1 and O-6 of property on the southeast side of I-85 extending from Glenwood Drive to Reid Street, and fronting 119' on Glenwood Drive and 114' on Reid Street, rather than approving the change in zoning from R-6 to B-1 requested by the Petitioner.

Mr. Bryant, Senior Planner, advised this is another case where the Planning Commission recommended something slightly different from the request of the Petitioner for a change from R-6 to B-1 of the property fronting on I-85 and also on Glenwood Avenue. The Commission recommends that instead of all of the property being zoned for Business that a buffer area of 100' frontage on Glenwood Avenue, and a transitional area of 100' frontage on Glenwood be reserved for Office use, which would create a satisfactory transitional zoning.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until the next meeting.

CITIZENS OF RHODESIA AND THE CAMMOROONS, AFRICA, WHO WILL ATTEND COLLEGE IN NORTH CAROLINA, WELCOMED TO CHARLOTTE BY THE MAYOR.

Mayor Brookshire recognized Mr. Fred Alexander, whom he invited to bring his visitors to our City, to the Council Meeting.

Mr. Alexander stated he has with him two citizens of Africa, Miss Changocs Kayawe who is from Southern Rhodesia and Mr Collins Ngwa who is from the Cammerooms and they are here to go to school, Miss Kayawe will attend Livingston College at Salisbury and Mr. Ngwe will attend Bennett College. He stated they are visiting in our city to get oriented and are interested in our form of government. They are impressed at finding the situation here in America far different from what they understood, and they are impressed at what they see. That they told him their News carries with it all of the exciting things of the American way of life, and not much of the good, and in Miss Kayawe's country the only thing they see on television are old Westerns and she is quite impressed to find no one rides horses up and down the streets shooting everybody. Because of their interest in our government he wanted them to attend our City Council, and get a first-hand picture of how we do things in America. Mr. Alexander explained to them our form of government, how the Mayor and Council are elected and the duties of the City Manager, City Attorney and City Clerk.

Mr. Alexander stated that they both speak English; that Mr. Ngwa comes from a section of Africa that has recently received its independence and Miss Kayawe comes from Rhodesia where as yet they have not received their independence but will do so in October.

Mayor Brookshire thanked Mr. Alexander for bringing his guests to City Hall, and welcomed them to Charlotte and expressed his particular pleasure at having them attend a session of the City Council.

Both Miss Kayawe and Mr. Ngwa expressed their pleasure at being in the United States and in Charlotte. Mr. Ngwa stated he will major in History and Political Science, and expressed the hope that he may again attend a meeting of the City Council.

MEETING RECESSED AT 2:50 P.M. AND RECONVENED AT 3:00 P.M.

Mayor Brookshire declared a ten minute recess at 2:50 p.m., and the meeting was reconvened at 3 p.m.

COUNCILMAN DELLINGER WELCOMED BACK AFTER BEING ABSENT BECAUSE OF ILLNESS.

Mayor Brookshire welcomed Councilman Dellinger back with the City Council after his illness, and stated he is most happy to have him present.

Councilman Dellinger expressed his pleasure at being back and his sincere appreciation for all the courtesies extended him by the employees and others alike. He earnestly suggested that any decision on the Belt Road matter today be postponed. In the same spirit, Mayor Brookshire told him the Council has been waiting until he could get back to handle the matter, and unless he insists it will not be discussed today.

DECISION ON PETITION OF CHARLOTTE-MECKLENBURG BOARD OF EDUCATION FOR ANNEXATION OF 19.228 ACRE TRACT OF LAND IN CRAB ORCHARD TOWNSHIP TO THE CITY OF CHARLOTTE POSTPONED UNTIL NEXT MEETING AND A REPRESENTATIVE OF THE BOARD REQUESTED TO BE PRESENT AT THAT TIME.

The public hearing was held on the Petition of Charlotte-Mecklenburg Board of Education for the annexation of 19.228 acre tract of land in Crab Orchard Township, to the City.

The City Clerk advised that the City Engineer estimates the cost for supplying sewer service at \$20,632.70, and advises the sewer extension will also serve 31.728 acres of school property already inside the City. The Superintendent of the Water Department advises there will be no cost borne by the City for supplying water service, since the entire street in which the main would be laid is outside the city limits and would, therefore, be borne by the Board of Education which cost is estimated at \$7,100.00. That he expressed approval of the annexation provided the Water Department is not asked to finance the project. That the Planning Director approves the annexation.

The City Manager advised he wants to clarify the cost on sewer service. He advised the School Board has already advanced the money for providing sewer service for that portion of their property inside the city limits, adjoining the property in question, which is being spent for this purpose now. If this annexation is approved it will be a very inexpensive proposition for the School Board to hook these structures up to that portion of the property inside the city limits.

Councilman Dellinger called attention to several occasions when new Schools were erected, the School Board did not construct roads into the School, and we should know now if they are going to construct these roads or come back later and ask Council to do so. Mr. Veeder stated he doubts if there will be any request to construct the roads to these structures, but he could not say so with complete assurance but he believes the only roads required would be on School property and that would be their responsibility and not the City's. Councilman Dellinger stated that would not prevent them asking, and he recalled their requests in connection with Myers Park School and one of the colored schools and he thinks a representative of the School Board should be present to tell us now.

Councilman Thrower asked in the over all annexation if the primary advantage to the School Board is not to get water and sewer at City rates rather than County

August 24, 1964
Minute Book 44 - Page 331

rates, and also perhaps roads? Mr. Veeder replied there are no roads involved.

Councilman Whittington moved that the petition be postponed until the next Council Meeting and the City Manager request a representative of the School Board to be present. The motion was seconded by Councilman Thrower, and unanimously carried.

REQUEST THAT CORRECTION BE MADE IN TRAFFIC CONDITION AT BUILDING ON NORTHWEST CORNER OF SOUTH BOULEVARD AND PALMER STREET OWNED BY MRS MORGAN HEATH.

Mr. John D. Shaw, Attorney representing Mrs Morgan Heath, stated she inherited from her husband a building at the northwest corner of South Boulevard and Palmer Street, and the building is sitting in the shadow of Independence Boulevard as you go down the ramp. He stated the building was occupied by Xerox Company for years but because of existing conditions they moved to a new building on East Boulevard. South Boulevard is a one-way street out and Palmer Street is a one-way street east coming off the ramp off Independence Boulevard to come into South Boulevard. He stated he has been before Council about this matter before, with no results, as Mr. Hoose is adamant and says there is no way in the world to arrange it so that people can get into Mrs Heath's building without having to go all the way down the other side of the ramp, come around two blocks down and two blocks back and come into the back end of the building. He stated that people cannot stop in front of the building because it is a one-way street and there is no parking on the Boulevard. That there should be something that can be done to help this lady so that she can keep the building occupied. That she also inherited from her husband a piece of land behind the building to put a parking lot on, which is also backed up to the Boulevard, and it is of no use to her under these conditions.

Mr. Hoose, Traffic Engineer, pointed out on a map the location of the building, the retaining wall and the ramp off the Boulevard to Palmer Street, a one-way street, which is only 20 feet wide, and they went over the matter with the State Highway Department when the street was built and there was no change that could be made. He stated it is pretty rough but he cannot make any change to correct the condition. Mr. Shaw stated it certainly does condemn the land and Mrs Heath cannot rent the property.

Councilman Bryant asked the City Attorney if there is any recourse to the State or City to recompense Mrs Heath for the lost of revenue from the property? Mr. Morrissey called attention to the suit against the City in connection with the median on the Boulevard, in which the Court found there was no damage.

ORDINANCE NO. 264-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING THE ZONING OF 23.6 ACRES OF LAND ON THE NW SIDE OF PENCE ROAD, ADOPTED.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, Ordinance No. 264-Z Amending Chapter 23, Section 23-8 of the City Code, was adopted changing the zoning of 23.6 acres of land on the northwest side of Pence Road, beginning about 1 1/2 miles west of Hickory Grove-Newell Road, and extending along Pence Road 1,039 feet, petitioned for by Dura-Wood Preservers, Inc, and recommended by the Planning Commission. The ordinance is recorded in full in Ordinance Book 14, at Page 34.

ACTION ON PETITION NO. 64-47 FOR CHANGE IN ZONING OF A LOT AT 115 LAKEWOOD AVENUE POSTPONED UNTIL SEPTEMBER 21ST AT REQUEST OF PLANNING COMMISSION.

Petition No. 64-47 by Thomas H. Brand was presented for consideration following

the hearing on August 10th requesting a change in zoning from R-6MF to O-6 of a lot at 115 Lakewood Avenue. Council was advised the Planning Commission has deferred recommendation pending their scheduling of a public hearing to include the adjoining lot, which is adjacent to a Business zone, upon their own motion without expense to the property owner.

Councilman Whittington moved that action be deferred until September 21st and the Planning Commission schedule the hearing on the adjoining property on that date. The motion was seconded by Councilman Jordan, and unanimously carried.

ORDINANCE NO. 265-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING ZONING ON TWO LOTS AT THE SOUTHWEST CORNER OF CLEMSON AVENUE AND WOODSIDE AVENUE, ADOPTED.

Councilman Smith moved approval of Ordinance No. 265-Z Amending Chapter 23, Section 23-8 of the City Code, changing the zoning of two lots at the southwest corner of Clemson Avenue and Woodside Avenue, from O-6 to B-1. He stated this property is being bought for the purpose of putting up a Colonial Store. That it seems the main objection given by the Planning Commission was if it was changed to B-1 this would allow them to build a building within 4 feet, more or less, of Woodside Drive, and the drawing shows that the building is actually going to be 24 ft. from the street, so complying with what the Planning Board is afraid of they have moved this building back and faced it the way they have it on the plans which will be much better for the neighborhood rather than trying to bring it too close to the front street, which is The Plaza, and they have convinced him this can be done. The motion was seconded by Councilman Dellinger.

Mr. Frank McCleneghan, Attorney for the petitioner, advised that as Mr. Smith has said the objection of the Planning Commission was that the building would be only 4 feet from Woodside Avenue, while the plans as have been drawn show the building to be 25 feet from Woodside; so you have a buffer of 25 feet and in addition to that you have the street in between the building and the R-2 zoned area. He stated he went out and looked at the property and there is no question in his mind but that it would be better for the neighborhood and the customers of the Store if they are permitted to have parking on the Plaza side. Councilman Smith stated he understands when this was explained to the residents, they withdrew their protest to the change.

Councilman Albea stated he thinks in this case the Petition should go back to the Planning Commission, so they should have this information and then make their recommendation; that he does not think Council would be justified to pass on it without it going back to the Commission, for they might still be against it.

Councilman Whittington asked Mr. McCleneghan if it would give his clients sufficient time if it was sent back to the Planning Commission? Mr. McCleneghan replied that they are extremely pressed for time, and that the contract has been let and plans drawn, and it was only at the last moment they found these two lots were zoned O-6. Councilman Whittington asked Mr. McCleneghan to explain to him why they wanted to put the store down at the corner of Woodside and Clemson? Mr. McCleneghan replied it was in order to have the Store face The Plaza side, as the zoning across the street is all B-1, and the parking area would be on The Plaza. Councilman Whittington stated the only thing that concerns him is they are putting the building next to the residents on Clemson Avenue when they could have parking between the building and Woodside. Mr. McCleneghan stated he thinks the problem is that customers will just not go around the store and park.

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

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

The ordinance is recorded in full in Ordinance Book 14, at Page 35.

August 24, 1964
Minute Book 44 - Page 333

DECISION ON PETITION NO. 64-49 BY CHARLOTTE-MECKLENBURG PLANNING COMMISSION PROPOSING CHANGES IN THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE AND PERIMETER AREA, DEFERRED FOR RECOMMENDATION OF PLANNING COMMISSION FOLLOWING THEIR RECONSIDERATION AFTER THE HEARING ON AUGUST 10TH.

Councilman Jordan moved that action be deferred on Petition No. 64-49 by the Charlotte-Mecklenburg Planning Commission proposing changes in the Official Zoning Map of the City of Charlotte and Perimeter Area, until the next Council Meeting, for the recommendation of the Planning Commission following their reconsideration of the Petition after the Public Hearing on August 10th. The motion was seconded by Councilman Dellinger, and unanimously carried.

ORDINANCE NO. 266-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING ZONING OF PROPERTY ON BOTH SIDES OF FAIRGROUND STREET, EAST OF GLENWOOD AVENUE, ADOPTED.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, Ordinance No. 266-Z amending Chapter 23, Section 23-8 of the City Code, changing the zoning from R-6MF to I-1 of property on both sides of Fairground Street, east of Glenwood Avenue was adopted.

Councilman Whittington asked the City Attorney if it is the responsibility of the Planning Commission or Council to notify the petitioner when his original request has been altered at the direction of the City Attorney and a new hearing has been held, and now the Planning Commission is recommending a change from what he originally petitioned for? Mr. Morrissey replied that any legal requirement has been met by the advertising for Petition No. 64-50. Councilman Whittington stated he just wanted to make sure these people are notified in some way. Mr. Morrissey stated there is no legal requirement that we notify the petitioners individually; the only legal requirement is for public notice.

The ordinance is recorded in full in Ordinance Book 14, at Page 36.

PETITION NO. 64-31 FOR CHANGE IN ZONING OF PROPERTY ON THE EAST SIDE OF GLENWOOD DRIVE, INCLUDING PROPERTY ON BOTH SIDES OF FAIRGROUND STREET, DENIED.

Upon motion of Councilman Bryant, seconded by Councilman Albea, and unanimously carried, Petition No. 64-31 by R. J. Nye for change in zoning from R-6MF to I-2 of property on the east side of Glenwood Drive, including property on both sides of Fairground Street, from Glenwood Avenue to the end of Fairground Street, was denied, as recommended by the Planning Commission.

ORDINANCE NO. 267-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING ZONING OF A LOT AT THE SOUTHEAST CORNER OF ARGYLE DRIVE AND SUGAR CREEK ROAD, FROM R-9 TO O-6 ADOPTED.

Councilman Smith moved the adoption of Ordinance No. 267-Z Amending Chapter 23, Section 23-8 of the City Code, changing the zoning of property at the northeast corner of Argyle Drive and Sugar Creek Road, from R-9 to O-6, on petition of Charlotte-Mecklenburg Planning Commission. The motion was seconded by Councilman Albea, and carried by the following recorded vote:

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

The ordinance is recorded in full in Ordinance Book 14, at Page 37.

PETITION NO. 64-36 FOR CHANGE IN ZONING OF A LOT AT THE SOUTHEAST CORNER OF ARGYLE DRIVE AND SUGAR CREEK ROAD, FROM R-9 AND O-6 TO B-1, DENIED.

Upon motion of Councilman Smith, seconded by Councilman Thrower, and un-animously carried, Petition No. 64-36 by D. M. King, for change in zoning from R-9 and O-6 to B-1 of property at the southeast corner of Argyle Drive and Sugar Creek Road, was denied as recommended by the Planning Commission.

ORDINANCE NO. 268-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING ZONING OF TRACT OF LAND FRONTING ON THE NORTH SIDE OF FAIRVIEW ROAD, AT THE PARK ROAD INTERSECTION ADOPTED.

Councilman Dellinger moved the adoption of Ordinance No. 268-Z Amending Chapter 23, Section 23-8 of the City Code, changing the zoning from R-12 to O-15 of a tract of land fronting on the north side of Fairview Road, at the Park Road intersection, on petition of R. L. Barnett, and recommended by the Planning Commission. The motion was seconded by Councilman Bryant.

Councilman Thrower pointed out that when the people built their homes in the Piccadilly Section, they were reasonably assured the Office-Institution zoning would be limited to the Celanese Building. That he would like to remind Council that they have consistently refused to expand or enlarge this particular area; on the Sharon Road side they met with a lot of opposition and he thinks the people in Piccadilly Section are entitled to the protection of this Council as much as the people on the Sharon side, and for these reasons he is going to vote against changing the zoning.

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

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

The ordinance is recorded in full in Ordinance Book 14, at Page 38.

ORDINANCE NO. 269-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING ZONING OF A TRACT OF LAND ON THE NORTH SIDE OF PARK ROAD, WEST OF FAIRVIEW ROAD, ADOPTED.

Councilman Bryant moved the adoption of Ordinance No. 269-Z Amending Chapter 23, Section 23-8 of the City Code, changing the zoning from R-12 to O-15 of a tract of land on the north side of Park Road, west of Fairview Road, as recommended by the Planning Commission. The motion was seconded by Councilman Albea.

Councilman Thrower pointed out that when the people built their homes in the Piccadilly Section they were reasonably assured the Office-Institution would be limited to the Celanese Building. That he would like to remind Council that they have consistently refused to expand or enlarge this particular area; on the Sharon Road side they met with a lot of opposition and he thinks the people in Piccadilly Section are entitled to the protection of this Council as much as the people on the Sharon Side, and for these reasons he is going to vote against changing the zoning.

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

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

The ordinance is recorded in full in Ordinance Book 14, at Page 39.

CHANGE ORDER NO. G-6 IN CONTRACT WITH MYERS & CHAPMAN, INC. FOR ALTERATIONS AND ADDITIONS TO GOOD SAMARITAN HOSPITAL, AUTHORIZED.

Upon motion of Councilman Bryant, seconded by Councilman Smith, and un-animously carried, Change Order No. G-6 in Contract with Myers & Chapman, Inc. for alterations and additions to Good Samaritan Hospital, as follows:

ITEM NO. 1:	Add safety strips at ramps	Add	\$155.00
ITEM NO. 2:	Install formica in cysto toilet	Add	47.00
ITEM NO. 3:	Increase Boiler Room slab to 6"	Add	200.00
ITEM NO. 4:	Add roof vents in Elevator shaft	Add	10.00
ITEM NO. 5:	Omit installation of 1D and 20A doors (doors & hardware delivered)	DEDUCT	20.00
	Adding to adjusted contract price		<u>\$392.00</u>

APPLICATION FOR CITY PRIVILEGE LICENSE APPROVED TO GOODWILL EXTERMINATING AND INSULATING COMPANY, INC. AND MELVIN O. SMITH.

Councilman Albea moved approval of the following privilege license as requested by the City-County Tax Department. The motion was seconded by Councilman Bryant, and unanimously carried:

- (a) Application by Goodwill Exterminating & Insulating Co., Inc. for license under the classification "Exterminating".
- (b) Application by Melvin O. Smith for license under the classification "Detective".

STREETS TAKEN OVER FOR CONTINUOUS MAINTENANCE.

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

<u>STREET</u>	<u>FROM</u>	<u>TO</u>
Markland Drive	130' W. of Kenhill Drive	Parkmont Drive
Fordwood Drive	150' W. of Kenhill Drive	Markland Drive
Wedgefield Drive	160' W. of Kenhill Drive	Markland Drive
Elkmont Place	Markland Drive	End at Cul-de-sac
Dantry Place	Markland Drive	End at Cul-de-sac
Markland Drive	125' S. of Fordwood Drive	125' W. of Kenhill Dr.
Westridge Drive	175' E. of Westone Drive	Existing paving- Westchester No. 4
Ranch Road	Westridge Road	160' N.
Ranch Road	Westridge Road	165' S.
Westone Drive	Westridge Drive	155' N.
Westone Drive	Westridge Drive	135' S.
Ranch Road	125' N. of Brooktree Drive	Wabash Avenue
Ranch Road	Wabash Avenue	End at Cul-de-sac
Wabash Avenue	Ranch Road	165' E.
Wabash Avenue	Ranch Road	340' W.

CONSTRUCTION OF SANITARY SEWERS AUTHORIZED.

Motion was made by Councilman Dellinger, seconded by Councilman Bryant, and unanimously carried, authorizing the construction of sanitary sewer mains as follows:

- (a) Construction of 30 feet of sanitary sewer main in Yoeman Road, at the request of Frank McCollie, New York, at an estimated price of \$100.00. All costs to be borne by the applicant, whose deposit of the \$100.00 will be refunded as per terms of the contract.
- (b) Construction of 100 feet of sanitary sewer main in Craig Avenue, at the request of Mrs G. W. Henry, 3625 Craig Avenue, at an estimated price of \$565.00. All costs to be borne by the applicant, whose deposit of the \$565.00 will be refunded as per terms of the contract.
- (c) Construction of 632 feet of sanitary sewer main in Service Road on I-85, at the request of White Motor Company, at an estimated cost of \$2,155.00. All costs to be borne by the applicant, whose deposit of the \$2,155.00 will be refunded as per terms of the contract.

SUPPLEMENTARY CONTRACT WITH P & N-REALTY COMPANY FOR INSTALLATION OF WATER MAINS IN LAKEWOOD INDUSTRIAL DEVELOPMENT AUTHORIZED.

Councilman Bryant moved approval of a supplementary contract to contract dated September 9, 1963, with P & N Realty Company, for the installation of 380 feet of additional water mains in Lakewood Industrial Development, inside the city limits, at an estimated cost of \$1,520.00, with the applicant to finance all cost and the city to retain such funds until the revenue from said mains has equalled 5% of the total construction for a 12 months continuous period at which time the applicant will be eligible for reimbursement of the total funds without interest. The motion was seconded by Councilman Whittington, and unanimously carried.

CONTRACT AUTHORIZED WITH JOHN TALBERT ASSOCIATES FOR ENGINEERING WORK IN CONNECTION WITH CONSTRUCTION OF NEW SECTION OF TAXIWAY.

Upon motion of Councilman Bryant, seconded by Councilman Albea, and unanimously carried, contract was authorized with John Talbert Associates for engineering work in connection with the construction of a new section of taxiway to complete the system paralleling the northeast-southwest runway, together with the reconstruction of short sections of adjoining access taxiways; the contract fee to be 5½% of construction costs for engineering, design, and inspection costs; total construction costs estimated at \$235,000 with half to be by Federal Funds and half from Airport reserve funds.

RESOLUTION PROVIDING FOR PUBLIC HEARINGS ON SEPTEMBER 21ST ON PETITIONS NO. 64-59 THROUGH 64-63 FOR ZONING CHANGES.

Councilman Thrower moved adoption of Resolution Providing for Public Hearings on September 21st on Petitions No. 64-59 through 64-63 for Zoning changes. The motion was seconded by Councilman Albea, and unanimously carried.

The resolution is recorded in full in Resolutions Book 4, at Page 408.

ACTION DEFERRED ON APPLICATIONS FOR SPECIAL OFFICER PERMITS FOR SERVING FOR PINKERTON'S DETECTIVE AGENCY.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, action was deferred on the applications of five persons for serving for Pinkerton's Detective Agency, as requested by the City Manager who advised the Police Department has perhaps made an error on these in terms of the area covered.

TRANSFER OF CEMETERY LOTS.

Upon motion of Councilman Jordan, seconded by Councilman Smith, 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 Clara R. Parker, Administrator, for Grave 2, Lot 13, Section 3, Evergreen Cemetery, at \$60.00.
- (b) Deed with Boyce A. and Mona C. Atwell, for Lot 358, Section 4-A, Evergreen Cemetery, at \$189.00.
- (c) Deed with Mrs Alice G. Richards, for Lot 387, Section 4-A, Evergreen Cemetery, at \$189.00.
- (d) Deed with Mr & Mrs W. R. Wallace, Jr., for south part of Lot 30, Section BB, Elmwood Cemetery, transferred by Mrs W. R. Helms, Sr., at \$3.00 for transfer deed.

CONTRACT AWARDED ROBERT O. HELMS SAND & STONE CO. FOR SAND AS SPECIFIED.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, contract was awarded the low bidder, Robert O. Helms Sand & Stone Company, in the amount of \$7,462.35 on a unit price basis for 3,500 cu. yards of sand for bituminous mixtures and cement mortar, as specified.

The following bids were received:

Robert O. Helms Sand & Stone Co.	\$ 7,462.35
F. T. Williams Company	7,570.50
Hill Sand & Gravel Company	8,111.25

CONTRACT AWARDED KENDRICK BRICK & TILE COMPANY FOR CLAY BRICKS.

Councilman Jordan moved award of contract to Kendrick Brick and Tile Company, the only bidder, for 450,000 clay brick as specified, in the amount of \$13,163.40, on a unit price basis. The motion was seconded by Councilman Whittington, and unanimously carried.

CONTRACT AWARDED HERSEY SPARLING METER COMPANY FOR DETECTOR CHECK VALVE.

Motion was made by Councilman Smith, seconded by Councilman Whittington, and unanimously carried, awarding contract to the only bidder, Hersey Sparling Meter Company, for Detector Check Valve as specified in the amount of \$1,559.42.

August 24, 1964
Minute Book 44 - Page 338

CONTRACT AWARDED GLADSTEINS, INC. FOR WORK CLOTHING, SECTION I.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, contract was awarded Gladsteins, Inc., the low bidder, for Work Clothing, Section I, as specified, in the amount of \$22,223.16, on a unit price basis.

The following bids were received:

Gladsteins, Inc.	\$22,223.16
The Hub Uniform Company	23,336.11
Belk Bros Company	23,635.00

CONTRACT AWARDED THE HUB UNIFORM COMPANY FOR WORK CLOTHING, SECTION II.

Councilman Bryant moved award of contract to the low bid meeting specifications, the Hub Uniform Company, alternate bid, in the amount of \$4,385.26 on a unit price basis. The motion was seconded by Councilman Jordan, and unanimously carried.

The following bids were received:

The Hub Uniform Company - Alternate Bid	\$ 4,385.26
Goldmark Specialty Company	4,392.74
Belk Bros Company	4,415.35

Bids received not on Specifications:

The Hub Uniform Company	\$ 3,590.07
-------------------------	-------------

CONTRACT AWARDED C. D. SPANGLER CONSTRUCTION COMPANY FOR PLACING SANITARY SEWERS CROSSING THE NORTH-SOUTH EXPRESSWAY.

Upon motion of Councilman Jordan, seconded by Councilman Thrower, and unanimously carried, contract was awarded the low bid, C. D. Spangler Construction Company, in the amount of \$36,405.00, on a unit price basis, for placing sanitary sewers crossing the North-South Expressway, as specified.

The following bids were received:

C. D. Spangler Construction Co.	\$36,405.00
Ray D. Lowder, Inc.	36,988.50
Howie Crane Service Company	41,762.50
C. M. Allen Construction Co.	43,315.00
Boyd & Goforth	45,015.00

CONTRACT AWARDED C. D. SPANGLER CONSTRUCTION CO. FOR CONSTRUCTION OF SANITARY SEWERS IN HAMPSHIRE HILLS & SHANNON PARK SUBDIVISIONS.

Councilman Jordan moved award of contract to C. D. Spangler Construction Company, the low bidder, in the amount of \$24,896.50, on a unit price basis, for the construction of sanitary sewers in Hampshire Hills & Shannon Park Subdivisions, as specified. The motion was seconded by Councilman Dellinger, and unanimously carried.

The following bids were received:

C. D. Spangler Construction Co.	\$24,896.50
C. M. Allen Construction Co.	25,770.65
Howie Crane Service	26,605.50
Rand Construction Co.	29,462.00

CONTRACT AWARDED WESTERN CAROLINA TRACTOR COMPANY FOR MOTOR GRADER.

Motion was made by Councilman Thrower, seconded by Councilman Albea, and unanimously carried, awarding contract to the low bidder, Western Carolina Tractor Company, for motor grader with power steering, as specified, in the amount of \$8,600.50.

The following bids were received:

Western Carolina Tractor Company	\$ 8,600.50
E. F. Craven Company	9,558.92

CONTRACT AWARDED ARROW CONSTRUCTION EQUIPMENT COMPANY FOR MOTOR GRADER.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and un-animously carried, contract was awarded Arrow Construction Equipment Company, the low bidder, in the amount of \$14,893.80, for motor grader, as specified.

The following bids were received:

Arrow Construction Equip. Co.	\$14,893.80
Western Carolina Tractor Co.	15,578.75
Interstate Equipment Co.	16,295.63
E. F. Craven Company	21,335.42
Carolina Tractor & Equip. Co.	21,836.00

ACTION DEFERRED UNTIL NEXT MEETING ON PROPOSED TRANSFER OF CITATION COLLECTIONS.

Councilman Thrower moved that action be deferred until the next meeting on the proposed transfer of Citation Collections from the Police Department to the Clerk of Recorder's Court office. He stated he does not disagree with the proposal in principal, but would like for the City Manager to get some statistics, and he believes Mr. Veeder is in agreement with this, in order to enable Council to make a better judgment on the situation. The motion was seconded by Councilman Whittington.

A substitute motion was offered by Councilman Dellinger that the proposal, which is made by both the Chief of Police and Judge of Recorder's Court be approved, which he thinks is a good deal. The motion was seconded by Councilman Bryant.

Councilman Thrower stated the only reservation he has is how traffic violations can be paid 24 hours a day - seven days a week, and the way this is set up it would limit it quite a bit in excess of 50% of the time that one could pay. That if someone got a citation on Monday and wanted to pay the forfeit bond, they would have to take time off from their work day, which, in effect, would be a double penalty. He stated the largest percentage of people are paid by the hour and they would have to forfeit this pay also. Out of deference to these people, and the fact that a lot of people cannot get down here for obvious reasons, he though perhaps Mr. Veeder and Mr. Bobo could work out a different schedule - perhaps this will not be necessary and things will speak for themselves, but they have offered no statistics, and he understands that in excess of 20% of the violations over the week-end are paid over the weekend, and since one-fifth of the population is involved here, he thinks Council should at least look into the proposal a little further before making a decision. Councilman Dellinger stated he has discussed this proposal with Judge Beacham and he thinks it would bring about some improvements in this regard, and eliminate a lot of things. Councilman Thrower stated that may be

true, but we do not have to make a decision today, as this has been going on for years, and all he is asking is deferment so the Council will have some facts, and not make a snap judgment, because he does not think this 9 to 5 hours will work.

Councilman Whittington stated if the Council wants to vote on the question today, he will vote for it; that he was just going along with deferment out of deference to Mr. Thrower; that he thinks it should be done but if the rest of Council wants to wait until Mr. Thrower can get the information he desires, he is willing to do so. However, he was going to ask before the vote was taken what is going to happen to the Police Officers who are now doing this work, and if they cannot be gotten out on the street. Mr. Veeder advised the Police are not doing this work, it is done by two clerical employees in the Police Department and they will be transferred to the Clerk of Recorder's Court office.

Councilman Jordan asked if there is a pressing need for this to be acted on today? The City Manager replied it is something that has been in the mill for some period of time. That this is a departure from what has been done for decades in Charlotte and many other communities but there would be nothing fatal in holding it two weeks and getting the additional information to the extent it is available as requested by Mr. Thrower; however, he doubts the information would change the recommendation of the department or his office. Councilman Bryant commented that all of the Council members agree that the proposal is an advisable thing and he would like to go on and approve the change. Then if we find there are complications, such adjustment can be made as may be necessary to make it available for people to pay when they are away from work. In his opinion this is the only way the matter is going to be solved. That he would like to see it passed today. Councilman Thrower stated he does not think there will be a mass movement by the population to come down here and ask that it be changed back, but it will be little needles of intimidation from people that they are being fined double; that it is bad enough to get a ticket but he is sure that no member of the Council who drives does not deserve at least one ticket a week.

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

YEAS: Councilmen Dellinger and Bryant.

NAYS: Councilmen Thrower, Albea, Jordan, Smith and Whittington.

The vote was taken on the original motion to defer action until the next meeting, and carried unanimously.

ACQUISITION OF RIGHTS-OF-WAY FOR NORTHWEST EXPRESSWAY, EASEMENTS FOR WATER LINES AND SANITARY SEWER LINES.

Councilman Whittington moved approval of the acquisition of the following rights-of-way for the Northwest Expressway and easements for water lines and sanitary sewer lines, which was seconded by Councilman Bryant, and unanimously carried:

- (a) Acquisition of 2,960 sq. ft. of land at 1013 Haley Place, for the Northwest Expressway, from Horace James Shropshire and Annie G. Shropshire, at \$6,350.00.
- (b) Acquisition of 7,500 sq. ft. of land at 421 Seigle Avenue, for the Northwest Expressway, from Gay V. Rogers and Lillie P. Rogers, at \$6,800.00.
- (c) Acquisition of 4,572 sq. ft. of land at 236 North Long Street, for the Northwest Expressway, from Thomas Porter, Jr. and Mary Sue W. Porter, at \$8,500.00.

(Continued)

- (d) Acquisition of 9,295 sq. ft. of land at 429-31 Seigle Avenue, for the Northwest Expressway, from Victor H. Will and Elizabeth B. Will, at \$7,500.00.
- (e) Acquisition of right of way 310 ft. x 35 ft. , at the railroad to Commercial Avenue, along Plaza Road, from Massie Construction Corporation, for the Plaza Water Line, at \$1,670.00.
- (f) Acquisition of right of way 10' wide and 73.68' long, in Greenwood Drive just off Nations Ford Road, outside the city limits, from Theo Robertson and Mary H. Robertson, for the Greenwood Lake Site water line at \$74.00.
- (g) Acquisition of right of way 15' wide and 104' long, at Greenwood Drive off Nations Ford Road, from Withrow Enterprises, for the Greenwood Lake Site, water line, at \$52.00.
- (h) Acquisition of right of way 10' x 103.21', in Lincoln Heights Court, from R. F. Draper and Louise L. Draper, for the Lincoln Heights Sanitary Sewer line, at \$1.00.
- (i) Acquisition of right of way 10' wide and 808.50' long, in Milton Road, from Liberty Construction Company, for Milton Road sanitary sewer line, at \$404.25.

DISBURSEMENT OF FUNDS APPROPRIATED IN CURRENT BUDGET FOR CHARLOTTE COMMUNITY HOSPITAL AUTHORIZED ON SCHEDULED BASIS TO BE ARRIVED AT BY CITY MANAGER AND HOSPITAL REPRESENTATIVES.

Councilman Bryant moved that the funds set up in the current Budget for Charlotte Community Hospital be acted upon in the manner of the recommendation Council received at the Conference prior to this meeting; that is, that the City Manager work out a schedule for them to receive these funds. The motion was seconded by Councilman Jordan.

Councilman Whittington stated he wants to do what he can to help this hospital, and he also wants it clear that he is not being critical of the Board of Charlotte Community Hospital, but he does not want to vote for any hand-out of a \$100,000 odd dollars; that if Mr. Veeder can say to Council that he will give them what is absolutely necessary for salaries, and then the next request be given Council for consideration, then he will vote for the motion.

Councilman Bryant stated that is not included in his motion as far as he is concerned.

Councilman Whittington stated he would then make a substitute motion that the Council authorize the City Manager to give to the Management of Charlotte-Community Hospital funds necessary to take care of these salary adjustments so that the hospital can be staffed properly, and the request for any other funds must come to Mr. Veeder and he would have to ask Council for its approval. The motion was seconded by Councilman Dellinger.

Councilman Dellinger stated he noticed in the paper that the Nurses had walked out of the Hospital, and he asked if this money is to supplement the Nurses salaries at the Hospital? Mr. Veeder replied that in the Report the Charlotte Community Hospital Board of Managers presented in May, a good portion of the money they requested was to be used to upgrade the salaries of existing personnel, as well as to hire additional personnel. Councilman Dellinger asked if they have done nothing about rectifying salaries up to now, and Mr. Veeder stated he believes that is correct. He then asked if the Council has not

released any money to the Hospital in the interim, and Mr. Veeder stated none they apparently felt free to use for this purpose. Councilman Dellinger stated he wants to see the hospital operated but wants to know what the money is expended for.

Councilman Whittington asked the City Manager if his motion would not give him the OK to go ahead and give the Hospital the money for salaries, that he thinks the Council wants to know what they are paying out, and when and what for. Mr. Veeder replied that the motion gives him the authority. Councilman Thrower asked Mr. Whittington if it would be agreeable to include in his motion that Mr. Veeder make up a tentative schedule, along with Mr. Fennell and the Hospital Authority to submit to Council, so that we will not piece-meal this to death, so they can make some type of overall plan, rather than saying - take this this month for back debts, and take this this month for personnel, et cetera, et cetera; that he imagines the Hospital folks get to the point they are quite confused not knowing what the Council is going to appropriate. Councilman Whittington stated he does not think they would interpret this as a piece-meal, and Mr. Veeder needs some guidance to go by financially, and all his motion would do, would be to take care of the salaries and the adjustments that are necessary now, and whatever they come back for, which they are going to do whether Council gives it all to them at one time or not, can then be considered.

Councilman Dellinger asked if the Council promised them this money, or what amount was promised? Mr. Veeder replied that no money was promised. Councilman Dellinger stated he is aware of one situation that hospital beds are needed in Charlotte, but he does not know that there would be any good in allocating money for personnel unless you had some place for people to operate. If this is what is needed to operate the hospital, then he thinks Council should go ahead with it all.

Councilman Bryant stated he could not see any item on their needs that could be omitted; that it seems to him it is a matter of we give them the money or we don't give it to them. Either let's say, go ahead and run it on this basis, or let's say we will get somebody else to run it. That he cannot see any point in saying we are going to give you a little bit now and come back and ask us next time. He stated he thinks we have had enough discussion to know what our feelings are, and enough information to make a reasonable decision on it, and he certainly respects anybody's opinion if they would rather vote against it, but let don't piece-meal it to death, let's either say - "No thank you we don't like the way it is being run", and let's do it another way, or let's give them the money.

Councilman Smith remarked that he feels the Council has brought the hospital up to physical standards; we have gotten the equipment, the room, the beds, the parking area - that is everything they said they needed. That in the interim he thinks the hospital is going to have to have a different administration; you can't just put up the money and say you are going to save a hospital; you have to have some working arrangements, somebody who has a staff going; it's very hard to take the staff that they have now, with low morale - as shown by these nurses resigning. There is definitely a morale problem; you have a second-class hospital, and the Memorial Hospital Authority has recommended that we hire two doctors to run 100 to 150 beds, while Memorial has over 40 doctors - residents doctors - plus their staff. So he thinks Council is kidding themselves. That he made the suggestion that possibly we should close it down and start from scratch; that we would be better off. This suggestion was made to check a little bit; you take an old staff and look at it, and it is no good from top to bottom, it is all shot through with prejudice and some incompetence. If we do not watch we are going to end up with a patch-work. That the only way he can see that we can do anything about this is to tell Memorial to take this

August 24, 1964
Minute Book 44 - Page 343

under their wing, not as a separate hospital but as part of their hospital - their residents, their people on the staff at Memorial would have the same obligations, their interns to be on call to be shuttled back and forth to this hospital, and if they want to jockey charity patients in this Community wing that's alright, but say "this is your baby, and don't come down here and say, we are doing you a favor by running this hospital", because in the first place they requested us to bring it up to scratch and he is tired of taking the wrong end of the stick, and saying please come down and tell us what's going on, because after all we are putting up the money and should have something to do with the administration. We are not hospital people but we have a competent hospital at Memorial - it has been there for years, and is recognized around the Carolinas, and it becomes a little ridiculous when Community Hospital is treated as a step-child, and a separate unit with all that staff and personnel over at Memorial Hospital. That apparently the objective is to provide a place for the colored people, and whether it is needed or not, is part of the deal and you are going to have to walk away from it before you get any solution, and he going to vote against handing them these funds.

Councilman Dellinger stated he thinks we need every hospital bed in Charlotte, he has been told there are a lot of beds being occupied by persons who should not be occupying them, he does not know whether this is true or not. He does know from first-hand information it is hard to get in a hospital. He has also been told if Hill-Burton people were asked to come down and make an examination of Community Hospital, that Hill-Burton funds might be made available to cover any changes, so he thinks that as long as we have a Committee working for use we should instruct that Committee, and there is a possibility; that we could invite these people down to inspect the hospital and see if there is any Hill-Burton money available, or what it would take to make the money available to us. That the Council does not need to kid itself any further, the problem is here and we might as well try to get the money.

Mayor Brookshire stated it appears to him the consensus in the community is that (1) the beds are needed, (2) we have too much investment in that hospital to abandon it, and (3) it is not going to be a first-class hospital, in operation at least, until Council supplies the necessary funds, and that is what we are discussing now. Councilman Dellinger stated if the Hill-Burton people come down and tell us if we will put in so much money we will qualify you, then we should be in position to know what we are doing. Mayor Brookshire replied that he thinks the Hospital Authority certainly ought to be conversant with what the rules and regulations of the Hill-Burton funds are, and he should think they would be the first to try to get those funds, if they can. Councilman Dellinger stated they have not asked for the inspection of these facilities, he was told that last week by a man who is certainly more able to speak on it than anybody in this room. He said if they will ask for this inspection he is of the opinion that funds would be made available. He thinks we should authorize our Board to instruct the people at Community Hospital to have such an examination made.

Councilman Thrower remarked that he hopes in the decision here we do not confuse the Board of Charlotte Community Hospital and Memorial Hospital Authority, if we will keep those two separate in our minds, he thinks it will help us in our decision. Councilman Whittington stated that is why he said he is not criticizing Charlotte Community Hospital Board.

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

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

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

YEAS: Councilmen Bryant, Jordan, Albea, Smith and Thrower.

NAYS: Councilmen Whittington and Dellinger.

Councilman Albea explained that he voted for the substitute motion, which lost, that he could not get Mr. Whittington's motion passed, so he went on and voted for the original motion, the point is he is not going to vote against Community Hospital.

REQUEST THAT TRAFFIC COUNT BE MADE AT EAST 5TH AND EAST 7TH STREET IN CONNECTION WITH REQUEST FOR TRAFFIC SIGNAL.

Councilman Thrower stated several people have called him again about the need for a traffic signal at East 5th and East 7th Streets, and he requested the City Manager to have another traffic count made at this intersection.

DATE FOR BOND ELECTION SET FOR SATURDAY, JANUARY 23, 1965.

Councilman Smith advised that the Committee the Mayor asked him to head, with Councilmen Bryant and Jordan, to recommend a date for the Bond Election, has considered the question from all angles, and they think the proper time would be Saturday, January 23rd, and he moved that the election be set for that date. The motion was seconded by Councilman Albea, and unanimously carried.

NEGRO WOMEN WHO PROTECTED DRIVER ON CITY BUS FROM ATTACK REQUESTED COMMENDED FOR THEIR ACTION AND INVITED TO NEXT COUNCIL MEETING.

Councilman Smith remarked that in the past he has discussed the crime situation in Charlotte and methods to help curb it and cut down on our crime rate; that it has been said by many people that they would like the negroes in our community to take a bigger responsibility to help with this problem and they have done it very effectively, and he thinks the case in point of these negro women on a City Bus who took it upon themselves to protect the Bus Driver from attack by several young negro men is a good example of this. That he thinks as the City Council of Charlotte, we should recognize these women for what they did in some special way and invite them to a Council Meeting and give them a letter of appreciation. Councilman Smith moved that these women be commended for their action in the support of law and order and they be invited to come before Council at its next meeting. The motion was seconded by Councilman Albea, and unanimously carried.

REQUEST THAT TWO PARKING SPACES IMMEDIATELY AT REAR DOOR OF RECORDER'S COURT ROOM BE RESERVED FOR THE JUDGE AND SOLICITOR.

Councilman Dellinger stated he was talking with Judge Beacham last week relative to parking spaces behind the Court Room for their use; that there are two spaces right behind the Court Room that the Judge would like to have that are being used by some other department. That the Judge and Solicitor have stickers for their cars for parking in the City Lot but at times they drive their wives cars for which they do not have stickers, therefore, cannot park them in the City Lot. He stated he would like the Council to assign to the Court these two spaces right at the rear door of the Court Room, and he thinks this is appropriate in view of the amount of money spent in building the Court Room. He asked the City Manager if he cannot arrange for other spaces for the use of the department now using these two spaces.

Councilman Thrower remarked that when the Parking Lots were open about two months ago and stickers were to be issued, he suggested that duplicate stickers be issued anyone using two cars. Councilman Dellinger said he could appreciate the confusion this could cause, if a man had three or more cars.

Mr. Veeder, City Manager, stated he finds himself in the very undesirable position of disagreeing with Mr. Dellinger on the first day he is back, because he is so pleased to see him back, but if this privilege is afforded a limited number of employees of the Court he cannot help but ask the question why should it not be afforded to other city personnel? That they have been proceeding on the basis that private cars would not be allowed to park at the rear of City Hall, since the Parking Lot as built is adequate to handle them. That if we depart from that premise, it seems to him difficulties will arise from affording this to certain Court personnel and not to others; for instance, on his left and on his right sit two city employees each of whom would certainly like to have a parking space immediately back of City Hall, for their private cars because it would be convenient for them, and we have many other similarly situated. That he thinks the line as drawn is the fairest line that could be drawn under the circumstances, and he would suggest that it remain as it is.

Councilman Dellinger stated if Mr. Veeder will think a minute his policy might be a little more flexible, and make the first line out here for a certain department that has a lot of cars across 4th Street, and then the spaces he is speaking of, which are not occupied all the time, would be available. He stated he has observed this for several days and they are not occupied, they are people who drive city cars but they are out in the field and certainly they are not needed all day, but the Judge and Solicitor need spaces when they come in for half a day at a time. Mr. Veeder stated the Judge and Solicitor do not need a space so that they can get in and out, which is all the more argument, he would think, why they should make use of the facility built for that purpose.

Councilman Dellinger stated in that case we should go back to Mr. Smith's suggestion and tunnel out the area to the left rear of City Hall as they did to the area on the right before Mr. Veeder came here, and provide more parking facilities around the building. That he cannot help but think that to have spent as much money as we have on the Court Room and then not have parking spaces for Court Officials is a little out of order, especially when you look up and down the line and see these parking spaces are all for the use of some other department. Mr. Veeder stated they are for city owned equipment only. Councilman Dellinger commented that there is no sign to indicate that, the signs have City Departments on them. Mr. Veeder advised that the other signs are at the end of the driveway.

RESOLUTION WISHING GOOD LUCK TO POST 9, AMERICAN LEGION TEAM, IN THE COMING WORLD SERIES.

Councilman Bryant moved that an appropriate resolution be drawn, and acted upon, wishing Good Luck to Post 9, American Legion Team in the coming World Series. The motion was seconded by Councilman Alba, and unanimously carried.

ADJOURNMENT, UNTIL MONDAY, SEPTEMBER 14TH.

Councilman Alba moved that the meeting adjourn until Monday, September 14th. The motion was seconded by Councilman Thrower, and unanimously carried.


Lillian R. Hoffman, City Clerk