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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 7, 1967 at 3:00 o'clock p.m., with Mayor Stan R. Brookshire presiding, and Councilmen Fred D. Alexander, Sandy R. Jordan, Milton Short, Gibson L. Smith, James B. Stegall, Jerry Tuttle and James B. Whittington present.

ABSENT: None.

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INVOCATION.

The invocation was given by Reverend Milford V. Thumm, Minister of Grace Methodist Church.

MINUTES APPROVED AS CORRECTED.

Upon motion of Councilman Short, seconded by Councilman Whittington, and unanimously carried, the Minutes of the last regular meeting on July 17 were approved with the following addition:

Page 46, first paragraph, line three, after the word "decision" remove the period, and add the following: ", and revise this decision if it thinks this is necessary."

RESOLUTION CLOSING PORTIONS OF WEST THIRD STREET, WEST HILL STREET, AND DUNBAR STREET AT THEIR CROSSING WITH THE MAIN LINE OF SOUTHERN RAILWAY IN THE CITY OF CHARLOTTE.

The scheduled hearing was held on the petition to close portions of West Third Street, West Hill Street, and Dunbar Street at their crossing with the main line of Southern Railway in the City of Charlotte. These portions being located in the Southern Railroad's right-of-way involved in the West Side Grade Crossing Elimination Project and having been physically closed for some time because of the fill on which the tracks are now located.

No opposition was expressed to the street closings.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, the subject resolution closing portions of West Third Street, West Hill Street and Dunbar Street at their crossing with the main line of Southern Railway was adopted.

The resolution is recorded in full in Resolutions Book 5, at Page 464.

PRESIDENT OF NORTH CAROLINA CABLE, INC. REQUESTS HEARING BEFORE COUNCIL ON APPLICATION FOR CABLE T.V.

Dr. Harold Twisdale, President of North Carolina Cable, Inc., stated some months ago he came before Council in a matter concerning CATV in Charlotte. At that time he requested by letter and in person a hearing before Council which he thinks would have prevented the considerable amount of trouble which is in existence now.

He stated at that time his company had several alternatives to take which he considered very thoroughly. One was a petition containing several thousand names which they decided not to turn in to Council; one was for legal activities and the third alternative was for political activity. However, they chose to leave the matter in Council's hands with the idea that Council would give them a franchise also.

Dr. Twisdale stated his company came before Council and offered an application which was never shown at a public hearing. The public hearing his company had requested would have eliminated a 32-page complaint had it been brought before the Federal Communications Commission.

He stated he did not think there was any doubt if his company had had this layed out before all concerned - the four applicants brought into the hearing in a situation with proper guidelines given - that the citizens of Charlotte not only would not be deprived of CATV services this winter but also we would have a tax revenue which evidently is not going to exist for some time.

Because he thinks this is the only body who can save a great deal of embarrassment for their fellow broadcasters, it can clear up this matter without going into a federal court with lengthy and long problems and considerable expense to those involved and considerable embarrassment to our communications field, he has come back to request this Body, which was reinforced by state laws in the last Legislature, to call back the applicants and have a public hearing and clear this matter up by giving everyone an equal opportunity to discuss it and set proper guidelines. Also, this City will realize additional communications service and will realize revenue in the immediate future.

He requested again that Council consider his company with the others. That he wants this franchise and he feels he can do the best job as his company offers the best facility, the most service for the least amount of rates and he would like this to be considered in a hearing and the matter taken care of without it having to go to federal court.

Mayor Brookshire asked Dr. Twisdale if he is asking Council to rescind its action in the granting of the two franchises some six months ago? Dr. Twisdale replied he is asking Council to review the situation and bring these people into a hearing or into a conference and discuss this matter so that certain guidelines and clearances can be made as this is a very serious situation here involving people who are in it and it also involves Southern Bell. That he thinks it would do a great deal to clear this matter up if everybody involved here would get into one room together and some reasonable result would be attained that would be satisfactory to everybody. That his company still wants that franchise - they have never given up the idea that they want to help with CATV in Charlotte and he thinks the only way to clear this up is to get everybody together including this body which has the power to do it.

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Mayor Brookshire asked if Dr. Twisdale is saying that if his company were the only franchisee, then they would have no problem? Dr. Twisdale replied he thought it would be better to have given it to one company or to give it to all.

Councilman Tuttle asked if Southern Bell and the other two companies join in this request? Dr. Twisdale stated he came totally in the form of a representative of North Carolina Cable, Inc. He is quite sure they would be more than happy to get somebody to help them out of this situation.

Councilman Tuttle asked what situation the other companies are in? Dr. Twisdale replied before the Federal Communications Commission is a complaint concerning an accusation of Cox-Cosmos Cable Company against Jefferson Standard and Southern Bell for certain practices which were not adhered to in the guidelines of establishing a CATV system in Charlotte.

Councilman Short stated he believes the nub of the argument is one firm is getting its lines run by the telephone company and the other firm is attempting to run its own lines but puts them on the telephone company's pole. He cannot see how the franchising factor is related to this dissention of these two companies; if it has some relation, would Dr. Twisdale please explain it. Dr. Twisdale replied it goes deeper than that; it is a situation that one party claims since Southern Bell has the majority ownership of Carolina Telephone & Telegraph, which is 50% of the Jefferson Carolina Cablevision Company, that Jefferson Carolina is having their lines run at a greater rate, covering more of the city than Cox-Cosmos, plus the situation that there have been violations of the National Safety Code and of the guidelines Southern Bell itself had issued as guidelines by which the CATV system can be built or leased or allowed some other company to lease.

Councilman Short asked how the entry of a third franchise in this situation would relieve this particular problem when one company is claiming the other is operating faster than they are? Dr. Twisdale replied he believes his application was the best application; his system superior to the one that they are building now. If a hearing were to be held and people were to sit down and say this is your section of the city, we will work together in a harmonious type service of CATV and we will go by rules and regulations that everyone here agrees upon - it could have been split four ways, two ways, or it could have been given to one of four companies which could have merged into one but no guidelines were established. It was as if they were not going to consider the other two. He stated he was told the simple reason his company was not given the franchise was because it was the prerogative of the Council and he believes the prerogative of the Council was wrong; he believes the duty to the citizens should be considered. As now established and the way it is going now, the citizens are not being served like they should be.

Councilman Alexander asked if Dr. Twisdale felt the granting of a third franchise to his company would relieve the legal problems the others are involved in? Dr. Twisdale replied with the proper understanding of who will do what, where; or if there will be a merger and a universal type system offered with the head of the company in the position that would give the service of the same stations to all the citizens of Charlotte. They even have a situation which means half or portions of the city will not get certain stations on the CATV and the other portion will. It will not be a universal or same type programming or system for all citizens of the City.

Councilman Alexander stated if this is true then perhaps a talk with the parties involved and those who are in the business could resolve some approach to this thing before it comes up. Dr. Twisdale stated he thinks

this would be the proper way; that if this thing could be resolved with the blessing of this Council, this could be eliminated because the Federal Communications Commission would allow the withdrawal of a complaint if all parties were concerned. Councilman Alexander asked why steps are not taken to see if there can be a meeting of the minds with those who are in the business? Dr. Twisdale replied because this Body is the only Body that can do this. He feels if this Body would ask all the communication companies to sit down and discuss this matter with an idea of coming to a proper conclusive result without injuring either of the parties concerned, he does not think there would be any doubt that everybody would be here before the time of the meeting and be glad to cooperate.

Councilman Jordan asked why these companies have not gotten together? Dr. Twisdale replied he did request a get together but he did not think the other two companies would like to have their franchises split up a little bigger so he does not think they will ask his company at this stage of the game. That they are hoping his company will never get a franchise but he has asked for a meeting several times and in each case it was denied.

Mayor Brookshire advised Council will leave it as it is since Dr. Twisdale has made his recommendations and they will give some thought to what he has said today.

#### OPERATOR OF CARPENTER AIRPORT DISCUSSES AVIATION NEEDS FOR CHARLOTTE-MECKLENBURG AREA.

Mr. Lee Smith, operator of Carpenter Airport, stated he would like to try to prevent some rather tragic mistakes with reference to money that has been made in the past. He is not trying to criticize anyone but as a member of the Aviation Committee of the Chamber some years ago they sat down and looked over the Buckley Report with reference to aviation and Douglas Municipal Airport

At that time, the City of Charlotte spent probably \$25,000 or better in trying to get what they felt would be a good comprehensive survey of what Charlotte needed in the way of aviation for twenty years to come. The Buckley Report was a very comprehensive thing, very idealistic and it would have done the job but the job was \$15 million dollars, and it was at a time when Charlotte would not have bought it. That Council will soon be asked to again conduct a survey, a survey which will probably cost another \$30,000 to ascertain once again, from outsiders, just what we need in the way of airport and aviation facilities. That there is no objection on the part of general aviation, which he represents today, if the city wishes to call on outside authorities to give them a comprehensive and expert view of what we need in aviation in the next 20 years; but since there will be millions and millions of dollars spent in this thing, he felt this time we should get the horse out in the front of the cart and bring a couple of facts to Council's attention first.

In all fairness to this city, he cannot say at this time that the Aviation Committee of the Chamber of Commerce is broad enough in its scope of representation of the facets of general aviation to assume this responsibility for the city. That he cannot in all honesty and candor come to Council and say that the designated committee, Douglas Municipal Advisory Committee, is one also that can do the job in its entirety. The reason is because its very name shows it is the Douglas Municipal Advisory Committee. But aviation is no longer in that category; we now are regional whether we like it or not. Therefore, on August 1, he sent a letter to Mayor Brookshire with reference to

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a proposal where in general aviation in this area is most anxious to be sure that its views and the brains it has can be utilized as well. There is no reason to not call on the 50 to 100 prominent pilots, businessmen, contractors, owners of aircraft and large corporate people who are now here at your beck and call to help in advising the new airport facilities whatever they may be and wherever they may be. That he comes today to show Council how important it is for them to make sure there is a large group of people involved in such a survey because there were many, many of them that were not even contacted during the Buckley Report even though they have hundreds of thousands of dollars invested in the aviation life of Mecklenburg County and Charlotte and this sectional area. That when they presented a letter to the Advisory Committee - without properly bringing it to Council - they immediately got an announcement in the press that Carpenter Airport was in the wrong place; that it should not have been there in the first place. It was also stated in the press that the Federal Aviation Agency said a satellite airport should be at least 10 miles away from Douglas; if you plan on building an airport 10 miles away from the center of Douglas Airport, say to the west, then plan on building in Gaston County in the city of Gastonia because Gastonia's airport is 10 miles from Douglas. If you plan on building it to the north, make facilities also for seaflights because 10 miles north of Charlotte you run into Lake Norman which doesn't seem to be a good place for airplanes of the type we are talking about.

That if you want to build it to the northeast, consider the 2,000 foot tower for television in that area and the other airports in that area which you will have to buy to get out of the way or do something with. If you want to go 10 miles south of Douglas, consider building it in the State of South Carolina, because you will be in York County and if you want to build it in the eastern part of the county, 10 miles from Douglas is hardly outside the city limits - if you go much further you can plan on building it for Union County because you will be closer to Monroe than you will be to the aviation population of this county and this city.

That he is just giving these thoughts because these are the things said in the paper by others who should have been in the position to know better what is going to happen. From what he has seen in the last 10 years, Charlotte is now entering upon what will be heavy industry, tremendously heavy industry, and heavy industry begets light industry, and more heavy industry and with the Southern Railway and Duke Power Company as ambitious as they are, in five years time this county will have over a half million people in it. Right now there are 2,500 jobs in Arrowood and Westinghouse and he does not know where they are going to get the houses out that way.

Mr. Smith stated he came here today to make sure if Council decides to have this survey fine; but why not look back into the years in all those old files to people like Johnny Crowell, Ben Huntley and George Stevens, and the people who you know have been flying over this country for the last four decades. They should be called upon as a blue ribbon committee in order to help in the deliberations in the future.

According to the FAA Booklet, Douglas Airport is having 175,000 movements a year in Charlotte. That this is crowded and he agrees we need more facilities. In Van Neys, California, the acreage is \$65,000 an acre and because it is, Van Neys' Airport operates on less runways than Charlotte by 4,000 or 5,000 feet less - one of 4,000 feet and the other one of 8,000 feet. They do not have radar, they do not have an ILS; yet these general aviation pilots are moving, not 175,000 movements a year but 534,000 last year alone. That one little airport is taking care of six flying schools with 150 instructors and 90,000 hours of dual instruction and solo work

per year. Last year Van Neys gave out 2,334 aviation certificates and ratings. Their tower looks more like a fire tower than a control tower; there has been no fatal accidents on that airport in the last 10 years, yet they have over a half a million movements per year.

He stated at Carpenter he cannot tell how many movements they have per year, but he can say in the 11 years he has not had a single injury, much less a fatality. Whether it be Carpenter, Brockenborough or Douglas, he is asking Council to look to these people in aviation and start to work with them instead of against them. Two-thirds of the movements at Douglas are general aviation which means 100,000 of the 175,000 movements were corporate aircraft, light aircraft, and students and private pilots. Now look to what Celanese has done and what they built to agument their facilities. With Westinghouse and all the others coming in; these people are going to depend on general aviation to get them into the boondocks. They are not as much interested in getting to New York, Chicago or Miami as they are in getting into Fayetteville and Hickory. We are getting into a lot of facets of aviation that should properly be left with the survey people and the proper committees.

The criteria the FAA uses in securing radar - that the reason given that there was no radar at Asheville-Henderson is because they did not have 100,000 movements per year. That sounds good in print, but a movement for the FAA is a cub airplane, a DC-3 or a 727. That is not as it should be. In all fairness to the people paying the bill and the city they serve, this criteria for judging whether radar is going to be used should be the number of passengers on those planes rather than the number of planes in the pattern. As an example, a 727 coming into Charlotte will bring 80 to 100 passengers; three or four years from now we will be faced with the 747 with 400 people on board. When it lands the FAA will give credit for one movement and it will give another credit for a cub right behind it. That this is ridiculous because the number of jet flights will reduce as larger and larger aircrafts are used on long hauls. We have to work toward reversing the FAA's attitudes on the criteria for radar.

Mayor Brookshire thanked Mr. Smith for his appropriate remarks and stated he has made some good points which will be considered very carefully.

ORDINANCE NO. 662-X AMENDING ORDINANCE NO. 655-X, THE 1967-68 BUDGET ORDINANCE AUTHORIZING THE TRANSFER OF A PORTION OF THE GENERAL FUND CONTINGENCY APPROPRIATION FOR COMMUNITY RELATIONS COMMITTEE.

Mayor Brookshire stated for some time he has thought the Community Relations Committee should be strengthened in every possible way to help in doing a better job than has been done. That credit for whatever peace relations we have had in Charlotte, and progress in building better citizenship through providing opportunities for more citizens must be shared with many agencies, organizations and individuals, but he thinks the Community Relations Committee over the years has done more in this area than any other. That Dr. Cunningham who was prepared to devote almost full time, especially in times of stress or strain, to the committee resigned, and Dr. Warner Hall is now Chairman. Dr. Hall fills a pulpit every Sunday, is a member of several college boards and other church organizations, for these reasons does not have as much time as Dr. Cunningham had.

Mayor Brookshire stated for some time he has thought it would be a point of wisdom to have a small staff - an Executive Director with a secretary and an office. On the basis of a minimum budget of \$15,000 for one year's

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operation, <sup>he</sup> has talked with a number of interested citizens and has a commitment of \$7,500 from a group of Charlotte's leading businessmen who do not wish to be identified, and he would like to ask Council for a matching \$7,500 to make the \$15,000 budget.

Councilman Short moved approval of Mayor Brookshire's recommendation, and the adoption of an ordinance transferring \$7,500 from the general fund contingency appropriation to be used for staffing the office of an Executive Director of the Mayor's Community Relations Committee, and stated he has investigated this matter on his own as racial matters have come up from time to time, and he believes that implementing this Committee with money and paid workers is necessary. The motion was seconded by Councilman Tuttle, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 15, at Page 67.

ORDINANCE NO. 663-X AMENDING CHAPTER 23, SECTION 23-8, OF THE CITY CODE OF THE CITY OF CHARLOTTE CHANGING THE ZONING FROM R-9MF TO B-1 S.C.D. ON A 10.3 ACRE TRACT OF LAND ON DELTA ROAD EXTENSION SOUTH OF ALBEMARLE ROAD AND LAWYERS ROAD ON PETITION OF B & L INVESTMENT COMPANY.

Councilman Stegall moved the adoption of the subject ordinance changing the zoning from R-9MF to B-1 SCD as recommended by the Planning Commission. The motion was seconded by Councilman Jordan, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 15, at Page 68.

PETITION NO. 67-41 BY MRS. MARY E. BEATTY FOR A CHANGE IN ZONING FROM R-6MF TO B-2 OF PROPERTY ON THE SOUTH SIDE OF EDDLEMAN ROAD, FROM BRADFORD DRIVE TO MARMION ROAD, DENIED.

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

DECISION ON PETITION NO. 67-42 BY C. D. SPANGLER CONSTRUCTION COMPANY FOR A CHANGE IN ZONING FROM R-9 TO I-2 OF 55 ACRES OF PROPERTY ON THE SOUTH SIDE OF AUTEN ROAD, BETWEEN GRASS DRIVE AND SWEARINGAN ROAD, DEFERRED.

Upon motion of Councilman Short, seconded by Councilman Stegall, and unanimously carried, decision on the subject petition was deferred pending the filing of a request to consider the adjoining property on the west of the subject property.

ORDINANCE NO. 664-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE OF THE CITY OF CHARLOTTE CHANGING THE ZONING OF 7.91 ACRE TRACT OF LAND AT THE NORTHWEST CORNER OF CLANTON ROAD AND GENERAL YOUNTS EXPRESSWAY.

Motion was made by Councilman Tuttle, and seconded by Councilman Alexander to adopt the subject ordinance changing the zoning from R-6MF to B-1, as recommended by the Planning Commission and carried by the following vote:

YEAS: Councilmen Short, Alexander, Jordan, Stegall, Tuttle and Whittington.  
NAYS: None.

Councilman Smith abstained from voting.

The ordinance is recorded in full in Ordinance Book 15, at Page 69.

COUNCILMAN WHITTINGTON LEFT COUNCIL MEETING.

Councilman Whittington left the Council Meeting at this time and was absent for the remainder of the session.

ORDINANCE NO. 665-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE OF THE CITY OF CHARLOTTE CHANGING THE ZONING OF A 6.38 ACRE TRACT OF LAND EAST OF PARK ROAD, OPPOSITE SENECA PLACE.

Councilman Jordan moved the adoption of the subject ordinance changing the zoning from O-15 to O-6 on the front 200 feet of Park Road and the remaining portion from O-15 to R-6MFH as recommended by the Planning Commission. The motion was seconded by Councilman Tuttle, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 15, at Page 70.

ORDINANCE NO. 666-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE OF THE CITY OF CHARLOTTE CHANGING THE ZONING OF PROPERTY FRONTING ON WEST TRADE STREET BEGINNING AT THE SOUTHERN RAILROAD AND EXTENDING TOWARD CEDAR STREET.

On January 9, 1967, Council referred back to the Planning Commission Petition No. 66-93 by Chesapeake Paper Stock Company for change in zoning from B-2 to I-3 of property fronting on West Trade Street beginning at the Southern Railroad and extending 200 feet toward Cedar Street, and requested the Commission to consider establishing a conditional industrial district which was carried out and the Planning Commission now recommends that no action be taken at the present time to create a conditional industrial district and its original recommendation to approve the subject petition for change in zoning from B-2 to I-3 is still in effect.

Councilman Short stated Council has received the report from the Planning Board. As one of the ones who originally suggested this he can see and agree that Council has probably asked for something that is too broad for the criteria ever to be exactly written and too broad to be policed properly. Councilman Short stated he does not apologize for having made this suggestion and causing this delay for Chesapeake and frankly does not feel that this subject should be dropped permanently.

He stated if a person wanted to buy some land and start into the business of bailing up scrap paper he would have to have the same zoning as an abattior or a foundry or a chicken hatchery or an automobile junk yard. If a man wanted to manufacture some product like a billfold or pocketbook he would have to have the same zoning as an automobile assembly plant, and if he wanted to start a small book bindery he would have to have the same zoning as an enclosed concrete plant. To manufacture dixie cups he would have to have the same zoning as a bus repair garage. To manufacture biscuit cutters, he would have to have the same zoning as a galvanized sheet metal shop.

Councilman Short stated some of these small manufacturing and industrial operations such as the manufacturing of dixie cups or binding up scrap paper or storage of small items such as cigarettes could be made conditional uses under some arrangement and he would hope that Mr. Bryant, Assistant Planning Director, would continue to consider this. There might be conditional uses under B-2 zoning or in a new category he has in mind for

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distribution and wholesale. As to Chesapeake Paper Company, he can sympathize with their situation and he hopes they will understand that he cannot vote for this particular zoning petition. That he cannot vote to zone land five blocks from the Square on the main street of the city so as to allow its use for an abattior or an automobile graveyard or fertilizer plant.

Councilman Short moved that the petition be denied. The motion was seconded by Councilman Tuttle, who stated he agrees 100% with Mr. Short. He would like to do everything possible for Chesapeake as they are good citizens and good people and have meant a lot to the City. He stated he objects to the fact that it will be changing this property to I-3 making it possible as Charlotte grows for a junk yard to be five blocks from the heart of the City. As far as Chesapeake making its enlargement and improving the wall to this building, this would be fine. He had hoped that in some legal way, not necessarily through zoning, this could be handled so that it would revert back to B-2 if and when Chesapeake disposed of the property or disposed of its present use. To simply zone the land as I-3, he cannot do it.

Councilman Smith asked if I-3 is not used mostly in the downtown area? Mr. Bryant advised that I-3 is the central industrial district - for industrial areas that are related to the central business area. Councilman Smith asked if the City has allowed to go into the central I-3 area such things as has been indicated? Mr. Bryant replied the list of permitted uses for I-3 is practically the same as for I-2. The primary difference between I-2 and I-3 is the area requirements. In I-2 the setback is 20 feet and in the I-3 it is only five feet.

Councilman Smith stated it behooves us as a Council to amend this whole classification to protect the central core and eliminate some of these uses that up to now have been allowed; that he is going to vote in favor of the Planning Commission's recommendation; but he would like to follow this up and go into I-3 and make a study of it with the Planning Commission's recommendation of pulling out the glue factories and all these other things with the idea that I-3 should protect the central core - it should be industrial but should be classified. Councilman Tuttle stated then get the glue factories out before we vote on this petition.

Councilman Smith stated within the next three months we can revise this I-3 to protect the downtown. Do not hold up Chesapeake because it will not involve them; they will go ahead on the I-3. Revise the things that can go in I-3 which will not only permit more on a square foot but will also protect the downtown core from the glue factories and other things that have been pointed out. He asked Mr. Bryant if this procedure is all right? Mr. Bryant replied the Planning Commission will be glad to study the I-3 category. That there are two things that would have to be involved in such a study - not only the list of permitted uses but also an examination of those areas that are presently zoned I-3 to determine how many of these more objectionable uses are already located in I-3 districts. Generally speaking, the I-3 districts are in the downtown area, but there are some reasonably objectionable uses, industrially speaking, that are in relatively close proximity to the downtown area.

Councilman Smith stated a study such as he is requesting should not take over 30 to 90 days to make. Councilman Short stated a study has just been made with the exact same objective trying to find some way to help this situation out, and we could not get anywhere with it; that what is needed here is to think of the welfare of the entire citizenry and the entire uptown area rather than the welfare of Chesapeake, needy as they may be.

Councilman Smith stated everything we have been doing for the last six years has been going towards improving the downtown core - traffic wise, street wise and so forth. Here is an area that has been overlooked, this I-3.

Councilman Alexander stated he thinks it would be unfair if after Council permitted Chesapeake Paper to improve their facilities knowing the situation that exists at the time they were granted permission to improve their facilities to penalize them at this stage. He agrees that consideration should be given to the changes that are necessary to protect the inner-core of the city. There are many items that need to be revised in the zoning code, and he thinks we should get on with it to prevent the situation such as exists now. That he cannot vote to deny Chesapeake Paper Company the benefits of the Planning Commission's recommendation to approve it just because of something the Council should have done and has not done and needs to do. That he is going to vote to approve the recommendation of the Planning Commission.

Councilman Tuttle asked how the grandfather clause would come in on this if 90 days from now Council approved a new I-3 and it eliminates all the hazardous features; would the grandfather clause leave I-3 for Chesapeake as I-3 stands today? Mr. Kiser, City Attorney, replied Chesapeake can continue the use which they have in effect at the time it was permitted by I-3 now, but they would not be able to change the use to any use which is now permitted by I-3 but which would not be permitted subsequently. The grandfather clause would apply only as to the use they are making of it at the time the ordinance is changed.

Councilman Tuttle stated if he can be assured that Chesapeake can go ahead with their plans and if this I-3 is feasible to the extent that these junk yards and so forth can be eliminated from I-3 he will vote for it, but if not he is going to vote against it. Mr. Bryant stated he cannot say the elimination of them will be feasible; this has to be related to the uses that are already in the area that you would be concerned with; otherwise you may end up making a lot of existing uses non-conforming. He stated he believes the more objectionable uses clearly could be ruled out on this basis.

Councilman Jordan asked if the Planning Commission is going to continue its investigation in trying to get the change? Mr. Bryant replied the reference to a continuation in the report emphasized the fact that the Commission did not feel at the present time that such conditional zoning was feasible; they do have some additional studies in process that were aimed primarily at the proposed county ordinance that may be applicable to the city that will in effect create a new district that will make this conditional approach a little more reasonable and a little more feasible.

Councilman Short stated in voting for this on the possible possibilities that Mr. Bryant might be able to correct or change the zoning laws, you are putting the welfare of the uptown area right, at these multi-million dollar beautiful bridges that have just been built, at the mercy of what might conceivably be the outcome of some study. That he is not sure that I-3 zoning is just tied into the uptown area; he does not think a person is entitled to I-3 zoning just because he happens to be uptown. This is intended as a heavy industry, and the heaviest possible industry type of zoning. He stated he has examined the zoning all up and down Trade Street in this area on both sides and there is no I-3 zoning anywhere in this area between here and the Square or out beyond - it is B-2 to the west of this land for an indefinite distance and it is B-3 to the east of this land running back up to the Square and through the heart of the city. On a spot zoning analysis alone this zoning is not warranted.

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Mayor Brookshire stated he is sure Council is aware that the Planning Commission does not pass ordinances as that is entirely up to Council, and he is in thorough agreement with the zoning sentiment that I-3 has been designated for the core city or downtown area and should be considerably more restricted than it is today.

Councilman Smith made a substitute motion to approve the subject petition changing the zoning from B-2 to I-3 as recommended by the Planning Commission and to instruct the Planning Commission to make a study of the I-3 category and make recommendations to the Council to eliminate the objectionable features in the present I-3 zoning. The motion was seconded by Councilman Alexander.

Councilman Tuttle stated he would like to know whether we are planning on building an ugly city of steel, smoke and waste, or whether we are planning on a city of beauty for the future; that he cannot vote for this substitute motion. Councilman Smith stated what he is trying to do is to eliminate something that has been negligently left on the books and penalize Chesapeake Paper for our negligence. Councilman Short stated in order to protect Chesapeake from our own negligence, we are penalizing the rest of the city. Councilman Smith stated we are talking about immediately cleaning this up, but not penalize Chesapeake.

Councilman Short stated he does not understand cleaning up I-3. This is the lowest category there is in zoning in Charlotte. It is the one where all heavy industry and objectional industrial operations are placed. To clean it up, where will you put these heavy industries? Councilman Smith replied they will be put outside the core of the City of Charlotte - that is the intent and purpose of what we are going to do; we are spending millions of dollars and asking the government to help us to make Charlotte Downtown a beautiful place with parks and fountains and transportation; we do not want to show the federal government we can build a glue factory within two blocks of the Square.

Mayor Brookshire stated Council has the authority to revamp the zoning under I-3 to eliminate objectionable items.

The vote was taken on the substitute motion and carried on the following vote:

YEAS: Councilmen Smith, Alexander, Jordan and Stegall.  
NAYS: Councilmen Tuttle and Short.

The ordinance is recorded in full in Ordinance Book 15 at Page 71.

RESOLUTION APPROVING THE PRELIMINARY ASSESSMENT ROLL FOR IMPROVEMENTS COMPLETED ON SHERIDAN DRIVE, FROM CENTRAL AVENUE TO CENTRAL AVENUE, AND LANGHORNE DRIVE, FROM SHERIDAN DRIVE TO SHERIDAN DRIVE, AND PROVIDING FOR NOTICE AND PUBLIC HEARING ON AUGUST 21 ON CONFIRMATION THEREOF.

Motion was made by Councilman Jordan, seconded by Councilman Short, and unanimously carried, adopting the subject resolution approving the preliminary assessment roll and providing for notice and public hearing on August 21.

The resolution is recorded in full in Resolutions Book 5, at Page 464.

ORDINANCE NO. 667-X ORDERING THE REMOVAL OF AN ABANDONED MOTOR VEHICLE LOCATED AT 2711 DUNDEEN COURT PURSUANT TO ARTICLE 13-1.2 OF THE CODE AND CHAPTER 160-200 (43) OF THE GENERAL STATUTES OF NORTH CAROLINA.

Councilman Short moved the adoption of the subject ordinance, which was seconded by Councilman Stegall, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 15, at Page 72.

ORDINANCE NO. 668-X ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING LOCATED AT 818 CANTON STREET, PURSUANT TO THE HOUSING CODE OF THE CITY AND ARTICLE 15, CHAPTER 160 OF THE GENERAL STATUTES OF NORTH CAROLINA.

Motion was made by Councilman Jordan adopting the subject ordinance. The motion was seconded by Councilman Short, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 15, at Page 73.

ORDINANCE NO. 669-X ORDERING THE DEMOLITION AND REMOVAL OF DWELLING LOATED AT 524-26 NORTH CALDWELL STREET PURSUANT TO THE HOUSING CODE OF THE CITY, AND ARTICLE 15, CHAPTER 160 OF THE GENERAL STATUTES OF NORTH CAROLINA.

Councilman Jordan moved the adoption of the subject ordinance, which was seconded by Councilman Short and carried unanimously.

The ordinance is recorded in full in Ordinance Book 15, at Page 74.

ORDINANCE NO. 670-X ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING LOCATED AT 312 NORTH PINE STREET PURSUANT TO THE HOUSING CODE OF THE CITY, AND ARTICLE 15, CHAPTER 160 OF THE GENERAL STATUTES OF NORTH CAROLINA.

Upon motion of Councilman Jordan, seconded by Councilman Short, and unanimously carried, the subject ordinance, was adopted, and is recorded in full in Ordinance Book 15, at Page 75.

ORDINANCE NO. 671-X ORDERING THE DEMOLITION AND REMOVAL OF DWELLING LOCATED AT 144 WEST PALMER STREET PURSUANT TO THE HOUSING CODE OF THE CITY, AND ARTICLE 15, CHAPTER 160 OF THE GENERAL STATUTES OF NORTH CAROLINA.

Motion was made by Councilman Jordan adopting the subject ordinance. The motion was seconded by Councilman Short, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 15, at Page 76.

ORDINANCE NO. 672-X AMENDING ORDINANCE NO. 655-X, THE 1967-68 BUDGET ORDINANCE, AUTHORIZING THE TRANSFER OF UNAPPROPRIATED BALANCES IN AIRPORT FUND TO AIRPORT CAPITAL IMPROVEMENTS, ADOPTED.

Motion was made by Councilman Smith, seconded by Councilman Alexander, and unanimously carried, adopting the subject ordinance authorizing the transfer of \$37,760 for engineering services and installation of the emergency generator at the airport.

The ordinance is recorded in full in Ordinance Book 15, at Page 77.

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AGREEMENT WITH UNITED STATES GEOLOGICAL SURVEY FOR LOCAL STREAM GAGING PROJECTS AUTHORIZED.

Councilman Smith moved approval of the subject agreement with the United States Geological Survey for local stream gaging projects for fiscal year 1967-68 in the amount of \$11,000. The motion was seconded by Councilman Tuttle, and carried unanimously.

SANITARY SEWER CONSTRUCTION.

Upon motion of Councilman Short, seconded by Councilman Jordan, and unanimously carried, construction of sanitary sewer mains were authorized, as follows:

- (a) Construction of 45 feet of 8-inch trunk to serve Bordeaux Apartment Project, inside the City, at the request of Bordeaux Investment Company, Inc., at an estimated cost of \$840.00. All cost of the construction will be borne by the applicant whose deposit in the full amount has been received and will be refunded as per terms of the agreement;
- (b) Construction of 270 feet of main to serve South Sharon Amity Road, inside the City, at the request of Executive Sales, Inc. at an estimated cost of \$1,895.00. All cost of construction will be borne by the applicant, whose deposit in the full amount has been received, and will be refunded as per terms of the agreement;
- (c) Construction of 200 feet of main in Freedom Drive, inside the City, at the request of Shoney's of Charlotte No. 4, Inc., at an estimated cost of \$1,245.00. All cost of construction will be borne by the applicant whose deposit in the full amount has been received, and will be refunded as per terms of the agreement;
- (d) Construction of 50 feet of sanitary sewer trunk near Hazelton Drive, inside the City, at the request of Presbyterian Home of Charlotte, at an estimated cost of \$980.00. All cost of construction will be borne by the applicant whose deposit in the full amount has been received and will be refunded as per terms of the agreement.

CONTRACT WITH GRIFFIN REALTY COMPANY FOR SANITARY SEWER EXTENSION OUTSIDE CITY AUTHORIZED.

Councilman Short stated this is the first sewer extension done under the new policy 35% rebate plan adopted by Council last April.

Motion was made by Councilman Alexander, seconded by Councilman Stegall, and unanimously carried, approving contract covering the engineering and construction of sanitary sewer extension in Lynchester Lane and Beatties Ford Road, outside the city under the city's new sewer extension policy, at the request of Griffin Realty Company, at an estimated cost of \$3,155.00; all cost of construction will be borne by the applicant whose deposit covering the preparation of engineering plans, specifications and construction in the amount of \$3,155.00 has been received and will be refunded in accordance with the terms of the contract.

INSTALLATION OF WATER MAINS INSIDE THE CITY LIMITS AUTHORIZED.

Upon motion of Councilman Stegall, seconded by Councilman Tuttle, and unanimously carried, contracts were approved for the installation of water mains, as follows:

- (a) Contract with The Howey Development Company for the construction of 395 feet of mains to serve the Sharon Hills Subdivision, inside the city, at an estimated cost of \$1,900.00. The City will finance all construction costs and the applicant will guarantee an annual gross water revenue equal to 10% of the total cost;
- (b) Contract with Hobart Smith Construction Company for the construction of 19,550 feet of mains and 17 fire hydrants to serve property in Hidden Valley Estates Subdivision No. 1 and Virginia Manor Subdivision No. 4, inside the city, at an estimated cost of \$79,100.00. The City will finance all costs and the applicant will guarantee an annual gross water revenue equal to 10% of the total cost;
- (c) Contract with Vintage Development Company for the construction of 280 feet of main and one fire hydrant, to serve a portion of the Lincolnshire Subdivision, inside the city, at an estimated cost of \$960.00. The city will finance all construction cost and the applicant will guarantee an annual gross water revenue equal to 10% of the total cost;
- (d) Contract with Plaza Associates of Charlotte, Inc., of Chapel Hill, N. C. for the construction of 900 feet of main and one fire hydrant, to serve a portion of the Tryon Mall Shopping Center, inside the city, at an estimated cost of \$4,800.00. The City will finance all construction costs and the applicant will guarantee an annual gross water revenue equal to 10% of the total cost.

INSTALLATION OF WATER MAINS, OUTSIDE THE CITY LIMITS, AUTHORIZED.

Motion was made by Councilman Short, seconded by Councilman Tuttle, and unanimously carried, approving contracts for the installation of water mains, as follows:

- (a) Contract with P & N Realty Company for the construction of 6,280 feet of main and five fire hydrants, to serve a portion of the Chemway Industrial District, outside the city limits, at an estimated cost of \$67,826.00. The applicant will finance the entire cost of the project and will deposit said funds with the City to be reimbursed under the terms of the water extension policy adopted April 17, 1967;
- (b) Contract with the Howey Development Company for the construction of 5,090 feet of main and five fire hydrants, to serve a portion of Sharon Hills Subdivision, outside the city limits, at an estimated cost of \$21,000.00. The applicant will pay the entire cost of the mains including the fire hydrants, and will own the same until such time as the area is incorporated into the city limits at which time the mains will become the property of the city without further agreement.

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**RIGHT OF WAY AGREEMENT BETWEEN CITY, THE HOWEY DEVELOPMENT COMPANY AND THE STATE HIGHWAY COMMISSION FOR WATER MAIN INSTALLATION AUTHORIZED.**

Councilman Jordan moved approval of a right of way agreement between the City, The Howey Development Company and The State Highway Commission for the installation of a 6" and 8" diameter water main in Sharon Hill Road, an 8" water main in Sharon Road, and an 8" water main in Sharon Acres Road, all outside the city limits. The motion was seconded by Councilman Short, and carried unanimously.

**RIGHT OF WAY AGREEMENT BETWEEN THE CITY AND STATE HIGHWAY COMMISSION FOR INSTALLATION OF WATER MAIN ALONG AND ACROSS SHARON ROAD AUTHORIZED.**

Motion was made by Councilman Jordan approving a right of way agreement between the City and The State Highway Commission for the installation of an 8" water main along and across Sharon Road; inside the city limits, in connection with the city's contract with The Howey Development Company. The motion was seconded by Councilman Short, and carried unanimously.

**RIGHT OF WAY AGREEMENT BETWEEN THE CITY AND STATE HIGHWAY COMMISSION FOR THE INSTALLATION OF WATER DISTRIBUTION SYSTEM MAIN IN SOUTH TRYON STREET, AUTHORIZED.**

Councilman Short moved approval of the right of way agreement between the City and The State Highway Commission for the installation of a 24" water distribution system main in South Tryon Street, to the city limits, on the south side of the Southern Railway tracks, which project is that part of the city's commitment made to Mecklenburg County for delivery of water to the Westinghouse area. The motion was seconded by Councilman Alexander.

Councilman Smith asked for an explanation as Council was told the city had a 36" line to the city limits by the Engineering Department. Mr. Bobo, Administrative Assistant, replied this is for right of way for stub lines under the Expressway that is now being built. This line will go under the North-South Expressway. To be able to pinpoint locations where lines could go, we have to draw plans for the State Highway Department to agree to a location. Once they approve a location, the plans will be drawn. That he is not familiar with the size of the line.

The vote was taken on the motion and carried unanimously.

**APPRAISAL CONTRACTS AUTHORIZED.**

Upon motion of Councilman Alexander, seconded by Councilman Short, and unanimously carried, the following appraisal contracts were authorized:

- (a) Contract with Alfred E. Smith for appraisal of one parcel of property for the Sixth Street Improvement Project;
- (b) Contract with Henry E. Bryant for appraisal of two parcels of property in connection with the Airport Capital Improvement Program;
- (c) Contract with Wallace D. Gibbs, Jr. for appraisal of two parcels of property for the Airport Capital Improvement Program and two parcels for the Airport Clear Zone;

continued

- (d) Contract with Harry G. Brown for appraisal of one parcel of property in connection with the North Sharon Amity Road Widening, and one parcel in connection with the East Third Street Connector.

**STREETS TAKEN OVER FOR CONTINUOUS MAINTENANCE BY THE CITY.**

Motion was made by Councilman Jordan and seconded by Councilman Short, and unanimously carried authorizing the following streets be taken over for continuous maintenance by the city:

- (a) Rosehaven Drive, from Central Avenue to 1,065 feet south of centerline of Driftwood Drive;
- (b) Riverbend Road, from Park Road to 565 feet east of centerline of Ashton Drive;
- (c) Whistlestop Road, from Riverbend Road to 175 feet south of centerline of Riverbend Road;
- (d) Ashton Drive, from Riverbend Road to 690 feet northeast of centerline of Blowing Rock Cove
- (e) Blowing Rock Cove from 225 feet west of centerline of Ashton Drive to 360 feet east of centerline of Ashton Drive;
- (f) Somersworth Drive, from 231 feet southwest of centerline of McBride Street to 153 feet northeast of centerline of McBride Street;
- (g) McBride Street, from Somersworth Drive to 215 feet southeast of centerline of Lyndeboro Drive;
- (h) Lyndeboro Drive, from McBride Street to 229 feet southwest of centerline of McBride Street.

**LEASE WITH NATIONAL INTRODUCTIONS AND SALES COMPANY FOR BUILDING NO. 289 AT AIRPORT.**

Councilman Stegall moved approval of a one year lease with National Introductions and Sales Company for airport building No. 289 containing 13,300 square feet, at \$465.50 per month. The motion was seconded by Councilman Smith and carried unanimously.

**SPECIAL OFFICER PERMIT AUTHORIZED.**

Motion was made by Councilman Alexander approving the issuance of a Special Officer Permit to Lewis James Jackson, for a term of one year, for use on the premises of Johnson C. Smith University Campus. The motion was seconded by Councilman Jordan, and carried unanimously.

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PRIVATE DETECTIVE LICENSE APPLICATIONS AUTHORIZED.

Upon motion of Councilman Smith, seconded by Councilman Short, and unanimously carried, license applications covering the classification of private detective were approved, as follows:

- (a) E. B. Watson, Security Forces, Inc., State License No. 30;
- (b) Melvin O. Smith, Carolina Detective Agency, State License No. 11;
- (c) Walter Rozzell Stroupe, State License No. 13.

TRANSFER OF CEMETERY LOTS.

Motion was made by Councilman Tuttle, seconded by Councilman Short, and unanimously carried, authorizing the Mayor and City Clerk to execute deeds for the transfer of the following cemetery lots:

- (a) Deed with Mrs. Betty Glosson Aycock, for Lot No. 484, Section 6, Evergreen Cemetery, at \$240.00;
- (b) Deed with Ben Dixon Brown and wife, Gloria Snelling Brown, for Lot No. 438, Section 6, Evergreen Cemetery, at \$360.00;
- (c) Deed with Jasper D. Evans, for Lot No. 449, Section 6, Evergreen Cemetery, at \$240.00;
- (d) Deed with Dr. Monroe T. Gilmour, for Lot No. 30, Section 4-A, Evergreen Cemetery, at \$378.00;
- (e) Deed with Mrs. Virginia Harris, for Lot No. 357, Section 3, Evergreen Cemetery, at \$472.50;
- (f) Deed with Mrs. Alta R. LaGare, for Graves 4 and 5, on Lot No. 178, Section 2, Evergreen Cemetery, at \$120.00;
- (g) Deed with Edward H. Shouse, Jr. for Grave No. 4, in Lot No. 164, Section 2, Evergreen Cemetery, at \$60.00.

CONTRACT AWARDED A. V. BLANKENSHIP CONSTRUCTION COMPANY AND C. D. SPANGLER CONSTRUCTION COMPANY FOR SIDEWALK CONSTRUCTION.

Motion was made by Councilman Jordan and seconded by Councilman Short, awarding contract to the low bidder, A. V. Blankenship Construction Company and C. D. Spangler Construction Company, in the amount of \$20,223.00 on a unit price basis for construction of sidewalks on Sharon Road, Providence Road and Sharon Amity Road, and carried by the following vote:

YEAS: Councilmen Jordan, Tuttle, Short, Smith and Stegall.  
NAYS: None.

Councilman Alexander abstained from voting.

continued

The following bids were received:

A. V. Blankenship Const. Co. & C. D. Spangler Const. Company	\$20,223.00
T. A. Sherrill Const. Co., Inc.	\$24,444.00
Crowder Construction Company	\$26,282.50
Blythe Brothers Company	\$27,347.50

CONTRACT AWARDED AIR MASTER, INC. FOR GAS FIRED BURNERS FOR AIRPORT.

Upon motion of Councilman Smith, seconded by Councilman Short, and unani-  
mously carried, contract was awarded the low bidder, Air Masters, Inc.,  
in the amount of \$6,576.00 for furnishing and installing two (2) gas  
fired burners for boilers at the airport.

The following bids were received:

Air Masters, Inc.	\$ 6,576.00.
A. Z. Price & Associates	\$ 7,875.00
J. V. Andrews	\$ 8,960.00
Impac, Inc.	\$ 9,494.00

CONTRACT AWARDED GLAMORGAN PIPE & FOUNDRY COMPANY FOR CAST IRON PIPE.

Councilman Jordan moved award of contract to the low bidder, Glamorgan  
Pipe & Foundry Company in the amount of \$129,574.00 on a unit price basis  
for 40,000 feet 6" cast iron pipe and 20,000 feet 8" cast iron pipe. The  
motion was seconded by Councilman Short, and carried unanimously.

The following bids were received:

Glamorgan Pipe & Foundry Company	\$129,574.00
Lynchburg Foundry Company	\$131,222.00
James B. Clow & Sons, Inc.	\$132,561.00
American Cast Iron Pipe Co.	\$132,664.00
U. S. Pipe & Foundry Co.	\$133,179.00

CONTRACT AWARDED INTERSTATE EQUIPMENT COMPANY FOR LEAF LOADERS.

Upon motion of Councilman Smith, seconded by Councilman Short, and  
unanimously carried, contract was awarded the low bidder, Interstate  
Equipment Company, in the amount of \$9,347.25 for four leaf loaders.

The following Bids were received:

Interstate Equipment Co.	\$ 9,347.25
A. E. Finley & Assoc., Inc.	\$ 9,476.00

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CONTRACT AWARDED SIMPSON EQUIPMENT CORPORATION FOR LEAF COLLECTION BODIES.

Motion was made by Councilman Jordan awarding contract to the low bidder, Simpson Equipment Corporation, in the amount of \$3,605.00 for five leaf collection bodies. The motion was seconded by Councilman Short and carried unanimously.

The following bids were received:

Simpson Equipment Corp.	\$ 3,605.00
Baker Equip. Engr. Co.	\$ 4,753.45

CONTRACT AWARDED D. H. GRIFFIN WRECKING COMPANY FOR DEMOLITION OF STRUCTURES.

Councilman Smith moved the award of contract to the low bidder, D. H. Griffin Wrecking Company in the amount of \$26,925.00 for demolition of 110 structures within Urban Redevelopment Areas N. C. R-37, R-43 and 3rd and 4th Street Extension. The motion was seconded by Councilman Short, and carried unanimously.

The following bids were received:

D. H. Griffin Wrecking Co.	\$26,925.00
Big Chief, Inc.	\$32,364.00
Continental Wrecking Co.	\$36,981.00
Richland Wrecking Co.	\$38,275.00
Cleveland Wrecking Company	\$49,000.00

CONTRACT AWARDED MILLER TIRE SERVICE FOR TIRE RECAPPING AND REPAIRS.

Motion was made by Councilman Jordan awarding contract to the only bidder meeting specifications, Miller Tire Service, in the amount of \$23,026.22 on a unit price basis for tire recapping and repairs. The motion was seconded by Councilman Short.

Councilman Smith stated he called Goodyear Service Store and asked about their bid of \$15,077.14, which was disallowed because the Company failed to submit prices on all items. Those items were steel rim tire casings which they do not have the facilities to do, but he gave an estimate of just about the difference between his low bid and the high bid if he had bid on this particular type of tire.

The vote was taken on the motion and carried unanimously.

The following bids were received:

Miller Tire Service	\$23,026.22
Goodyear Service Stores - Bid not meeting specifications	\$15,077.14

CONTRACT AWARDED CITY CHEVROLET COMPANY FOR PICK UP TRUCKS.

Upon motion of Councilman Jordan, seconded by Councilman Short, and unanimously carried, contract was awarded the low bidder, City Chevrolet Company, in the amount of \$20,371.05 on a unit-price basis for eleven 1/2 ton pick up trucks.

The following bids were received:

City Chevrolet Co.	\$20,371.05
Hutton Scott Co.	\$20,429.29
International Harvester	\$21,898.81
GMC Truck & Coach Div.	\$22,930.70

CONTRACT AWARDED INTERNATIONAL HARVESTER COMPANY FOR CARRYALL TRUCK.

Councilman Alexander moved award of contract to the low bidder, International Harvester Company, in the amount of \$2,459.65 on a unit price basis for one 1/2 ton carryall truck. The motion was seconded by Councilman Short, and carried unanimously.

The following bids were received:

International Harvester Co.	\$ 2,459.65
City Chevrolet Co.	\$ 2,597.78
GMC Truck & Coach Div.	\$ 2,815.50

CONTRACT AWARDED INTERNATIONAL HARVESTER COMPANY FOR CLOSED VAN TRUCK.

Motion was made by Councilman Short, seconded by Councilman Alexander, and unanimously carried, awarding contract to the low bidder, International Harvester Company in the amount of \$2,988.77 on a unit price basis for one 5400 GVW closed van truck.

The following bids were received:

International Harvester Co.	\$ 2,988.77
GMC Truck & Coach Div.	\$ 3,142.09

CONTRACT AWARDED HUTTON SCOTT COMPANY FOR SIX TRUCKS.

Upon motion of Councilman Jordan, seconded by Councilman Smith and unanimously carried, contract was awarded the low bidder, Hutton Scott Company in the amount of \$13,119.38 on a unit price basis for six 3/4 ton trucks.

The following bids were received:

Hutton Scott Co.	\$13,119.38
City Chevrolet Co.	\$13,430.28
International Harvester Co.	\$13,837.06
GMC Truck & Coach Div.	\$14,738.24

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CONTRACT AWARDED HUTTON SCOTT COMPANY FOR TRUCKS.

Motion was made by Councilman Short, seconded by Councilman Jordan, and unanimously carried, awarding contract to the low bidder, Hutton Scott Company, in the amount of \$8,856.08 on a unit price basis for four 8,000 GVW trucks.

The following bids were received:

Hutton Scott Co.	\$ 8,856.08
International Harvester Co.	\$ 9,131.43
City Chevrolet Co.	\$ 9,164.64
GMC Truck & Coach Div.	\$10,135.55

CONTRACT AWARDED HUTTON SCOTT COMPANY FOR TRUCKS.

Councilman Short moved award of contract to the low bidder, Hutton Scott Company in the amount of \$4,228.47 on a unit price basis for two, 10,000 GVW trucks. The motion was seconded by Councilman Alexander and carried unanimously.

The following bids were received:

Hutton Scott Co.	\$ 4,228.47
City Chevrolet Co.	\$ 4,294.73
International Harvester Co.	\$ 5,003.52
GMC Truck & Coach Div.	\$ 5,231.57

CONTRACT AWARDED INTERNATIONAL HARVESTER COMPANY FOR TRUCKS.

Upon motion of Councilman Smith, seconded by Councilman Stegall, and unanimously carried, contract was awarded the low bidder, International Harvester Company, in the amount of \$40,217.53 on a unit price basis for fourteen - 18,500 GVW trucks.

The following bids were received:

International Harvester Co.	\$40,217.53
Hutton Scott Co.	\$40,630.31
City Chevrolet Co.	\$41,218.28
GMC Truck & Coach Div.	\$42,322.34
Central Ford Truck Sales	\$46,366.57

CONTRACT AWARDED CITY CHEVROLET COMPANY FOR TRUCKS.

Councilman Short moved award of contract to the low bidder, City Chevrolet Company, in the amount of \$15,177.42 on a unit price basis for four 22,000 GVW Trucks. The motion was seconded by Councilman Short.

Councilman Tuttle stated there is a \$14.00 difference in bids, and he asked Mr. Brown, Purchasing Agent, if he would ever run up on a situation where he would choose the \$14.00 higher bid if he had a preference? Mr. Brown replied there may be some instances, but if they both meet the

specifications there is no reason not to accept the low bid. Councilman Tuttle stated his point is there should be some differential of \$100 to play with where Mr. Brown might recommend the higher bid because of previous experiences.

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

The following bids were received:

City Chevrolet Co.	\$15,177.42
International Harvester Co.	\$15,191.99
Hutton Scott Co.	\$15,935.46
Central Ford Truck Sales	\$16,283.36
GMC Truck & Coach Div.	\$16,722.78

CONTRACT AWARDED INTERNATIONAL HARVESTER COMPANY FOR TRUCKS.

Upon motion of Councilman Alexander, seconded by Councilman Short, and unanimously carried, contract was awarded the low bidder, International Harvester Company in the amount of \$54,599.53 on a unit price basis for twelve, 25,000 VW trucks.

The following bids were received:

International Harvester Co.	\$54,599.53
City Chevrolet Co.	\$54,862.01
Hutton Scott Co.	\$56,850.15
GMC Truck & Coach Div.	\$58,938.41
Central Ford Truck Sales	\$60,436.20

CONTRACT AWARDED GMC TRUCK & COACH DIVISION FOR TRUCKS.

Councilman Jordan moved award of contract to the low bidder, GMC Truck and Coach Division, in the amount of \$30,319.84 on a unit price basis for four 34,000 GVW trucks. The motion was seconded by Councilman Short, and carried unanimously.

The following bids were received:

GMC Truck & Coach Div.	\$30,319.84
International Harvester Co.	\$31,411.52
Central Ford Truck Sales	\$31,501.92

CONTRACT AWARDED CENTRAL FORD TRUCK SALES FOR TRUCK.

Motion was made by Councilman Short, seconded by Councilman Stegall, and unanimously carried, awarding contract to the low bidder, Central Ford Truck Sales, in the amount of \$7,369.70 on a unit price basis for one 25,000 GVW truck.

The following bids were received:

Central Ford Truck Sales	\$ 7,369.70
International Harvester Co.	\$ 7,885.77
GMC Truck & Coach Div.	\$ 7,892.12

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CONTRACT AWARDED GMC TRUCK & COACH DIVISION FOR TRUCK.

Motion was made by Councilman Short awarding contract to the low bidder, GMC Truck & Coach Division, in the amount of \$9,871.40 on a unit price basis for a 34,000 GVW truck. The motion was seconded by Councilman Stegall, and carried unanimously.

The following bids were received:

GMC Truck & Coach Div.	\$ 9,871.40
Central Ford Truck Sales	\$10,169.85
International Harvester Co.	\$10,501.98

CONTRACT AWARDED COOK BODY COMPANY FOR UTILITY BODIES.

Upon motion of Councilman Alexander, seconded by Councilman Short, and unanimously carried, contract was awarded the low bidder, Cook Body Company, in the amount of \$1,915.31 on a unit price basis for four utility bodies on 1/2 ton chassis.

The following bids were received:

Cook Body Co.	\$ 1,915.31
Simpson Equipment Co.	\$ 1,989.40
Baker Equipment Co.	\$ 2,805.46
O. B. Holan	\$ 2,937.00

CONTRACT AWARDED COOK BODY COMPANY FOR SERVICE BODIES.

Councilman Short moved award of contract to the low bidder meeting specifications, Cook Body Company, in the amount of \$5,115.65 on a unit price basis for one service body with special aerial device and two service bodies for 3/4 ton chassis. The motion was seconded by Councilman Jordan.

Councilman Stegall asked what the difference is between the bid meeting specifications and the two not meeting specifications? Mr. Brown, Purchasing Agent, replied the two did not quote a price on the aerial device. It is the same as the one bought last year for the same amount of money; this is a unit that is used on a 3/4 ton chassis rather than having to go to a larger chassis. The Traffic Engineering Department uses it to change the street lights.

Mr. Brown advised the other bidders bid on the two other items in the section and they bid on service body, and their prices were higher than Cook Body Company's bid on the service bodies themselves. Had they added the other unit, it would have been higher.

The vote was taken on the motion and carried unanimously.

The following bids were received:

Cook Body Company	\$ 5,115.65
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Bids received not meeting specifications:

Baker Equipment Co.	\$ 2,042.18
O. B. Holan	\$ 3,366.76

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CONTRACT AWARDED O. B. HOLAN FOR SERVICE BODIES WITH AERIAL BUCKET TOWER.

Upon motion of Councilman Short, seconded by Councilman Alexander and unanimously carried, contract was awarded the low bidder, O. B. Holan in the amount of \$17,681.92 on a unit price basis for two service bodies with aerial bucket tower for 10,000 GVW chassis.

The following bids were received:

O. B. Holan	\$17,681.92
Baker Equipment Co.	\$18,693.76
Cook Body Co.	\$20,020.56
Utilities Service, Inc.	\$20,661.76

CONTRACT AWARDED QUALITY EQUIPMENT & SUPPLY COMPANY FOR DUMP BODIES.

Motion was made by Councilman Short awarding contract to the low bidder, Quality Equipment & Supply Company, in the amount of \$14,446.09 on a unit price basis for fourteen dump bodies for installation on 18,500 GVW Chassis. The motion was seconded by Councilman Stegall, and carried unanimously.

The following bids were received:

Quality Equipment & Supply Co.	\$14,446.09
Simpson Equipment Co.	\$14,514.50
Baker Equipment Co.	\$15,116.40
Cook Body Co.	\$15,374.92

CONTRACT AWARDED BAKER EQUIPMENT & ENGINEERING COMPANY FOR SPECIAL UTILITY BODIES.

Councilman Jordan moved award of contract to the low bidder, Baker Equipment and Engineering Company, Inc., in the amount of \$16,515.72 on a unit price basis for four special utility bodies for 22,000 GVW chassis. The motion was seconded by Councilman Short, and carried unanimously.

The following bids were received:

Baker Equipment & Engr. Co., Inc.	\$16,515.72
Utilities Service, Inc.	\$21,295.72

CONTRACT AWARDED QUALITY EQUIPMENT & SUPPLY COMPANY, INC.

Upon motion of Councilman Short, seconded by Councilman Jordan, and unanimously carried, contract was awarded the low bidder, Quality Equipment & Supply Company, Inc., in the amount of \$51,060.88 on a unit price basis for thirteen rear load garbage packers.

The following bids were received:

Quality Equipment & Supply Co., Inc.	\$51,060.88
E. Nelson O'Neal & Associates	\$51,483.12
So-Rite Mfg. & Supply Co.	\$56,590.82
Baker Equipment & Engr. Co., Inc.	\$56,876.82

CONTRACT AWARDED SANCO CORPORATION FOR FRONT LOADING GARBAGE PACKERS.

Motion was made by Councilman Smith, seconded by Councilman Short, and unanimously carried, awarding contract to the low bidder, Sanco Corporation, in the amount of \$39,245.00 on a unit price basis for five front loading garbage packers for 34,000 GVW chassis.

The following bids were received:

Sanco Corporation	\$39,245.00
E. Nelson O'Neal & Associates	\$40,579.80
Simpson Equipment Co.	\$41,293.90

INCINERATOR BUILDING ON CORNER OF REMOUNT ROAD AND TOOMEY AVENUE AUTHORIZED DEMOLISHED TO THE GROUND AND TURNED OVER TO THE PARK AND RECREATION COMMISSION.

Councilman Smith moved that the City bear the expense of demolishing to the first floor the old incinerator building located on the southeasterly corner of Remount Road and Toomey Avenue, and then turn it over to Park & Recreation Commission, and that the present occupant, Keeter Trailer and Body Company, be given a minimum of six months to find other quarters. The motion was seconded by Councilman Jordan.

Councilman Short stated he is going to vote against this because the Planning Commission's study shows that there is no urgent, or hardly any use, that is needful for this area. We have been looking at it for 50 years and he thinks we can look at the eyesore until the throughway is built. It is now occupied by a thriving local industry and he does not see moving them out unnecessarily.

Councilman Tuttle stated he concurs in part with Mr. Short. This is not just to give the property for park use; they have dire need for the basement of this building for the storage of their equipment.

Councilman Alexander stated his experience has shown him that the proximity of parks close to homes has a big bearing on the use of playground centers, and although Revolution Park is in the same vicinity, it is a much further distance away. If doing this today makes it possible for the Park and Recreation Commission to give expanded service there, he is aware of the fact that it can be used and will be valuable for park space.

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

YEAS: Councilmen Smith, Jordan, Alexander, Stegall and Tuttle.  
NAYS: Councilman Short.

ORDINANCE NO. 673 AMENDING CHAPTER 5, ARTICLES I, II, AND IV OF THE CODE OF THE CITY OF CHARLOTTE WITH RESPECT TO TERRITORIAL JURISDICTION OF THE BUILDING INSPECTION DEPARTMENT.

Councilman Short moved the adoption of the subject ordinance, which was seconded by Councilman Stegall and carried unanimously.

The ordinance is recorded in full in Ordinance Book 15, at Page 78.

RESOLUTION PROVIDING FOR A PUBLIC HEARING ON SEPTEMBER 11 ON AMENDMENTS TO THE ZONING ORDINANCE OF THE CITY.

Upon motion of Councilman Short, seconded by Councilman Stegall and unanimously carried, the subject resolution was adopted setting date of hearing on September 11 on amendments to Chapter 23, Article VII, Section 23-87 eliminating requirements for zoning permits.

The resolution is recorded in full in Resolutions Book 5, at Page 466.

MAYOR BROOKSHIRE TO CONTACT COUNTY COMMISSIONERS REGARDING THE CONSOLIDATION OF INSPECTION DEPARTMENT ACTIVITIES.

Mayor Brookshire stated he thinks it might be well for Council to invite the County Commissioners to reconsider the invitation they had a few months ago to consolidate the inspection activities of Charlotte and Mecklenburg County.

Councilman Smith asked if they object to certain features of the consolidation should they not be given the privilege of making suggestions in how it could be amended to meet their objections.

Mayor Brookshire replied if they have any objections, the City would like to hear from them. That he would contact Dr. Martin, Chairman of the Board, to find out if they had objections or reasons to turn it down before that now they may be willing to reconsider.

LEASE WITH G. & M. CORPORATION OF CHARLOTTE FOR POLICE GARAGE ACTIVITIES AUTHORIZED AND ORDINANCE NO. 674-X AMENDING ORDINANCE NO. 655-X, THE 1967-68 BUDGET ORDINANCE, AUTHORIZING THE TRANSFER OF A PORTION OF THE GENERAL FUND CONTINGENCY APPROPRIATION ADOPTED.

Councilman Alexander moved approval of a lease with G. & M. Corporation of Charlotte for relocating police garage activities to 210 South Davidson Street, and the adoption of the subject ordinance transferring \$9,980 to the Police Budget to be used in acquiring equipment required in connection with the leasing of the garage space. The motion was seconded by Councilman Tuttle.

Mr. Bobo, Administrative Assistant, advised sufficient funds are in the police budget for leasing the building but they do not have sufficient funds for the purchase of the equipment.

Councilman Smith stated in the future such facilities should be negotiated through the administration and real estate department and not by the department head of the individual departments, such as police, engineering or airport. That it is a mistake to have a number of department heads looking into real estate matters. This should be centralized so that you can keep your finger on it and do a better job in the future.

Councilman Stegall stated it is his impression that by Council authorizing the relocation of this garage that the Police Department plans to institute a car pool system whereby at the next budget session, we will not need to buy as many automobiles as we have had to buy in the past. That he is voting for this relocation on that stipulation.

The vote was taken on the motion and carried unanimously.

The ordinance is recorded in full in Ordinance Book 15, at Page 79.

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ORDINANCE NO. 675-X AMENDING ORDINANCE NO. 655-X, THE 1967-68 BUDGET ORDINANCE, AUTHORIZING THE TRANSFER OF A PORTION OF THE GENERAL FUND CONTINGENCY APPROPRIATION TO CONSTRUCT TEMPORARY GRAVEL SIDEWALK ALONG SARATOGA DRIVE AND MONTCALM AND MARBLE STREETS.

Upon motion of Councilman Jordan, seconded by Councilman Smith, and unanimously carried, the subject ordinance was adopted authorizing the transfer of \$3,100 from the General Fund Contingency Appropriation to engineering and street maintenance for the construction of a gravel sidewalk along Saratoga Drive, from Bradford Drive to the Thomasboro School parking lot, and along Montcalm and Marble Streets, from Westcliff Drive to Saratoga Drive.

The ordinance is recorded in full in Ordinance Book 15, at Page 80.

SIDEWALK IMPROVEMENTS SERVING RANDOLPH JUNIOR HIGH SCHOOL REFERRED BACK TO ENGINEERING DEPARTMENT FOR RESTUDY.

In connection with the proposed revision of sidewalk improvements to Randolph Junior High School, Councilman Smith requested that it be referred back to the Engineering Department for a restudy and to discontinue any work on sidewalk improvements on Bertonley Avenue until the study is completed.

#### PROPERTY TRANSACTIONS AUTHORIZED.

Upon motion of Councilman Jordan, seconded by Councilman Short, and unanimously carried, the following property transactions were authorized.

- (a) Acquisition of 4,183 square feet of property at the northwest corner of Church and Sixth Streets, from the Estate of J. P. Sherrill and wife, and others, in the amount of \$22,150, in connection with the Sixth Street Widening Project;
- (b) Acquisition of 109 square feet of property at the south corner of West Sixth Street and North Church Street, from Thomas Cadillac, Inc., in the amount of \$3,900, in connection with the Sixth Street Improvement Project;
- (c) Acquisition of 860 square feet of property at 115-17 East Sixth Street, from the Sunday School Board of the Southern Baptist Convention, in the amount of \$6,500, in connection with the Sixth Street Improvement Project;
- (d) Acquisition of 3,963 square feet of property on the north side of Sixth Street, between Poplar and Pine Street, in the amount of \$19,000, from Ivey Realty Company in connection with the West Sixth Street Widening;
- (e) Acquisition of 1,673 square feet of property at 220-22 West Sixth Street, from Mrs. Rosa Panella, in the amount of \$12,750, in connection with the Sixth Street Widening;
- (f) Acquisition of 1,459 square feet of property on Sixth Street, between Poplar and Church Street, in the amount of \$6,100, in connection with the Sixth Street Widening;

continued

- (g) Resolution Authorizing condemnation proceedings for the acquisition of property of Mrs. Marcia Rogers Simpson (widow), located at 118-20 West Sixth Street, for Sixth Street Widening Project, at a condemnation price of \$10,800.00;
- (h) Resolution authorizing condemnation proceedings for the acquisition of property of Lee Kinney and wife, Loraine Kinney, located at 415-19 East Sixth Street for Sixth Street Widening Project, at a condemnation price of \$7,000.00;
- (i) Acquisition of 2,004 square feet of property at northeast corner of Eastway Drive and Central Avenue, from Hamilton Investment Company, in the amount of \$19,202.50, for Eastway Drive Project;
- (j) Construction easement of 300 square feet at 2828 Eastway Drive, from William D. Nance and wife, Gertrude B., in the amount of \$1,250.00 for the Eastway Drive Widening Project;
- (k) Resolution authorizing condemnation proceedings for the acquisition of property of Preston V. Ratliff and wife, Marie, located in Berryhill Township, for Airport Clear Zone Project, at a condemnation price of \$16,000.00;
- (l) Acquisition of 7511.96 square feet of property at 931 Grove Street, from Romeo Alexander, at \$9,825, in connection with the West Fourth Street Extension;
- (m) Acquisition of 4,707.96 square feet of property at corner Grove Street and Victoria Avenue, from Romeo Alexander, at \$9,900 in connection with the West Fourth Street Extension;
- (n) Acquisition of 66.03 square feet plus 500 square feet of construction easement at 927-29 Grove Street, from Romeo Alexander, at \$275.00, in connection with the West Fourth Street Extension;
- (o) Acquisition of 7,046.98 square feet of property off Grove Street at Sycamore Street, from McClung Corporation, at \$3,350.00, in connection with the West Fourth Street Extension;
- (p) Acquisition of 12,195.78 square feet of property on the north side at end of Westbrook Avenue at turn around, from M. S. Huggins in the amount of \$1,000, in connection with the West Fourth Street Extension;
- (q) Resolution authorizing condemnation proceedings for the acquisition of property of William Turner Hinnant-heirs, located at 901 West Fourth Street, for West Fourth Street Extension Project, at a condemnation price of \$15,900.00;
- (r) Acquisition of 16,452 square feet of property at North Caldwell and East 12th Street, from Champion Manufacturing Company, in the amount of \$25,100 in connection with the Northwest Expressway;
- (s) Construction easement approximately 300 square feet on East 12th Street between Caldwell and Davidson Streets, from James Edgar and wife, in the amount of \$650.00 for the Northwest Expressway;
- (t) Right of way easement 10' x 443' off Pressley Road, from Cecil C. Christenbury and wife, at \$222.00, for the North-South Expressway sewer relocation;

continued

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- (u) Right of way easement 10' x 247.18' off Manchester Road - Rollingwood Development - from D. L. Phillips Investment Company, at \$200.00, for the North-South Expressway sanitary sewer relocation;
- (v) Right of way easement 78' x 10' off Sarah Street - York Road Park Development - from D. L. Phillips Investment Company, at \$39.00 for the North-South Expressway sanitary sewer relocation;
- (w) Right of way easement 10' x 217.37' in undeveloped property off Orchard Circle, from Lone Star Builders, Inc., at \$109.00, for the North-South Expressway sanitary sewer relocation;
- (x) Right of way easement 10' x 35' at 1121 Mockingbird Lane, from Mitchell F. and Patricia F. Allen, at \$100.00, for sanitary sewer trunk to Halstead Park;
- (y) Right of way easement 186.38' x 10' in Halstead Park Subdivision, from Howard Nance Company, at \$1.00, for Halstead Park sanitary sewer.

The resolutions are recorded in full in Resolutions Book 5, beginning at Page 467.

**MAYOR BROOKSHIRE TO CONTACT BOARD OF COUNTY COMMISSIONERS REGARDING CONSOLIDATION OF CITY AND COUNTY POLICE SYSTEMS.**

Mayor Brookshire stated mention was made in the Conference Session earlier that this might be a propitious time for the city and county to think about the consolidation of the two police systems as much as the Chief of the County Police has resigned. That he will transmit Council's interest in the matter to the County Board of Commissioners.

**REPORT FROM U. S. CONFERENCE OF MAYORS ON PROGRAMS WHICH WILL ASSIST CITIES MEETING CRISES EVIDENCED BY RIOTS.**

Mayor Brookshire stated he received a letter this morning from the U. S. Conference of Mayors, which states that President Barr has directed the staff of the conference to take the initiative to work with all forces of civic decency at the national level in developing support for programs which will assist cities in meeting crises evidenced by riots in many of them. That the critical needs of the cities were underscored by the Conference long before the riots started. That the needs have been exposed glaringly by the disturbances. That a Committee has been named, with John B. Lindsay of New York City appointed by President Johnson as Vice Chairman of the Special Advisory Commission on civil disorder. The Coalition will explore every possible means of encouraging the private sector to participate more fully in meeting the challenges of poor housing, poor education and joblessness.

Mayor Brookshire stated the following is from an editorial in the New York Times, under the heading of Coalition for Better Cities:

"While commissions to 'investigate' urban riots proliferate in Washington, a group of outstanding citizens has decided to take the lead in spurring the country to positive action to improve housing, schools and jobs, the obvious needs to combat despair in the slums.

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The private initiative pools the energies of such dissimilar Americans as David Rockefeller, Walter P. Reuther, Bayard Rustin, Mayor Lindsay and Gerald Phillippe, Chairman of the Board of General Electric. They and their associates in a new Urban Coalition plan to mobilize a thousand leaders in religion, education, business, labor, civil rights and municipal government at an emergency convocation in Washington later this month."

Mayor Brookshire stated this is simply a development with regard to emergencies that some cities across the land are having.

ADMINISTRATIVE ASSISTANT REQUESTED TO CONTACT MR. WHITNEY REGARDING REQUEST FOR ASSISTANCE WITH FESTIVAL IN PARK.

Councilman Tuttle asked if arrangements have been made with Mr. Grant Whitney to furnish some help with the Festival in the Park? That he has written the Mayor and members of Council asking for the services of some firemen. Mayor Brookshire replied he has answered the letter and asked Mr. Whitney if he would give the city an estimate of time and the amount of man hours he might need.

Councilman Smith requested Mr. Bobo, Administrative Assistant, to contact Mr. Whitney and ask him to give that report; that he must not realize he has to send the request in.

DISCUSSION OF STREET MARKINGS AND TRAFFIC ENGINEER REQUESTED TO MAKE STUDY TO IMPROVE CONDITIONS.

Councilman Tuttle stated he has received a letter from Mr. Charles Crawford of the Chamber of Commerce with reference to the street markings and a letter from a Mr. Granville Wyche in Greenville, S. C. Councilman Tuttle stated he would hope that Mr. Hoose would be asked to make a study of the street signs as he agrees we probably have the poorest marked city that he has ever seen. You cannot find I-85, and he thinks something should be done about it.

Councilman Stegall stated he has talked with Mr. George Broadrick, State Highway Commissioner, regarding this letter and he said he had already contacted the state engineering department with reference to this and would go back to them again as he was not satisfied with what they had done.

Mr. Bobo advised a study is underway on this now.

NEXT SESSION OF LEGISLATURE TO BE REQUESTED TO PASS MOTEL-HOTEL TAX.

Councilman Tuttle stated he was in one city while he was away recently and paid an eight cent motel-hotel tax, and that city is now enjoying \$15.68 of his money for four nights. At the rate they are charging this would mean six cents on our tax rate, and we should press our Legislature during the next session to get a motel-hotel tax. This money would come from other people and not citizens of the city.

WILLIAM H. CARSTARPHEN COMMENDED ON PROMOTION.

Councilman Short stated he has noted that Mr. William Carstarphen has been promoted and received a raise and it is certainly deserved.

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DIRECTORS OF HOUSING AUTHORITY AND REDEVELOPMENT COMMISSION WITH MEMBERS OF THEIR AUTHORITIES TO BE REQUESTED TO ATTEND NEXT CONFERENCE SESSION TO DISCUSS PLACEMENT OF PERSONS REMOVED FROM RENEWAL AREAS.

Councilman Alexander stated he has a matter pertaining to the replacement of those persons who must be moved in the urban redevelopment area. That he feels serious consideration should be given to this problem at this time so that as we move into this replacement program, we will not be confronted with anything that would create any unnecessary disturbance over the activities involved.

That some two years ago we met with the Housing Authority and discussed the possible need for reconsidering policies regarding admittance of people into public housing, and he does not recall that this was followed through.

Councilman Alexander stated in discussing this matter he is not going to refer to names but will refer to Case A and Case B.

These involve a situation where the Urban Redevelopment Commission was moving this particular case from 112 South McDowell Street. This is a case where a person is moved into a new location way beyond his ability to pay. Many times during hearings the questions has been raised if these people are being moved in suitable houses and the answer is yes. And the question is asked if they are being moved in suitable houses within their ability to pay and the answer is yes. That we have been aware that this has not been the case in all instances and we are again faced with it.

Case A is an individual with an income of \$25 a week and was told she would have to move and would have to move within a certain length of time. It was impossible to find any place that this person could move within the time limit within their ability to pay. Councilman Alexander stated he finally took this case into Double Oaks and her income is far below anything they take. This lady was 61 years of age and a widow. She could not get into Public Housing because she was told that she would have to be 62 years of age before she could be admitted. If he had not taken her into Double Oaks, she would have been forced to move into some situation where she would have to pay \$17.50 or \$18.00 a week rent.

Case B is an individual with an income of \$31.00 a week. This, too, is a widow, age 59, and is being removed from 112 South McDowell Street. That he suggested to a replacement officer that contact be made with the Public Housing Authority to see if something could not be worked out. Again they were told that she did not meet the age requirements and could not be taken in. Councilman Alexander stated he contacted the Housing Authority in this particular case to see if this matter could not be taken care of, and finally it was worked out; but the only thing offered was a one bedroom apartment and the lady had enough furniture for five rooms and did not care to get rid of her furniture, so she did not accept his one bedroom apartment. That he eventually took her in.

Councilman Alexander stated this is the problem; people are being moved and out of the movement are being forced into places beyond their ability to pay. The only hope for these people is public housing and here is where he thinks we need to have a conference with the Public Housing Authority to determine what can be done in these cases so that we can know that there will not have to be any problems growing out of the transfer of these persons when these situations occur. He stated a conference is needed with the Urban Redevelopment Commission so they too will understand that Council

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cannot permit them to force people out of places until they can be provided with housing suitable within their ability to pay. That he is aware that in each case they will be pushed to get clearance, but this is a situation out of which other situations can grow and it would be unpleasant for our community in times like these that we would not like to have happen. That we owe a responsibility to our community to see that this is done and done immediately. That he is calling this to Council's attention as a matter of fact and a matter of concern.

He asked that Council call an immediate conference with the Public Housing Authority and the Urban Redevelopment Commission to have an understanding of these things and find out what can be done legally and the possibilities of arrangements that can be made to take care of these persons who are going to be displaced and to what extent regulations will be so there will be a common knowledge from among all the agencies involved.

That after his contact with the public administration forces in Atlanta he knows these situations can be taken care of and can be taken care of on the local level.

Mayor Brookshire stated the officials from the Housing Authority and Redevelopment Commission can be invited to the conference session at the next Council Meeting. With reference to the additional 1,000 units of public housing authorized by Council a year ago, these units are to be built in areas replacing slum units, and at this point, we have not had approval on any of the four renewal projects.

Councilman Alexander stated he is not concerned with more public housing but determining a hard rock policy of taking care of these persons who are being displaced who have these small wages so that they can be placed.

Mayor Brookshire asked if the two cases cited were applying for public housing for the aged, and Councilman Alexander replied no, it did not matter where it was, public housing was what they were trying to get into regardless of where it is. Public Housing should make some provision for these people who are being displaced under clearance. Councilman Alexander stated these are two experiences that he has had and followed them through. That he talked with Mr. Dillehay after the second case came to his attention and it was finally resolved.

Mayor Brookshire stated Mr. Alexander is talking about responsibilities very definitely defined for the Urban Renewal Commission; their responsibility for relocating families. Councilman Alexander stated his point is their responsibility should not extend to the point where they are going to move people when they know it is beyond their ability to pay. Mayor Brookshire stated in view of the cases cited by Mr. Alexander he suggests that Mr. Dillehay and Mr. Sawyer with members from their Boards be requested to meet with Council at the next conference session.

Councilman Short stated he did not understand that receiving the 1,000 additional units of public housing was dependent upon the approval of further urban renewal. At the time the commitment was obtained comments were made about some 700 odd families still to be moved out of the first 5 urban renewal areas, and other statistics that seems to indicate this housing was needed for the instant situation rather than for some future urban renewal.

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Councilman Alexander stated what he is presenting has no bearing on the 1,000 units. He is talking about the relocation problems now and the problems involved growing out of the fact that he knows people are being moved into places way beyond their ability to pay.

Councilman Tuttle stated Mr. Alexander made two points - (1) being moved into places they could not afford and (2) that they did not qualify because there were not 62 years of age. He asked if Mr. Dillehay said there was a 62 year age limit? That he did not know there was an age limits on housing? Councilman Alexander replied there is some problems; these were two widow women and they say that an individual person who has not reached 62 years of age is ineligible for consideration. These people are coming out of the slum clearance area; they do have consideration by virtue of the fact they are coming from a clearance program and should be taken care of.

CONSIDERATION OF FIRE DEPARTMENT PROMOTION RECOMMENDATIONS TO BE CONSIDERED AFTER CITY MANAGER RETURNS FROM VACATION.

Councilman Smith stated all members of Council have a report on the fire department promotion system. That he assumes Mr. Veeder, City Manager, will be back from vacation by the next council meeting. That no moves are being made toward promotions until this report is approved.

When Mr. Veeder returns, Council will meet with him and approve, disapprove or amend the recommendations.

PROGRESS REPORT ON JUSTICE OF PEACE OPERATION AND REASSIGNMENT OF POLICE PERSONNEL FORMALLY CONNECTED WITH OPERATION REQUESTED.

Councilman Stegall requested Mr. Bobo, Administrative Assistant, to find out what progress is being made toward bringing the Clerk of Court Justice of Peace operation and the desk sergeants together by next Council Meeting.

DISCUSSION OF RESOLUTION AUTHORIZING CITY MANAGER TO HANDLE CLAIMS IN AMOUNT OF \$200 OR LESS.

Mr. Kiser, City Attorney, presented a resolution which would authorize the City Manager to handle claims in the amount of \$200 or less for Council's consideration.

Motion was made by Councilman Smith adopting the resolution, which was seconded by Councilman Short.

Councilman Tuttle stated he does not approve of this; that he wants to see who is being denied payment. Councilman Smith stated when payment is denied, the claimant could appear before Council.

Councilman Stegall asked how many claims are handled each year? Mr. Kiser replied in the past two years there were 125 claims filed and approximately 75% of those filed were \$200 or less. Councilman Short asked what the legislature enables? Mr. Kiser replied this is not a specific sum set by the legislature but matters involving a \$1,000 or less need not come before the Council.

Councilman Tuttle stated it is not the amount of money he is talking about; when payment is denied someone who thinks he has just claim, he wants to see it. Mr. Bobo, Administrative Assistant, stated the persons involved could

be instructed they have the right to appear before Council. Councilman Stegall stated any claim that Mr. Veeder denies could be put on the docket for Council to consider. Councilman Tuttle stated he could vote for this if it is made a part of the motion that any claim denied by Mr. Veeder be given Council with the circumstances and that he has denied it and that the report be given once a week with the agenda.

Councilman Short stated these claims are legal claims and all Council will be asking Mr. Veeder to do is to decide whether or not there is enough of a situation to go to court.

Mr. Kiser stated in the past all claims regardless of size - anywhere from \$1.50 to \$30 or \$40 thousand have been handled through investigation of the facts and circumstances. A search of the law to make some determination of judgement of whether the city is liable for the claims and then a recommendation presented to City Council based upon the facts as determined and the law as determined. The difference in procedure would be that a lot of paper work would be cut out, but basically the same determination would still have to be made. In the past two years 125 claims have been filed - 68 were for \$200 or less, on 17 the amount was not listed and 22 involved the city's insurance carrier. Of the amounts in which the amount was listed and the insurance carrier was not involved, approximately 75% were less than \$200.00.

Councilman Smith stated Council is involved in so much and there are bigger and more important things and certain things have to be left to the administration.

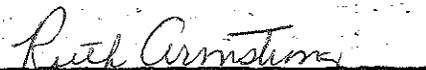
Councilman Stegall suggested that the matter be postponed until seven council members are present and all members present concurred.

**COPY OF CHARLOTTE TODAY PRESENTED COUNCIL MEMBERS.**

Mayor Brookshire presented Council Members with copies of the magazine "Charlotte Today", which was printed by Crabtree Press of Charlotte with Malcolm Cole, Editor and Publisher, and Miss Barbara Harding, Assistant Editor and Vice President of Crabtree Press. He stated it is with Miss Harding's compliments that he presents the copies to Council.

**ADJOURNMENT.**

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

  
Ruth Armstrong, City Clerk