

December 14, 1964
Minute Book 45 - Page 45

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Monday, December 14, 1964, at 3 o'clock p.m., with Mayor Brookshire presiding, and Councilmen Albea, Bryant, Dellinger, Jordan, Smith, Thrower and Whittington present.

ABSENT: None.

* * * * *

INVOCATION.

The invocation was given by the Reverend Oren Moore, Pastor of Westover Hills Presbyterian Church.

MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Whittington, and unanimously carried, the Minutes of the last meeting of the Council on December 7th were approved as submitted.

COUNCIL URGED TO LEAVE UNCHANGED PRESENT METHOD OF SELECTING CHIEF OF POLICE, AND TO TAKE FIRM STAND ON PRESENT POLICE DEPARTMENT INVOLVEMENT AND ON WHO IS RUNNING THE CITY.

Mr. Albert Pierson stated he would like to clarify something he said last week about the people selected by the Council or City Manager, but first he would like to say in connection with his statement regarding the Belt Road when he used the word "damn", that he has done some research on it and believes the word was well put even though it may not be grammatically correct, and he has no apologies to make - that the point he was trying to bring out was the handling of the Belt Road was criticized harshly, and in his opinion, it was a failure.

Mr. Pierson stated he would like the present plan of selecting the Chief of Police given an opportunity, which has not yet been done. That unless the City Manager has come forth with complaints regarding the Chief of Police which he was unable to handle because he was not in a position to either fire or hire the Chief, any argument to change the present plan to give him that authority would be strictly hearsay as to facts. That he does not think we should be ashamed of the Police involvement. That he thinks there is politics involved and it is unfortunate that some of the reporters who have had close contacts with the Police Department think things were not exactly right and possibly added to the Grand Jury getting evidence from individuals. That he thinks we should be ashamed if we do not take a firm stand and make sure what we are doing is right. If the City Manager has not done what he should to correct any situation that was involved, if the Mayor has not exercised his prerogative and if the Council itself has not taken enough initiative in a political way, then he does not think we have given the present system the chance to work the way it should. That he believes the Council and Mayor should take some kind of stand to give the people of Charlotte assurance that we have, first, a good Police Department, and second, that they will do anything they can to see that justice is carried out and not let it develop into a political football. He called attention to an editorial in The Charlotte News on Who is Running the City, and he suggested that a firm stand should be taken by the Mayor and Council as to exactly who is running the city in no uncertain terms.

ORDINANCE NO. 294 AMENDING CHAPTER 5, ARTICLE II OF THE CODE OF THE CITY OF CHARLOTTE ENTITLED: MECHANICAL SYSTEMS, ADOPTED.

Ordinance No. 294 Amending Chapter 4, Article II of the Code of the City of Charlotte, entitled: Mechanical Systems, was introduced and read, and upon motion of Councilman Thrower, seconded by Councilman Jordan, was unanimously adopted. The ordinance is recorded in full in Ordinance Book 14, beginning at Page 106.

RESOLUTION CLOSING PORTIONS OF EAST FIRST STREET AND EAST SECOND STREET BETWEEN SOUTH BREVARD STREET AND SOUTH DAVIDSON STREET, ADOPTED.

A resolution entitled: Resolution Closing Portions of East First Street and East Second Street between South Brevard Street and South Davidson Street, was introduced and read, and upon motion of Councilman Dellinger, seconded by Councilman Bryant was unanimously adopted. The resolution is recorded in full in Resolutions Book 4, at Pages 459 through 461.

RESOLUTION DESIGNATING THURSDAY, DECEMBER 17, 1964 AS CITY EMPLOYEE RECOGNITION DAY, ADOPTED.

A resolution entitled: Resolution Designating Thursday, December 17, 1964 as City Employee Recognition Day, was introduced and read, and upon motion of Councilman Jordan, seconded by Councilman Whittington, was unanimously adopted. The resolution is recorded in full in Resolutions Book 4, at Page 462.

PRIVATE SANITARY SEWERS, OUTSIDE THE CITY LIMITS, AUTHORIZED CONNECTED TO THE CITY'S SANITARY SEWERAGE SYSTEM.

Motion was made by Councilman Bryant, seconded by Councilman Albea, and un-animously carried, authorizing the connection of private sanitary sewers, outside the city limits, to the City's Sanitary Sewerage System, as follows:

- (a) Connection of private sewer lines in a portion of Sharon Colony II, to the City's System, at the request of Mecklenburg Engineers.
- (b) Connection of private sewer lines in a portion of Old Fort Subdivision, to the City's System, at the request of Key Construction Company.
- (c) Connection of private sewer lines in a portion of Huntingtowne Farms, to the City's System, at the request of Mecklenburg Engineers.

CONSTRUCTION OF SANITARY SEWER MAIN IN ELLINGTON STREET AUTHORIZED.

Upon motion of Councilman Whittington, seconded by Councilman Smith, and un-animously carried, the construction of 75 feet of sanitary sewer main was authorized in Ellington Street at the request of Dr. B. W. Armstrong, at an estimated cost of \$375.00. All costs to be borne by the applicant, whose deposit of the amount of the cost to be refunded as per terms of the contract.

TRANSFER OF CEMETERY LOT.

Councilman Whittington moved that the Mayor and City Clerk be authorized to execute a Deed with Thelma W. Campbell and Elizabeth W. Myers, for Lots No. 254 and 255, Section 3, Evergreen Cemetery, at \$567.00. The motion was seconded by Councilman Albea, and unanimously carried.

December 14, 1964
Minute Book 45 - Page 47

CONTRACT AWARDED CHICAGO PUMP, HYDRODYNAMICS DIVISION, FOOD MACHINERY AND CHEMICAL CORPORATION FOR TWO BARMINUTORS, SCREENING AND COMMUNITING MACHINES.

Upon motion of Councilman Thrower, seconded by Councilman Bryant, and un-animously carried, contract was awarded the low bidder, Chicago Pump, Hydrody-namics Division, Food Machinery and Chemical Corporation, for two Barminutors, Screening and Communiting Machines, as specified, in the amount of \$14,020.48 less trade-in for two existing Barminutors.

The following bids were received:

Chicago Pump, Hydrodynamics Division, Food Machinery & Chemical Corporation	\$18,968.48	
Less Trade-in for 2 Units	<u>4,948.00</u>	\$14,020.48
Worthington Corporation	No Trade-in	39,243.00

CONTRACT AWARDED NORMANS HOUSE DEMOLISHING COMPANY FOR DEMOLISHING TWENTY-THREE HOUSES.

Councilman Albea moved the award of contract to the low bidder, Normans House Demolishing Company, for demolishing 23 houses, as specified, in the amount of \$5,750.00. The motion was seconded by Councilman Thrower, and unanimously carried.

The following bids were received:

Normans House Demolishing Co.	\$ 5,750.00
J. E. Kipka Constr. Company	7,200.00
Crouch Bros. House Moving Contractors	8,700.00
Suggs Wrecking Co., Inc.	9,600.00

INSTALLATION OF TEMPORARY SIDEWALK AUTHORIZED ON SOUTHWEST SIDE OF NEWLAND ROAD, BETWEEN KENNESAW DRIVE AND HOLLY STREET, AND TRANSFER OF FUNDS THEREFOR FROM GENERAL FUND, CONTINGENCY ACCOUNT.

Councilman Albea moved approval of the installation of a temporary sidewalk on the southwest side of Newland Road, between Kennesaw Drive and Holly Street, for a distance of approximately 1900 feet, and the transfer of \$4,000.00 from the General Fund, Contingency Account, for this purpose. The motion was seconded by Councilman Jordan, and unanimously carried.

CITY ATTORNEY REQUESTED TO CHECK ORDINANCE RELATIVE TO CHICKENS KEPT IN CITY THAT DO DAMAGE TO PRIVATE PROPERTY.

Councilman Dellinger asked the City Attorney to check the City Code and advise at next week's meeting what the ordinance is, if any, relative to chickens being kept in the city that do damage to private property.

CITY ATTORNEY REQUESTED TO ADVISE COUNCIL OF EXISTING LAW AGAINST PARKING ON PLANTING STRIPS AND ON TEMPORARY SIDEWALKS.

Councilman Dellinger asked the City Attorney for a report on his request of some months ago to draw an ordinance prohibiting parking on planting strips and temporary sidewalks. Mr. Morrissey replied that he does not recall Mr. Dellinger making the request; that so long as the area is within the public right of way our existing ordinances would apply. Councilman Dellinger

stated he has had persons call him recently saying cars are parked on temporary sidewalks and they have been advised there is no law prohibiting it. Mr. Morrissey stated that in the absence of a parking restriction applying to that particular right of way, of course it would be alright to park there. Councilman Dellinger commented what he requested drawn was an ordinance that would apply any where in the City. He asked the City Attorney to advise Council at next week's meeting what the existing law is relative to such parking.

RESOLUTION RATIFYING, CONFIRMING AND APPROVING THE SIGNING AND FILING OF THE APPLICATION FOR APPROVAL OF PROPOSED BONDS WITH THE LOCAL GOVERNMENT COMMISSION ADOPTED.

Councilman Whittington introduced a resolution entitled: Resolution Ratifying Confirming and Approving the Signing and Filing of the Application for Approval of Proposed Bonds with the Local Government Commission, and moved its adoption. The motion was seconded by Councilman Jordan, and unanimously carried. The resolution is recorded in full in Resolutions Book 4, beginning at Page 463.

CHANGE ORDER NO. 11 AUTHORIZED IN CONTRACT WITH BLYTHE-CROWDER CONTRACT FOR THE CONSTRUCTION OF THE WEST SIDE CROSSING ELIMINATION PROJECT.

Upon motion of Councilman Albea, seconded by Councilman Thrower, and unanimously carried, Change Order No. 11 in the Blythe-Crowder Contract for the construction of the West Side Grade Crossing Elimination Project, was approved, covering the erection of permanent barricades at the following deadend streets: 8th Street, 7th Street, 3rd Street, 2nd Street, Dunbar Street and Eldridge Street, which will increase the contract by \$1,355.85.

ADJOURNMENT.

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



Lillian R. Hoffman, City Clerk