

February 20, 1961
Minute Book 40 - Page 250

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, February 20, 1961, at 2 o'clock p.m., with Mayor Smith presiding, and Councilmen Albea, Babcock, Dellinger, Hitch, Myers, Smith, and Whittington present.

ABSENT: None

Charlotte-Mecklenburg Planning Board members Mr. Sibley, Chairman, Mr. Craig, Mr. Ervin, Mr. Jones, Mr. Lakey, Mr. Schwartz, Mr. Toy, Mr. Turner and Mr. Wilkinson were present during the hearings on petitions for zoning changes.

ABSENT: Mr. Marsh.

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INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Hitch, seconded by Councilman Babcock, and unanimously carried, the Minutes of the last meeting on February 13, 1961 were approved as submitted.

HEARING ON ORDINANCE NO. 718 AMENDING THE ZONING ORDINANCE.

The public hearing was held on Ordinance No. 718 Amending the Zoning Ordinance to amend the Building Zone Map by changing property at the NW corner of Independence Boulevard and Commonwealth Avenue, from R-2 to B 1-A, on petition of E. R. Baucom.

Mr. McIntyre, Planning Director, stated the property fronts 80 feet on Commonwealth Avenue and 167 feet on Independence Boulevard and is used for residential purposes and is adjoined on the north by a residential area, on the south and west by business property and across Commonwealth Avenue is a church.

Mr. Tom Lane, Attorney for the petitioner, advised that the adjacent property on the west of Independence Boulevard and the three corners at this intersection have been rezoned to B 1-A, and in light of this their request is pertinent.

Mr. John Staton stated he has resided for the past 15 years in the fifth house northwest of the property in question, and his deed restricts the area to residential use; that so far, no property on their side of Independence Boulevard has been rezoned, and they believe if today's request is granted it will cause other requests. He urged that the request be denied as it will militate against the other property owners, their health and welfare, as well as against the church across Commonwealth Avenue.

Mr. Jake Wade, representing Mr. J. H. Williams, stated his client is the

February 20, 1961
Minute Book 40 - Page 251

owner of the property immediately adjacent to the Baucom property in question, whose area comprises in excess of 20% of the area of the Baucom property and therefore comes within the required 20% rule. Mr. Wade outlined the provisions of the zoning law under which rezoning is practical and stated none of them are applicable. He stated that the neighborhood survived the opening of Independence Boulevard and now are confronted with this further invasion of what was a quiet, preaceful section when they purchased their homes, and they ask that Council relieve them of this by denying the petition.

A resident of the area speaking for Mrs. L.K. Dellinger, who is ill and who resides next door to the property in question, voiced her strong objections to the rezoning.

Council decision was deferred for one week.

HEARING ON ORDINANCE NO. 719 AMENDING THE ZONING ORDINANCE.

The scheduled hearing was held on Ordinance No. 719 Amending the Zoning Ordinance to amend the Building Zone Map by changing zoning on property at the intersection of Hoskins Road and Hovis Road, from R-2 to B-1, on petition of Ervin Construction Company.

The Planning Director advised the property is triangular in shape and fronts 296 feet on Hovis Road and 400 feet on Hoskins Road, and is adjoined at the rear by vacant land, across Hoskins Road is a residential development and across Hovis Road is a business establishment and a Trailer Park, and also a church.

Mr. Ben Horack, Attorney for the petitioner, stated they think the change in zoning will result to the benefit of the neighborhood, as the plans are for the construction of a national chain grocery store to serve the residents.

The Reverend Weller, Pastor of Thomas Church of the Nazarene, stated it is the feeling of the Church and neighborhood that the store would sell alcohol beverages and operate seven days a week, which could attribute to delinquency, besides there is no need for a grocery store at this location, as there are a sufficient number in the area to serve the residents. That this is a strictly residential area and they wish to keep it so.

Mr. Horack stated he does not believe that zoning laws are predicated on the particular need of a given property; that the property is surrounded by business and industrial usages and would be compatible with the surroundings; that he is caught off base regarding the probable sale of alcohol beverages, but if they were sold they would be the same type sold in similar grocery stores all over town.

Mayor Smith asked Mr. Horack if he would be interested in the property rezoned B 1-A instead of B-1 and Mr. Horack stated he would have to check with the property owner and would advise Mr. McIntyre, Director of the Planning Board.

Mr. O. L. Page, Chairman of the Board of Trustees of Thomasboro Church of the Nazarene, stated they are concerned with the hours the store would be open as they would conflict with church hours on Wednesday night and Sundays. He stated he is familiar with the operation of the national chain store that will operate on the property, which is an open-air type

February 20, 1961
Minute Book 40 - Page 252

and the noise, parking etc would definitely interfere with church services. Also, that all industrial development is on the north side of Hovis Road and they do not want it to invade the south side.

Council decision was deferred one week.

HEARING ON ORDINANCE NO. 720 AMENDING THE ZONING ORDINANCE.

The public hearing was held on Ordinance No. 720 Amending the Zoning Ordinance to amend the Building Zone Map by changing the zoning on property on the west side of Highway 16, south of Cross Street, from R-2 to B-1, on petition of Leonard W. Coppala.

Mr. McIntyre, Planning Director, stated the property is located on the northwest side of Belhaven Boulevard, which is now known as Highway 16; the property is vacant and fronts 423 feet on Belhaven and extends back 1,410 feet, with the southerly boundry extending back 550 feet; that the property is bounded by residences on Thompson Street and across Belhaven the land is vacant with a residential area on Woodland Road, and is adjoined on all sides by R-2 zoning.

Mr. Charlie Henderson, Attorney for the petitioner, stated the size of the property is about the size of a city block and is near Highway 85; there are no structures within the property as it is swampy; there is a small residential area and a large amount of industrial property surrounding it. That the property is unsuitable for residential purposes is evidenced by the fact that the FHA states it does not meet the requirements for a residential area, and without FHA financing, the property could only be used for very low cost housing, resulting in sub-standard housing. He stated further that his client can put the property into usable condition by grading, etc and construct a nice, neighborhood shopping area with plenty of off-street parking to serve the area and Coolwood Development now under construction. He advised unless it is rezoned, it will remain vacant and merely stay on the tax books without benefit to the owner.

Council decision was deferred one week.

HEARING ON ORDINANCE NO. 721 AMENDING THE ZONING ORDINANCE.

The scheduled hearing was held on Ordinance No. 721 Amending the Zoning Ordinance to amend the Building Zone Map by changing zoning on property at the SE corner of Sugaw Creek Road and Dinglewood Avenue, from R-2 to B-1, on petition of J. L. Gibbs and G. F. Rice.

The Planning Director stated the property consists of several lots fronting on Sugaw Creek Road with some on Dinglewood, and extends 369 ft. along these two roads; that it is principally vacant; immediately to the rear it is zoned for residential usage; out Sugaw Creek Road it is also zoned for residential usage but mainly vacant and across the street the land is vacant with plans for industrial usage.

Mr. J. L. Gibbs, the petitioner and also speaking for Mr. Rice, the other petitioner, stated there is approximately 75 acres across from the property in question on which a warehouse is being erected, and across the Highway is the fairgrounds, and the residents of the five adjoining lots have no objections to the rezoning.

No opposition was expressed to the proposed rezoning.

Council decision was deferred for one week.

HEARING ON ORDINANCE NO. 722 AMENDING THE ZONING ORDINANCE.

The public hearing was held on Ordinance No. 722 Amending the Zoning Ordinance to amend the Building Zone Map by changing zoning on property north of The Plaza and east of Eastway Drive, from Rural to B-1, on petition of H. H. Pittman, A. W. Hooks, and B. C. McQuay.

Mr. McIntyre, Planning Director, stated the petition includes property on The Plaza and Eastway Drive that it is adjoined by residential property, across Eastway Drive it is zoned residential with one business in a home; adjoined on the south by small business area and across The Plaza is Eastway Golf Course.

Mr. Frank Snapp, attorney for the petitioner, stated they are asking for the rezoning of 6 lots adjacent to the five lots already zoned B-1; that this request has been before Council and the objection of the adjoining property owner at that time has been removed as they will build a wall between the properties and give him a right-of-way across the rear lot. He advised the property will be developed as a Shopping Center with a Super Market. That business is established on the other three corners of the intersection. That as far as they know there is no opposition.

No opposition was expressed to the rezoning.

Council decision was deferred one week.

HEARING ON ORDINANCE NO. 723 AMENDING THE ZONING ORDINANCE.

The public hearing was held on Ordinance No. 723 Amending the Zoning Ordinance to amend the Building Zone Map by changing zoning on property on both sides of Independence Boulevard, east of Idlewild Road, from Rural to B 1-A, on petition of J. M. Wallace and J. Mason Wallace, Jr., et al.

The Planning Director stated that the petition involves an extensive amount of property along Independence Boulevard to Wallace Road; that the strip of land from Idlewild Road over to Monroe Road contains 67 acres; that the property is vacant with one greenhouse on it; the adjoining property is principally vacant and zoned Rural.

Mr. Richard Wardlow, Attorney representing Mr. J. M. Wallace and Mr. J. M. Wallace, Jr., two of the 12 petitioners, stated there is about 60 acres lying on both sides of Independence Boulevard, one tract is about 30 acres; on either side of the Boulevard the area is simply an extension of Business zoned areas; that the Wallaces have owned a majority of the property since 1914 and have never requested the rezoning of any portion of the property; that the property is presently zoned Rural with no farming on it and never will be; also, no one is going to buy land for residential use along Independence Boulevard, therefore, it cannot be put economically to any use under the present zoning. He stated this is not spot zoning, as it is a large area and they are requesting the rezoning of it all; that the adjoining area is zoned B-1 but being used industrially, as on Idlewild Road, there are business operations including greenhouses, storage warehouses, manufacturing plants, sand and gravel operations, storage tanks, drive-in cafes etc. Mr. Wardlow stated further when a portion of the property along Monroe Road was purchased by Mecklenburg Board of Education as a site for East Mecklenburg High School from Mr. Wallace, they asked him would he restrict it for 200 feet in front of the school for residential use only, and he did so. Later the School Board bought the remainder of the school property and again asked Mr. Wallace to restrict the land

use for 200 feet from the already restricted 200 feet and for the same depth and again he did so. He advised his clients do not have any hurry-up, big plans for any development; that Mr. Wallace has been approached regarding the leasing of a portion of the property for a Commercial recreational area.

Mr. Parker Wheadon, Attorney representing five of the 12 petitioners, Mr and Mrs. Edward Griffin, Griffin Realty Company, Mr. & Mrs. M.D. Christenbury, Mr. & Mrs. John W. Birmingham and Mrs. Minnie B. McEwen, stated their property is all located on the east side of Independence Boulevard, and under the present zoning can only be used for low-cost residential use; that the 20 year Plan for Charlotte anticipates a population of 420,000 by 1980, which will require additional land use for business purposes and they feel this land will be needed for that purpose.

Mr. Walter Byrd, representing 66 residents of the Burtonwood Subdivision, stated they are not against progress but they located down Old Monroe Road near East Mecklenburg High School for the rural atmosphere and safety to their children. That they object to the rezoning to bring business into the area because of the congestion, increased traffic hazards, the possibility of lowering property values; too the parents are interested in behalf of East Mecklenburg School and ask that Mr. Wallace make the line of the property for rezoning a fair distance from the school.

Mrs. Ramsey, President of East Mecklenburg High School PTA, stated they object to the rezoning because of the effect on their children, as the property lies immediately in front of the school, and, too, it is at a 5-way intersection which is already hazardous.

The Reverend W. B. Carr, Pastor of the Baptist Church at Matthews, stated the patrons of East Mecklenburg High School ask that the Council give every consideration to the School and the dangers involved if the triangle in front of the school is rezoned as business.

Mr. Pittman, Principal of East Mecklenburg High School, asked whether or not request has been made that the restrictions at the front of the school be lifted? That when the proposal to Mr. Wallace for leasing the property in front of the school is mentioned, the thoughts of race tracks and carnivals concern him greatly, and they do not want any such across from their school because of its affect on the students.

At the question of Councilman Smith if the restrictions of the 200 feet along the front of the school property is not sufficient and if they wish 300 or 500 ft., Mr. Pittman stated they understand this 200 ft. is from the center of the highway, and their main objection is to the probable use of the property within the triangle in front of the school for its affect on the students.

Mr. Wardlow stated Mr. Wallace, who is present, says there has never been any requests for lifting the restrictions, and the deed to the property held by the County Board of Education contains the specified 200 feet from the easterly line of Monroe Road. Mr. Pittman insisted that his information came from the Chairman of the County School Board.

Mr. Byrd stated he would suggest probably 500 to 600 feet should be restricted.

Mr. Wardlow stated Mr. Wallace will be glad to discuss the footage with the County School Board and make it entirely satisfactory with them.

Council decision was deferred one week.

PROBLEMS PRESENTED BY CHARLOTTE RESCUE SQUAD CHIEF REFERRED TO CITY MANAGER FOR CONFERENCE.

Mr. B. C. Flowers, Chief of the Charlotte Rescue Squad, appeared before Council to ask for a clarification of the Squad's role. He stated they are attempting not to take calls for which the Ambulance Company could collect; that the calls are screened by the Fire Department where the Squad's telephone is located, however, some calls termed emergency by the caller get through and they handle them once they go out. He stated if a call appears to be strictly transportation and not first aid, it is referred to him by the Fire Department for decision and he endeavors to find out if the person is able to pay and if so he refers them to the Ambulance Company.

Councilman Whittington praised the Rescue Squad as a valuable service to the city and recommended that they be assisted by seeing that only first aid and rescue calls are referred to them and eliminate their receiving calls that should go to the Ambulance Company.

Councilman Dellinger suggested that Mr. Flowers and Mr. Brandes of the Ambulance Company get with Mr. Veeder and see what can be worked out. Mr. Veeder stated he would be happy to do so as there is a definite need for each service and they should be able to work out something satisfactory.

Mr. Flowers also stated they have been trying for years to get a badly needed building; that they have excellent equipment and should have a proper building for storage; that the \$1,500.00 received annually from the City and a like amount from the County is a small part, as it will require \$8,000.00 at least to construct a building. He stated the Exchange Club has helped them with the purchase of equipment with no strings attached and last year raised \$4,500.00 and later \$1,500.00 towards the building but they will not release it and have offered to buy the lot for the building with these funds and retain title to it, to which he objects as they would have only a small amount in the project.

Councilman Hitch suggested that the Council should not get involved in this question, which is between the Rescue Squad and the Exchange Club and the Council concurred in the suggestion.

At the suggestion of Councilman Smith, the matter was referred to the City Manager to see if he cannot work it all out to everyone's satisfaction.

OWNERS OF SOUTHERN DRUG COMPANY GRANTED PERMISSION TO PARK TRAILER IN FRONT OF BURNED-OUT BUILDING ON EAST MOREHEAD STREET FOR PERIOD OF SIX MONTHS FOR OPERATION OF PRESCRIPTION DEPARTMENT.

Councilman Smith advised that Dr. Kirk Hardee and other owners of Southern Drug Company on East Morehead Street whose building was damaged by fire last week want to continue the operation of their prescription department in particular from a trailer to be parked in front of the building for a period of six months, until the building is rebuilt, and they have been advised by the Building Inspection Department they do not have authority to issue such permit and it will require Council action. He moved that they be granted permission to place the trailer in the off-street area in front of the building for the 6 months period. Dr. Hardee stated they wish to park the trailer parallel with Morehead Street in order not to interfere with work on the building. The motion was seconded by Councilman Dellinger, and carried, with Councilman Myers abstaining from voting.

ORDINANCE NO. 734 AMENDING WATER AND SEWER CODE OF THE CITY OF CHARLOTTE WITH RESPECT TO RATES CHARGED FOR WATER AND SEWER SERVICE.

An ordinance entitled: "Ordinance No. 734 Amending Water and Sewer Code of the City of Charlotte with respect to Rates charged for Water and Sewer Service" was introduced and read and upon motion of Councilman Smith, seconded by Councilman Dellinger was adopted on the following recorded vote:

YEAS: Councilmen Smith, Dellinger, Albea and Whittington.

NAYS: Councilmen Babcock, Hitch, and Myers.

The ordinance is recorded in full in Ordinance Book 13, beginning at Page 39.

RESOLUTION WITH RESPECT TO THE APPROPRIATION OF NON-TAX FUNDS TO THE CITIZENS SAFETY ASSOCIATION TO CARRY ON A TRAFFIC SAFETY CAMPAIGN.

A resolution entitled: "Resolution with respect to the Appropriation of Non-tax Funds to the Citizens Safety Association to carry on a Traffic Safety Campaign" was introduced and read, and upon motion of Councilman Dellinger, seconded by Councilman Smith, and unanimously carried, was adopted. The resolution is recorded in full in Resolutions Book 4, at Page 100.

Mr. Bill Terrell, Director of the Association expressed their appreciation for the cooperation of the City Council.

Councilman Smith suggested that it would be well to request the City Manager to include in the 1961-62 tentative budget for consideration \$5,000.00 additional for use of the Association.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

Upon motion of Councilman Whittington, seconded by Councilman Hitch, and unanimously carried, the construction of driveway entrances was authorized at the following locations:

- (a) Two 30-ft. entrances at 3815 N. Tryon Street.
- (b) One 35-ft. entrance at 4024 Pineville Road.
- (c) One 16-ft. entrance at 1921 Central Avenue.
- (d) One 30-ft. entrance at 3014 Freedom Drive.
- (e) One 25-ft. entrance at 2136 South Boulevard.
- (f) One 30-ft. entrance on North Tryon Street and One 30-ft. on Sugar Creek Road, both for 4300 N. Tryon Street.

PAYMENT AUTHORIZED TO CHARLOTTE BOARD OF REALTORS FOR APPRAISING THE SITE OF THE PROPOSED PAW CREEK SEWAGE LIFT STATION.

Councilman Hitch moved that payment of \$50.00 from the new Sewer Bond Fund to the Charlotte Board of Realtors for appraising the site of the proposed Paw Creek Sewage Lift Station be authorized. The motion was seconded by Councilman Whittington, and unanimously carried.

CONSTRUCTION OF SANITARY SEWER MAINS AUTHORIZED IN STATESVILLE ROAD, WELLINGFORD STREET AND BEACON STREET.

Upon motion of Councilman Hitch, seconded by Councilman Babcock, and un-animously carried, the construction of sanitary sewer mains was authorized as follows:

- (a) 200-ft. of sewer main in Statesville Road, inside the city limits, at request of G. G. Pauls, 2133 S. Boulevard, to serve a new business unit, at an estimated cost of \$710.00. All costs to be borne by the applicant, whose deposit of the entire amount will be refunded as per terms of the contract.
- (b) 200-ft. of sewer main in Wellingford Street, inside the city limits, at request of Trotter & Allan Construction Company, to serve four houses under construction, at an estimated cost of \$770.00. All costs to be borne by the applicant, whose deposit of the entire amount will be refunded as per terms of the contract.
- (c) 220-ft. of sewer main in Beacon Street, inside the city limits, at request of O'Hair Agency, to serve a portion of the street, at the estimated cost of \$1,030.00. All costs to be borne by the applicant, whose deposit of the entire amount will be refunded as per terms of the contract.

LEASE OF AIRPORT BUILDING NO. 61 DEFERRED ONE WEEK FOR REPORT IF RENTAL IS COMPARABLE WITH APPRAISED BUILDING VALUE.

Councilman Dellinger requested that action be deferred one week on the recommended lease of Airport Building #61, comprised of 1,675 feet, at a monthly rental of \$48.85, and the City Manager to ascertain if the proposed rental is comparable with the recently appraised value of the building.

TRANSFER OF CEMETERY LOT.

Upon motion of Councilman Hitch, seconded by Councilman Whittington, and un-animously carried, the Mayor and City Clerk were authorized to execute a deed with Charles W. or Viola D. Eason, for Lot 127, Section 4-A, Evergreen Cemetery, at \$126.00.

CONTRACT AWARDED SHELBY SUPPLY COMPANY FOR FIRE HOSE.

Upon motion of Councilman Dellinger, seconded by Councilman Smith, and un-animously carried, contract was awarded the low bidder, Shelby Supply Co., Inc. on their Alternate Bid for 2500 ft. 2½" Dacron and Cotton Fire Hose and 4500 3" Dacron and Cotton Fire Hose, in the amount of \$8,745.00.

The following net delivered bids were received:

Base Bid: (Cotton Double Jacket Fire Hose)

Hewitt-Robins, Hewitt Rubber Division \$ 11,310.00

Alternate Bid: (Dacron and Cotton Fire Hose)

Shelby Supply Co., Inc.	\$ 8,745.00
Southern Rubber Company	8,860.00
The Henry Walke Co.	8,855.00
Fabric Fire Hose Co.	9,135.00
The Fyre-Fyter Co.	11,250.00
General Fire Extinguisher Corp.	11,850.00
Hewitt-Robins, Hewitt Rubber Division	12,175.00

February 20, 1961
Minute Book 40 - Page 259

CONTRACT AWARDED I. L. COOK FOR PAINTING FIRE DEPARTMENT OFFICES IN OLD HEALTH BUILDING.

Councilman Dellinger moved that contract be awarded the low bidder, I. L. Cook, in the amount of \$1,260.00 for painting the Fire Department offices in the Old Health Department. The motion was seconded by Councilman Smith and unanimously carried.

The following net delivered bids were received:

I. L. Cook	\$ 1,260.00
George A. Oliver	1,650.00
E. R. O'Dillon	1,676.00
N. M. Nance	1,912.00

CONTRACT AWARDED WALD INDUSTRIES, INC. FOR PAINT TEMPERATURE HEATER FOR WALD TRAFFIC LANE PAINTING MACHINE FOR TRAFFIC ENGINEERING DEPARTMENT.

Motion was made by Councilman Whittington, seconded by Councilman Albea and unanimously carried, awarding contract in the amount of \$1,730.00 to the Wald Industries, Inc. for paint temperature Heater for Wald Traffic Lane Painting Machine to be used by the Traffic Engineering Department in the traffic lane painting program. This is a specialty item and can be purchased only from the manufacturer of the painting equipment.

CONTRACT AWARDED CONCRETE PRODUCTS COMPANY FOR CONCRETE METER BOXES WITH COVERS FOR WATER DEPARTMENT.

Councilman Hitch moved that contract be awarded the Concrete Products Company for 1000 Concrete Meter Boxes with covers which is a specialty item and only available from Concrete Products Company, in the amount of \$5,000.00. The motion was seconded by Councilman Albea, and unanimously carried.

CONTRACT AWARDED NORTHERN BANK-NOTE COMPANY FOR PRINTING CITY OF CHARLOTTE BONDS.

Upon motion of Councilman Babcock, seconded by Councilman Myers, and unanimously carried, contract was awarded the low bidder, Northern Bank-Note Company for printing 5,000 - \$1,000.00 City of Charlotte Bonds, including legal opinion on the reverse of the bonds, at their base bid of \$1,205.00 plus \$17.50 for each additional interest rate included in the low bid made to the Local Government Commission on February 28, 1961.

AUDITORIUM-COLISEUM AUTHORITY GRANTED \$26,385.15 AND ANNUAL PAYMENT OF \$15,000 TO CITY FROM ANTICIPATED REVENUE WAIVED.

Upon motion of Councilman Dellinger, seconded by Councilman Smith, and unanimously carried, the Auditorium-Coliseum Authority was granted \$26,385.15 against their estimated deficit, and their annual payment of \$15,000.00 to the City from Anticipated Revenue was waived.

PURCHASE OF LAND FOR SEWAGE TREATMENT PLANT AUTHORIZED.

Councilman Whittington moved approval of the purchase of a 164 tract of

land south of Pineville, off US #521, from John S. and Edith L. Miller, at a cost of \$105,400.00, as a portion of the site for a sewage treatment plant, subject to the approval of the title by the City Attorney. The motion was seconded by Councilman Hitch, and unanimously carried.

RESOLUTION AUTHORIZING PRINTING OF LEGAL OPINION ON \$5,000,000 CITY OF CHARLOTTE BONDS.

A resolution entitled: "Resolution Authorizing Printing of Legal Opinion on \$5,000,000 City of Charlotte Bonds" was introduced by Councilman Smith and read and upon motion of Councilman Smith, seconded by Councilman Dellinger, and unanimously carried, the resolution was unanimously adopted.

The resolution is recorded in full in Resolutions Book 4, at Page 99.

EXPLANATORY LETTER CONCERNING NEW RATES EFFECTIVE APRIL 1, 1961 DIRECTED DRAFTED FOR MAILING TO CITIZENS WITH WATER METERS.

Councilman Whittington moved that a letter be mailed citizens who have a water meter explaining the new rates that will become effective April 1st, for the purpose of clarification, as apparently the small users do not understand there will be no increase in their rates. The motion was seconded by Councilman Albea. Councilman Babcock stated he thinks this is unnecessary as it was fully explained in the newspapers. The motion was carried by the following recorded vote:

YEAS: Councilmen Whittington, Albea, Dellinger, Hitch, Myers and Smith.
NAYS: Councilman Babcock.

Councilman Smith suggested that the Council see the letter after it is drafted and then decide as to whether it should be mailed.

CITY MANAGER REQUESTED TO CONTACT STATE HIGHWAY DEPARTMENT RELATIVE TO MAKING REPAIRS TO SHOULDERS OF HIGHWAY IN 4300-4400 BLOCKS OF MONROE ROAD.

Councilman Dellinger advised it has been reported to him that the water is standing 8" to 10" deep on the shoulders of Monroe Road in the 4300 and 4400 blocks, which is the area of the new school; that the shoulders were graveled but it was removed by some contractor in some type of pipe or roadway work; that the residents advise that the Engineering Department states this would be a State Highway responsibility. Councilman Dellinger requested the City Manager to contact the State Highway Department and see if something cannot be done to correct this bad condition.

He also asked the City Manager to check into the complaint of residents of this same area that the sewer line installed in this section is too high to tap onto.

CITY MANAGER REQUESTED TO REPORT ON CONDITION OF RANCH ROAD AND SUBMIT LIST OF STREETS NOT UNDER CITY MAINTENANCE AND THE ADOPTED POLICY RELATING THERETO.

Councilman Dellinger advised that Ranch Road, located off Thrift Road, was not state maintained when the area was annexed; that it is only 10

February 20, 1961
Minute Book 40 - Page 261

feet wide and more of a driveway than roadway; however, Gambia Street of similar length and width, a short distance this side, was under state maintenance; that Ranch Road has been made absolutely impassable by our garbage trucks, and the two residents of the street are now having to carry garbage cans over 200 feet to the main road to be picked up. He moved that the City Manager be authorized to have Ranch Road fixed. The motion was seconded by Councilman Albea.

Councilman Myers offered a substitute motion that no change be made in the policy of street maintenance under which we are now operating. In other words, to so improve Ranch Road would be a violation of the provisions of our organized program. The motion did not receive a second.

Councilman Dellinger stated the City Manager has known about this street for some time; that the residents have no way of getting into their homes except by this road; that it is unfair and unjust for tax payers not to have access to their homes regardless of any policy and no one in the perimeter area was told that City policies would prevent their participating in all types of services.

Councilman Smith offered a second substitute motion that the City Manager have the Engineering Department make a report of the condition of Ranch Road at the next meeting. The motion was seconded by Councilman Hitch, and carried by the following recorded vote:

YEAS: Councilmen Smith, Hitch, Babcock, Myers and Whittington.
NAYS: Councilmen Albea and Dellinger.

Councilman Babcock stated the question does not hinge on the condition of the street but on the established policy. Councilman Dellinger stated he does not think it is right to make any policy that is so rigid that it cannot be tempered with mercy. Councilman Myers replied if the Council is going along with such requests, they will be breaking down the subdivision ordinance and policy and he does not think this is good government. At the request of Mayor Smith for his remarks, Mr. Bobo, Administrative Assistant, stated Ranch Road is just a narrow wagon road and has never been under maintenance by the State or City.

Mayor Smith requested the City Manager to give the Council a list of streets not under city maintenance and a report on the city's policy relating thereto.

APPOINTMENTS TO FILL VACANCIES ON ZONING BOARDS OF ADJUSTMENT DEFERRED FOR REPORT BY CITY ATTORNEY AS TO CLARIFICATION OF TERMS, ETC.

Vacancies on the Zoning Board of Adjustment for Charlotte and for the Perimeter Area, caused by expiration of terms of present members, was noted and discussed, and upon motion of Councilman Dellinger, seconded by Councilman Whittington, and unanimously carried, was deferred one week and the City Attorney requested to clarify the terms, etc.

ADJOURNMENT.

Upon motion of Councilman Smith, seconded by Councilman Myers, and unanimously carried, the meeting was adjourned.


Lillian R. Hoffman, City Clerk