

February 20, 1967
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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, February 20, at 2:00 o'clock p.m., with Mayor Stan R. Brookshire presiding, and Councilmen Claude L. Albea, Fred D. Alexander, Milton Short, John H. Thrower, Jerry Tuttle and James B. Whittington present.

ABSENT: Councilman Sandy R. Jordan.

The Charlotte-Mecklenburg Planning Commission sat with the City Council and, as a separate body, held its public hearings on Petitions for changes in zoning classifications concurrently with the City Council, with the following members present: Chairman Sibley and Commissioners Godley, Gamble, Stone, Tate, Turner and Wilmer.

ABSENT: Commissioners Ashcraft, Olive and Toy.

INVOCATION.

The invocation was given by Mr. Eddie Smith of The Church of Christ on The Plaza.

MINUTES APPROVED AS CORRECTED.

Upon motion of Councilman Albea, seconded by Councilman Whittington, and unanimously carried, the minutes of the last Council Meeting on Monday, February 13, we approved as submitted with the following correction: On Page 181, second paragraph, second line, add between the words "three" and "odd", the word "hundred".

HEARING ON PETITION NO. 67-6 BY CITY ICE DELIVERY COMPANY FOR A CHANGE IN ZONING FROM R-6MF TO B-1 OF A STRIP OF LAND FRONTING 80 FEET ON THE EAST SIDE OF EASTWAY DRIVE BEGINNING 340 FEET SOUTH OF KILBORNE DRIVE AND HAVING A DEPTH OF APPROXIMATELY 395 FEET.

The public hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, advised this is for a minor change on Eastway Drive. The property is located to the south of Kilborne Drive on the east side of Eastway Drive. The property is a portion of a larger tract of land with frontage on both Kilborne and Eastway Drive. The property is vacant and on the overall parcel is a Minute Market and a vacant building on the corner which was used for a service station. With those business uses, the remainder of the area is developed residentially with a few duplexes located at the corner of Kilborne and Eastway Drive and the remainder of the area developed single family residential.

The corner of Eastway and Kilborne is zoned for B-1 purposes and is zoned down to the edge of the subject parcel as B-1. There is office zoning on the west side of Eastway Drive and office zoning on the

north side of Kilborne opposite the business zoning so there is office zoning on two sides of the existing business zoning. There is R-6MF zoning on the subject property as well as on all the property to the south along Eastway Drive on both sides. Then, there is single family to the east of the subject property and to the west across Eastway Drive behind the multi-family and office zoning.

Mr. Bob Blythe, with the law firm of Craighill, Rendleman & Clarkson, stated they represent the petitioner, City Ice Delivery Company. That City Ice Delivery Company is an out-of-state corporation and a subsidiary of the Atlantic Company. That the petitioner purchased this property in 1960. At the time of purchase all of the property was zoned for business including the strip they are asking to be rezoned. That sometime during this period the Minute Market was erected on the northerly side of the tract and it was later sold to the Minute Market. In 1962, when the new zoning ordinance was adopted, the business property was extended from the intersection of Kilborne Drive and Windsor Drive down Eastway a distance of 340 feet, leaving about 80 feet of the City Ice Delivery's property which was not included. In fact it changed the zoning on the 80 foot strip and did not follow a property line. City Ice Delivery management was not aware of the rezoning ordinance as they were out-of-state people.

Mr. Blythe passed around photographs of the property calling attention to the fence and the steep embankment on the right hand side and stated it represents the lower property line. That the topography and layout of the land more naturally flows with the City Ice Delivery's existing property. That the property zoned R-6MF and not a part of the City Ice Delivery is ten or fifteen feet higher than the existing property.

Mr. Blythe stated apparently there are no protests against the petition as none were filed and an examination of the tax records shows there are four adjacent property owners and of the four, all purchased their property before 1962. So they probably did not purchase it in reliance that this would be multi-family property. The three considerations which should be given to the request for rezoning are - (1) it was changed on City Ice Delivery and they were not aware of the change; (2) it is more naturally compatible with their existing property, part of which is being used for business purposes; and (3) apparently no one purchased their property in reliance of the multi-family zoning.

Councilman Whittington asked if the area they are requesting changed is on the bank or below the bank, and Mr. Blythe replied it is below the bank.

Councilman Thrower stated there is a "for sale" sign on the remaining portion of the property, and asked if it is their intention to get the classification changed for this purpose? Mr. Blythe replied the property was put up for sale by the City Ice Delivery Company and they were not aware of the difference until after the sign had gone up. Councilman Thrower asked what is the planned use of the property, and Mr. Blythe replied there is no planned use to his knowledge; it is just for sale.

No opposition was expressed to the proposed change.

Council decision was deferred for one week.

HEARING ON PETITION NO. 67-7 BY AMERICAN REALTY CORPORATION FOR A CHANGE IN ZONING FROM R-9 TO I-2 OF A 8.92 ACRE TRACT OF LAND AT THE DEAD-END OF MCDONALD ROAD APPROXIMATELY 780 FEET NORTH OF THRIFT ROAD.

The scheduled hearing was held on the subject petition.

The Assistant Planning Director pointed out Thrift Road leading out of town going toward the Paw Creek area and stated the property is located between Thrift Road and the railroad and is approximately a nine-acre tract of land located on the west side of McDonald Road - McDonald Road being a little dirt street leading off Thrift Road beside a grocery store and service station. That about a year ago there was a request for a change of a small lot at Elmwood and Thrift Road.

Mr. Bryant stated the tract is located on the west side of McDonald Road and is predominately vacant with one house located on the property. That several houses are located on the east side of McDonald Road, and numerous homes located along Thrift Road, and the small grocery store and a church, and other than that, the area is entirely vacant. All the land between the subject property and the railroad is entirely vacant.

Councilman Whittington asked how close this is to the oil tanks, and Mr. Bryant replied the nearest oil tank would be across the P & N Railroad tracks.

Mr. Bryant stated the property lying between the subject property and the railroad is zoned I-2 as is the large area following all the way back to Toddville Road, and with these exceptions the whole area is R-9 and R-12.

Councilman Tuttle asked about the age and price range of the houses, and Mr. Bryant replied they are ten to fifteen years old and in the range of \$12,000 - \$15,000.

Mr. Zeb V. Keziah, Agent for American Realty Corporation, stated the land was purchased in 1958 and they want to sell it to be used for open storage. That they have been approached on a number of occasions to sell it.

Councilman Short asked if anyone lives along McDonald Road, and Mr. Bryant replied there is one house on the left and one house after you cross a little branch and one house which appears to be on the subject property. Across the road there are at least four or five houses - some are very old and weather-beaten and one is under construction. Councilman Short asked if the zoning announcement sign would be so far removed from the normal traffic that people in that vicinity just did not have a real opportunity to know of the existence of the petition.

Mr. Turner of the Planning Commission stated the houses on the street are very old and very dilapidated, and the entrance is into a dead-end street, and adjoins the Hamilton Engineering Company's property. Mr. Bryant stated there is one brick house in there which is under construction.

Councilman Short asked if the people whose homes front on Thrift Road have had a way to know of the rezoning? Mr. Bryant replied that he cannot say that they would know about it. Councilman Tuttle stated he doubts if the people along Thrift know the sign is down there, and he asked if in the future when we have this sort of situation if a sign could be placed in such a way, or notify, even if it has to be by hand, the people directly involved in these changes

Mr. Bryant replied he thinks that the best way would be by mail. That one problem they run into in placing the signs in order to do any good at all, the sign would have to be on Thrift Road. On occasions they have tried this and have run into objections from people on whose property they place the sign. In his opinion, it does no good to put it at the rear as it would be so far down in the woods the people still would not see it. That if we go into any additional effort that he thinks the best would be by letter.

Councilman Short asked in areas where the property is obviously a little remote from a good flow of traffic, if a sign could be placed at an intersection on the public right of way that reads "to property petitioned for rezoning" - about like a sign that says "to model home". Mr. Bryant replied in view of their past history, even with that sort of sign, they run into problems because people on the corner consider their property going all the way to the road, and they have had them torn down and various things done to them.

Councilman Short stated he does not think the Council would want to instruct the Planning staff to do this; that it is mentioned as a suggestion.

No opposition was expressed to the proposed rezoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 67-8 BY INDUSTRIAL ELECTRIC COMPANY FOR A CHANGE IN ZONING FROM I-1 TO I-2 OF PROPERTY AT THE SOUTHWEST CORNER OF OLD PINEVILLE ROAD AND MINUET LANE FRONTING 400 FEET ON OLD PINEVILLE ROAD AND 565 FEET ON MINUET LANE.

The public hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, advised the property is located on Old Pineville Road on the west side as you go out of town. The property is vacant and is part of a larger tract of land, part of which is zoned I-2 and the remainder I-1. South of it, on the same tract, is a portion used by the owner, and with that exception the property is vacant. There is some scattered housing in the area. He pointed out Minuet Lane coming down and crossing the railroad, and stated there are about four houses on the north side of Minuet Lane facing the subject property, and one tract of land is used for a tile and marble company. As you come down Minuet Lane crossing the railroad, there is a new concrete plant for Concrete Supply; then scattered throughout the area is a combination of older residential structures and for the most part newer light industrial type concerns, with a large chemical company building at

Roundtree and some individual single family houses throughout the area. That it is a changing neighborhood.

The zoning of the subject property is I-1, as is the property to the north and west of it, with I-2 zoning adjoining on the south, and as you cross the railroad all the area is I-2, and between Old Pineville Road and South Boulevard is I-2. The area is I-1 and to a certain extent is surrounded on three sides by I-2.

Councilman Whittington asked if Minuet Lane runs off South Boulevard? Mr. Bryant replied that Minuet does not run off South Boulevard; it runs from Old Pineville Road to a dead-end. That you go down and it crosses the railroad to the dead-end. Mr. Bryant stated that Swift's rendering plant is located on South Boulevard and the subject property is almost directly behind that property.

Mr. W. H. Bobbitt, Attorney for the Petitioner, stated between South Boulevard and the railroad is the Charlotte Refining Company plant with their tanks, and the Ricco Chemical Company and the Academy Steel Drum Company and several other businesses of that nature and the old Concrete Supply is located on the Old Pineville Road just south of the location.

Mr. Bobbitt stated they are right in the middle with industry all around them with no residential zoning or business zoning of any nature. Their request is to remove the line that separates the I-1 from the I-2 and move it over to Minuet Lane. The purpose for the request is two-fold. First, they are in the business that sometimes requires outside storage for their heavy equipment and that requires I-2, and second, to expand satisfactorily as they hope to in the future, they need to use the front part as in the back the land drops off into a big ravine. That the residences in the area are in developments that were put in about 1925, and he does not think there are any houses built in the last 30 years. That they have had no objections from the only three residents that are really close to the property immediately across Minuet Lane as he thinks they are use to the idea of industry because sitting right in the middle is the business building used by the tile company. As you go back up Old Pineville Road toward Charlotte, you run into Charlotte Chemical Laboratory, Queen City Boiler Company, Blythe and Isenhour, and a considerable amount of vacant land in the area. It would create no additional burden on the people who live on the north side of Minuet Lane. The real industrial problem, if any exists, is with the Concrete Supply Company whose big trucks have to use Minuet Lane. That the increase of traffic is already there.

Mr. Bobbitt stated they would like the zoning changed, they have had offers from people who wanted to buy the property but they wanted to buy it as I-2 so they have not entertained any such offer. That he cannot say if an offer came after they have the zoning changed, they would accept, he does not know. That his client bought the property for his own business which is already located there, and would like consideration in moving the line of I-1 to I-2 over to Minuet Lane so they can develop their property along with the other area which surrounds its.

No objections were expressed to the proposed change in zoning.

Council decision was deferred for one week.

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PLANNING STAFF REQUESTED TO MAKE STUDY OF ZONING OF AREA BOUNDED BY OLD PINEVILLE ROAD, MINUET LANE, SOUTHERN RAILROAD, NATIONS FORD ROAD AND WOODLAWN ROAD.

Councilman Thrower stated in 1962 when the subject area was rezoned as I-1 it was for transitional purposes, and it is generally agreed that perhaps the Planning Staff could come back to Council with some recommendations and he moved that they be requested to make a study of the area bounded by Old Pineville Road, Minuet Lane, Southern Railroad, Nations Ford Road and Woodlawn Road. The motion was seconded by Councilman Whittington, and carried unanimously.

RESOLUTION DECLARING THAT PUBLIC CONVENIENCE AND NECESSITY REQUIRE THE TAXICAB SERVICE PROPOSED BY THE APPLICATION OF GERTRUDE C. ROBINSON, AND AUTHORIZING THE ISSUANCE OF ONE (1) CERTIFICATE TO GERTRUDE C. ROBINSON, IN ACCORDANCE WITH THE CODE OF THE CITY OF CHARLOTTE.

The scheduled hearing was held on the subject petition.

No opposition was expressed.

Councilman Albea moved the adoption of the subject resolution, which was seconded by Councilman Short.

Councilman Thrower asked if this will be a one company operated cab? Councilman Whittington replied this cab was owned by Willie Robinson who died suddenly about six weeks ago and in order for them to keep this cab in service and for the widow to have an income, this certificate has to be re-issued to her.

Mr. Veeder, City Manager, advised this would not increase the number of certificates as she will be operating the cab owned by her husband.

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

The resolution is recorded in full in Resolutions Book 5, at Page 406.

COUNCIL MEETING RECESSED FOR TEN MINUTES AND RECONVENED BY THE MAYOR.

Mayor Brookshire called a ten minute recess at 2:45 o'clock p.m., and reconvened the meeting at 2:55 o'clock p.m.

PETITION NO. 67-1 BY D. L. PHILLIPS INVESTMENT BUILDERS, INC. FOR CHANGE IN ZONING FROM O-6 AND I-2 TO R-9MF OF A 25-ACRE TRACT OF LAND LOCATED AT THE DEAD END OF SCOTTSDALE ROAD, SOUTH OF BROADVIEW ROAD, DENIED.

Councilman Alexander moved approval of the subject petition as recommended by the Planning Commission and did not get a second to the motion.

Councilman Whittington moved that the subject petition be denied. The motion was seconded by Councilman Tuttle, and carried by the following vote:

YEAS: Councilmen Whittington, Tuttle, Albea, Short and Thrower.
NAYS: Councilman Alexander.

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PETITION NO. 67-2 BY DOLPH M. YOUNG FOR CHANGE IN ZONING FROM O-6 TO B-2 OF A LOT 75' x 150' LOCATED ON THE SOUTH SIDE OF EAST PARK AVENUE, BEGINNING 100 FEET WEST OF CLEVELAND AVENUE.

Councilman Short moved that the subject petition be approved, which was seconded by Councilman Thrower.

Councilman Albea made a substitute motion that the petition be denied as recommended by the Planning Commission. The motion was seconded by Councilman Whittington.

Councilman Whittington advised that Mr. Jordan, of Jordan-Morris, the company interested in this particular property has advised he has found another location.

Councilman Tuttle stated he was going to vote for the petition as a relief to ^{the} people but he read in the paper they had found another location. That they had been displaced by urban renewal and he was going along with it, but this changes the picture and changes his vote.

Councilman Short stated he is positive that Mr. Dolph M. Young, the petitioner, would very much like to have this rezoning. That it is true that Jordan-Morris, the people who had expected to lease, or occupy or purchase the property from Mr. Young have made other arrangements.

Councilman Thrower stated half of this property is in the requested zoning and this is drawing a line down the middle of a man's property. That Mr. Young made the petition and as far as he is concerned, he is acting in Mr. Young's behalf and not Jordan-Morris.

Councilman Short stated this is a reasonable realignment of the zoning line between the B-2 and O-6, regardless of the Jordan-Morris Company.

Councilman Tuttle remarked that he agrees with Mr. Short in principle had there been some real reason for rezoning this property as Council had when the displaced organization needed it. That now it is just a piece of land and he is being influenced to a large extent by the fact that the Planning Commission denied it. Councilman Short stated there are other places of business in Brooklyn that will be looking for a place to light as well as elsewhere in urban renewal.

The vote was taken on the substitute motion to deny the petition, and carried by the following vote:

YEAS: Councilmen Albea, Whittington, Alexander and Tuttle.

NAYS: Councilmen Short and Thrower.

CHANGE ORDER NO. 2 IN CONTRACT WITH THE INDUSTRIAL ELECTRIC COMPANY FOR ADDITIONAL WORK ON WEST CONCOURSE AUTHORIZED.

Councilman Short moved approval of Change Order No. 2 in electrical contract with The Industrial Electric Company, adding \$443.00 to the contract price for the additional electrical work required to accommodate the automatic baggage conveyor system for Eastern's airline baggage conveyors. The motion was seconded by Councilman Tuttle and carried unanimously.

RENEWAL OF SPECIAL OFFICER PERMIT TO CHARLES K. JACKSON APPROVED.

Motion was made by Councilman Albea, seconded by Councilman Thrower, and unanimously carried, approving the renewal for one year of a special officer permit to Mr. Charles K. Jackson for use on the premises of Johnson C. Smith University, 100 Beatties Ford Road.

RESOLUTION PROVIDING FOR PUBLIC HEARINGS ON PETITIONS NO. 67-9 THROUGH 67-16 FOR ZONING CHANGES.

Councilman Short moved adoption of the subject resolution setting date of hearing on Monday, March 20. The motion was seconded by Councilman Tuttle and carried unanimously.

The resolution is recorded in full in Resolutions Book 5, at Page 407.

APPRAISAL CONTRACTS AUTHORIZED.

Upon motion of Councilman Albea, seconded by Councilman Tuttle, and unanimously carried, the following appraisal contract were authorized:

- (a) Contract with A. H. Carrier, Jr. for appraisal of six (6) parcels of land in connection with the West Third Street and Fourth Street Connector;
- (b) Contract with Stuart Elliott for appraisal of five (5) parcels of land in connection with the Fifth Street Widening;
- (c) Contract with Leo H. Phelan for appraisal of six (6) parcels of land in connection with the West Third and Fourth Street Connector;
- (d) Contract with Alfred E. Smith for appraisal of three (3) parcels of land in connection with the East Third Street Project;
- (e) Contract with D. A. Stout for appraisal of six (6) parcels of land in connection with the Sixth Street and Fifth Street Widening.

CONTRACT AWARDED KNOXVILLE FOUNDRY COMPANY FOR CAST IRON WATER METER BOX CASTINGS.

Councilman Thrower moved award of contract to the only bidder, Knoxville Foundry Company, in the amount of \$5,034.13 on a unit price basis for 284 cast iron water meter box castings of various sizes. The motion was seconded by Councilman Albea, and carried unanimously.

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CONTRACT AWARDED BLAZE GUARD MANUFACTURING COMPANY, DIVISION OF AUTOMATIC SPRINKLER CORPORATION OF AMERICA FOR FIRE HOSE.

Motion was made by Councilman Whittington awarding contract to the low bidder, Blaze Guard Manufacturing Company, Division of Automatic Sprinkler Corporation of America in the amount of \$5,671.50; on a unit price basis, for 2,000 feet 1-1/2 inch and 3,100 feet 3 inch polyester fiber and cotton, double jacket, rubber-lined fire hose in 50 foot lengths. The motion was seconded by Councilman Tuttle, and carried unanimously.

The following bids were received:

Blaze Guard Mfg. Co., Div. of Automatic Sprinkler Corp. of America	\$5,671.50
Fabric Fire Hose Company	6,296.34
Dixie Fire & Safety Co., Inc.	6,302.13
Eureka Fire Hose, Div. of U. S. Rubber Co.	6,399.36
Dillon Supply Company	6,642.99
American LaFrance, Div. of Automatic Sprinkler Corp. of America	7,165.85

MR. FRED MCPHAIL NOMINATED TO SUCCEED HIMSELF ON THE INSURANCE ADVISORY COMMITTEE.

Councilman Albea nominated Mr. Fred McPhail to succeed himself for a three year term on the Insurance Advisory Committee. The nomination was seconded by Councilman Tuttle.

The nomination is to remain open for one week.

MR. WALTER MALONEE OF THE AIRPORT ADVISORY COMMITTEE RECOGNIZED.

Councilman Whittington recognized Mr. Walter Malonee of the Airport Advisory Committee. Mr. Malonee stated he is very delighted to serve on this Committee but he is sorry they lost Mr. Raffety, the Airport Manager.

AIRPORT AUTHORIZED TO ENTER INTO GRANT AGREEMENT WITH FAA FOR INSTALLATION OF AN EMERGENCY GENERATOR AND ENGINEERING CONTRACT APPROVED WITH JOHN TALBERT AND ASSOCIATES FOR THE GENERATOR IMPROVEMENT PLANS.

Upon motion of Councilman Tuttle, seconded by Councilman Albea, and unanimously carried, the Airport was authorized to enter into a grant agreement with the Federal Aviation Agency for the installation of an emergency generator, and an engineering contract was approved with John Talbert and Associates for the generator improvement plans.

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CONTRACT WITH JOHN TALBERT AND ASSOCIATES FOR AIRPORT TERMINAL PERIMETER ROAD PLANS AUTHORIZED.

Councilman Albea moved approval of a contract with John Talbert and Associates for airport terminal perimeter road plans. The motion was seconded by Councilman Thrower, and carried unanimously.

RESOLUTION CALLING FOR PUBLIC HEARING ON MARCH 27 ON REVOCATION OF CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY HELD BY CERTAIN TAXICAB OPERATORS.

Councilman Alexander moved the adoption of the subject resolution setting date of hearing on March 27, which was seconded by Councilman Tuttle, and carried unanimously.

The resolution is recorded in full in Resolutions Book 5, at Page 408.

ORDINANCE NO. 590-X AMENDING ORDINANCE NO. 498-X, THE 1966-67 BUDGET ORDINANCE, AUTHORIZING THE TRANSFER OF A PORTION OF THE GENERAL FUND CONTINGENCY APPROPRIATION.

Upon motion of Councilman Short, seconded by Councilman Whittington, and unanimously carried, the subject ordinance was adopted authorizing the transfer of \$500.00 to the Engineer-Streets Department Budget to be used in connection with the construction of gravel sidewalk along East Park Avenue between Winthrop Avenue and Myrtle Avenue.

The ordinance is recorded in full in Ordinance Book 14, at Page 487.

PROPERTY TRANSACTIONS AUTHORIZED.

Motion was made by Councilman Albea, seconded by Councilman Thrower, and unanimously carried, authorizing the following property transactions:

- (a) Acquisition of easement 15' x 113' at Tyrone Drive and Grafton Drive, from Tri-Development Corporation at \$1.00 for the sanitary sewer right of way to serve Shannon Park;
- (b) Acquisition of 2,000 sq. ft. of property at North Church Street, between 9th and 10th Streets from the Housing Authority of the City, at \$6,000 in connection with the Northwest Expressway;
- (c) Acquisition of 50' x 150' x 50' x 150' at 1015 Grove Street, from Eddie Steele and wife, at \$9,300.00 for the West Fourth Street Extension;
- (d) Acquisition of 7,500 sq. feet of property at 1017 West Fourth Street, from John Cannon, at \$9,000, for the West Fourth Street Extension;
- (e) Acquisition of construction easement at 301 Eastway Drive, from George H. Gibson and wife, at \$1,500.00 for the Eastway Drive Widening Project;
- (f) Consent judgement in connection with the 5,800 sq. ft. of property at 1016-18 East Eighth Street, from G. P. Covington, in the amount of \$4,500, for the Northwest Expressway.

GOVERNMENTAL PLAZA PLANS AS PREPARED BY J. N. PEASE & COMPANY
APPROVED.

Mayor Brookshire advised a research of the records this morning determined what action Council has taken to accept or adopt the Government Plaza Plan prepared by J. N. Pease and Company. In the conference session earlier, it was pointed out that the only records of Council's action are found in Minutes of the joint meetings of the Board of County Commissioners and the City Council dated December 30, 1965 and April 13, 1966, which indicated that Council had informally approved the Plan in the joint session, but no action had been taken by Council in formal session.

Councilman Whittington moved the adoption of the Government Plaza Plan as presented by J. N. Pease & Company. The motion was seconded by Councilman Thrower, and carried unanimously.

PROGRESS REPORT OF HEALTH DEPARTMENT AIR POLLUTION CONTROL PROGRAM.

At Councilman Whittington's request, the City Manager reported on his discussion with Dr. Kamp regarding Air Pollution.

Mr. Veeder advised on last Monday he met with Dr. Kamp who filled him in on what the Health Department had been doing and what they plan to do, and at his request Dr. Kamp followed up the discussion with a memorandum outlining the steps that were in progress.

Mr. Veeder stated in general he thinks the Health Department is making real progress in the areas of air pollution, and some of the points Dr. Kamp made are as follows:

(1) The Health Department has completed an inventory survey of air pollutants in the City and in the County. As a result of this, they now have a comprehensive picture of air pollution in the city and county - the source of pollution such as dwelling and industry, the time of the day, the period of the year. This study was necessary for the Health Department to establish meaningful rules and regulations for the Board of Health which would be reasonable and enforceable. They have prepared rules and regulations for air pollution control which will be submitted to the Board of Health next month for its approval, and anticipates no difficulty in securing approval because the staff has been in constant communication with the Board of Health members and they are aware of the needs to solve some of the problems. That the rules and regulations which have been developed contain the latest professional judgment for quality standards and for reasonable enforcement, and that they will include all the provisions of the present Charlotte Smoke Abatement Ordinance, including necessary updating of requirements.

(2) Part of their study survey was a projection of air quality standards for the next ten years. In an attempt to minimize expensive equipment changes for building and industry, the standards are projected for infrequent changes and only in the light of increased knowledge and experience. Members of the staff have attended much in the way of seminars to make sure that the requirements which would be suggested would reflect the best thinking available on the subject throughout the country.

(3) The staff has worked continually with all the home builders and commercial establishments utilizing open burning, and advised that open burning in the city and county has been almost completely eliminated. They have received excellent cooperation and most of the material previously burned is now being disposed of by landfill and other burial procedures. That they have received the cooperation of the County Drainage Commission to stop bank burning of vegetation that is cut.

(4) The Staff has been working with industry and large structures such as hotels to check the type of fuel burning operation in order to maintain the tuning of the smokestacks to the highest feasible efficiency. That they have participated in seminars with the Board of Education conducted for the instruction of their furnace maintenance people in order to accomplish the most efficient utilization of fuel with a minimum of resulting air pollution. That while they make no claims that this has been a complete program, during the last six months the results of their reports as a member of the National Air Sampling Network has shown a drop in the amount of particulate matter in Charlotte and Mecklenburg County.

(5) After the Board of Health regulations are adopted, any new building or any alteration of an existing structure will have to conform with standards they believe will provide effective air pollution control from these sources.

(6) That the Health Department Staff has been able to accelerate its development period of their program, so that this phase which was originally planned for three years has already been accomplished in a one year period, and they are now planning to enter the maintenance or enforcement phase and propose to do this as effectively as they can.

Mr. Veeder stated that Dr. Kamp recognized if Council had been better informed on what they were doing, this would have been helpful to everyone concerned.

He stated that the substance of what Dr. Kamp told him in person and in the memorandum leads him to believe that the Health Department has been proceeding in a desirable fashion in the area of air pollution and apparently the rules and regulations which will be approved by the Board of Health next month will be the next big step forward in this area.

MAYOR BROOKSHIRE AND COUNCILMAN THROWER EXPRESSED APPRECIATION FOR FLOWERS AND CARDS RECEIVED WHILE ILL.

Councilman Thrower expressed his appreciation to the Council for the flowers he received while he was in the Hospital.

Mayor Brookshire stated he appreciates the cards, notes, letters, flowers and golf balls that the Department Heads, members of Council and the general public sent to him while he was in the Hospital.

DISCUSSION OF DENIAL OF D. L. PHILLIPS ZONING REQUEST'S EFFECT ON 221-D3 HOUSING IN CHARLOTTE.

Councilman Alexander stated for quite some time Council has expressed the desire that there exists a need for the assistance of private enterprise in helping relieve the housing shortage that will occur in the City growing out of the advancement of highway construction of various kinds. Also, we have in motion the approval of plans for doing all we can to see if we can get Charlotte considered as one of the federal government's model city programs. The federal government itself has been interested in the development of 221-D3 housing in this area. That the federal housing department had approved a 250 apartment complex under the 221-D3 and this was the proposal as submitted by D. L. Phillips Investment Company, which Council denied today.

That he cannot see how actions like this will be a boon to private enterprise to come to the City's assistance in housing if we do not show that we ourselves are interested in seeing that this takes place, and where we are in constant need of housing and where we will be in need of more housing in the future and where the type of houses we will need - which will have no bearing as to what side of the community it is on - will affect many areas of our community. The only hope private enterprise has is resorting to the 221-D3 complexes to come to our assistance.

Here we have cut the legs out from under private enterprise in the first attempt that has been made to furnish our community with 221-D3 housing, and this is the first time the federal government had approved a housing complex under 221-D3. That he cannot see how we can expect to get cooperation from the federal government on one level and then spit in its face on the other when it is the distinct need of our community.

Mayor Brookshire stated he did not know how the vote was going on this until the vote was called for today and he is assuming that the negative vote in that particular petition did not necessarily reflect Council's opposition to the 221-D3 program itself nor does he think we would like to discourage private enterprise from helping to supply the market for low middle income groups. That he only assumes there must have been some other overriding consideration of those who voted against the petition.

COUNCIL'S ATTENTION CALLED TO ARTICLE IN MAGAZINE CONCERNING URBAN RENEWAL IN BUFFALO, N. Y.

Councilman Short stated he ran across the following article in a magazine recently which tells about the situation in Buffalo, N. Y., before and after urban renewal was enacted and carried out in downtown Buffalo.

The article is as follows:

"Herds of retailers roaming Buffalo seeking main street space.

It was not too long ago that retailers could find all kinds of space to rent along Buffalo's main street. Today the vacant space along the main shopping stems in the downtown area is vanished due to the revitalization of the district. Choice retail locations which

have been begging for tenants have been grabbed up. There isn't a vacant store now on main street, between Shelton Square and Chipperaway Street, the core of the shopping center. Just a few years ago there were plenty of vacant stores along here. Just recently a small store became available when the owner died. Sixteen requests to rent the store flowed in as soon as a for rent sign was installed. Included among the applicants were three women's shoe stores, four restaurants, three jewelers, a men's shirt shop, a men's suit wear store, a millinery store, and a travel agency, all trying to rent this little place on the main drag in Buffalo where a few years ago there were a lot of vacancies."

POLICE DEPARTMENT REQUESTED TO PLACE STAKE-OUT AT PARK CENTER TO STOP VANDALISM.

Councilman Tuttle called attention to Marion Ellis's article in the Charlotte Observer on yesterday with reference to the \$20,000 a year damages to our Park & Recreation property alone - with \$90 plate glasses every weekend at the Park Center, \$290 in glass shot out two weeks ago, and last Monday \$300 more in damages and almost every weekend the sign at Memorial Stadium is damaged.

Councilman Tuttle stated it occurred to him that this is a gang as he does not believe we have this many roaming hoodlums in town, and if it is this serious, he requests the City Manager to have the Police Chief place a stake-out at the Park Center and that some concerted effort be made to see if this destruction cannot be stopped.

CITY MANAGER INSTRUCTED TO INVESTIGATE THE REQUEST FOR SEWER LINE OUT INTERSTATE-85.

Councilman Tuttle stated at one time in the Capital Improvements Program it included the sewer line out Interstate-85 - roughly between the R. C. Motor Lines and the Tennessee Carolina property.

That he had a call from Mr. Alexander who has a prospective motel and a prospective million dollar tenant to locate out there, and Tennessee Carolina has not started their building yet because of their concern with sewage. That the estimated cost of \$45,000 was in the Capital Improvements Budget at one time.

Councilman Tuttle requested the City Manager to investigate the request and stated it looks as though there is potentially enough tax money waiting to go.

RESOLUTION AMENDING THE PAY PLAN OF THE CITY OF CHARLOTTE, ADOPTED.

Mr. Veeder, City Manager, advised the rules for the administration of the City's pay plan covering positions in the city government charge his office with making, or having made, studies of salary levels as part of the preparation of the budget, and at such times as conditions warrant; that it makes him responsible for recommending to Council on the basis of information that comes from these studies such changes in salary levels that are necessary to maintain the adequacy and fairness of the city's salary structure.

He stated he initiated two such studies recently. First is the study of the salary levels of job classes which are considered as encompassing some 29 key administrative professional and technical positions. The first study has been completed and the changes based on the information derived from the study are those as presented to Council by memorandum dated February 3.

The second study is a review of the salary levels of the balance of city positions, which study will be completed and presented to Council for consideration in the budget for fiscal 1967-68.

Mr. Veeder stated the changes as proposed by the first study are based on three things - (1) a review of salaries being paid and offered by other employers for comparable positions; (2) consideration of highly competitive labor market now existing for qualified administrators, technical and professional specialists; and (3) a concern for the difficulties that would follow in carrying out city activities if we were unable to retain some of the highly qualified experienced people that the positions require.

That he recommends that the twelve (12) major department head positions include new ranges and no more than a one-step increase during the balance of this fiscal year. In at least two classifications there would be no change until after the fiscal year. The balance of some seventeen (17) positions below major department levels includes new ranges and would implement increases ranging from one to as many as five steps in this fiscal year.

Mr. Veeder advised the cost of the recommended changes - from both general and water funds - amount to \$12,300. That funds are available for the changes. In some departments funds are available through some unanticipated salary savings and it may be necessary to request small appropriations for some departments. Where necessary, he will bring back to Council requests to implement the changes. He stated he recommends the changes with the suggested effective date of February 22nd.

Upon motion of Councilman Short, seconded by Councilman Tuttle, and unanimously carried, a resolution entitled "Resolution Amending the Pay Plan of the City of Charlotte" was adopted.

The resolution is recorded in full in Resolutions Book 5, beginning at Page 409.

REMINDER OF MEETING WITH LEGISLATIVE DELEGATION IN RALEIGH, FEBRUARY 22.

The City Manager reminded Council of the meeting in Raleigh on February 22nd. That a dinner meeting will be held with the Legislative Delegation at 7:30 on Wednesday night. Mr. Whittington plans to represent the city at the 3:30 p.m. meeting that the League of Municipalities has arranged to meet with the members of the General Assembly. Mr. Veeder advised he will be present for this meeting as will Mr. Kiser, City Attorney.

OFFICIAL OPENING OF FIRE STATION NO. 16, MONDAY, FEBRUARY 27.

Mr. Veeder, City Manager, reminded Council of the official opening of Fire Station No. 16, 6623 Park Road, on Monday, February 27, at 12:00 Noon, which will include a lunch.

ADJOURNMENT.

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

Ruth Armstrong

Ruth Armstrong, City Clerk