

January 14, 1959
Minute Book 38 - Page 266

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 Wednesday, January 14, 1959, at 4 o'clock p.m., with Mayor Smith presiding and Council members Albea, Baxter, Dellinger, Evans, Foard and Wilkinson being present.

ABSENT: Councilman Brown.

* * * * *

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Wilkinson, seconded by Councilman Dellinger, and unanimously carried, the Minutes of the last meeting on January 7th were approved as submitted.

ORDINANCE NO. 527-X EXTENDING THE CORPORATE LIMITS OF THE CITY BY ANNEXING 60.17 ACRES OF PROPERTY LOCATED ON CLANTON ROAD IN BERRYHILL TOWNSHIP, ON PETITION OF JOHN CROSLAND COMPANY, ADOPTED.

The scheduled hearing was held on the petition of John Crosland Company for the City to annex 60.17 acres of his property located on Clanton Road, in Berryhill Township, contiguous to the corporate limits of Charlotte. No objections were expressed by the public to the proposed annexation. Councilman Albea moved the adoption of an ordinance entitled: "Ordinance No. 527-X Extending the Corporate Limits of the City by Annexing 60.17 Acres of Property located on Clanton Road in Berryhill Township, on Petition of John Crosland Company", which was seconded by Councilman Wilkinson, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Page 308.

STUDY OF PREVAILING PRACTICES IN POLICE DEPARTMENT AND REPORT TO COUNCIL AS TO SOLUTION OF THE INEQUITIES THEREIN, RECOMMENDED BY E.S. DILLARD.

Mr. E. S. Dillard stated he is again appearing before the Council relative to the subject of the Police Department, having appeared at last week's meeting opposing the members of the department belonging to a Labor Union. He stated he wishes to discuss the check-off of Union dues by the City, and advised that in 1938 his company, Old Dominion Box Company, after great confusion regarding the deduction of various amounts of money from their payroll, adopted the policy of making no further deductions, and their employees have been happy under this policy. He stated he hopes the City will think seriously on this matter of continuing check-off of dues.

Mr. Dillard then suggested that the Mayor appoint an Investigation Committee composed of a member of the Council as Chairman, Chief of Police, and representative of the Personnel Directors Association, Chamber of Commerce, Piedmont Enterprises, and Society for Advancement of Management to make a study of prevailing practices in the Charlotte Police Department and report to Council as to a solution of the inequities therein. Mr. Dillard stated he thinks the Police Department has a magnificent force of officers and he is very much interested in their fair treatment.

January 14, 1959
Minute Book 38 - Page 267

RETIRING PRESIDENT OF CHAMBER OF COMMERCE EXPRESSES APPRECIATION OF CHAMBER FOR COOPERATION OF COUNCIL, AND FOR THE STAND TAKEN BY COUNCIL ON UNIONIZED POLICE DEPARTMENT AND OFFERS SERVICES OF CHAMBER IN RECTIFYING ANY INEQUITIES IN DEPARTMENT.

Mr. Thomas L. Robinson, Retiring President of the Chamber of Commerce expressed his appreciation to the Council for their cooperation with the Chamber during his term of office; he also expressed the appreciation of the Chamber Officers for the stand taken by Council in ruling out a unionized Police Department. Mr. Robinson stated they realize there may be inequities in the Department as to pay and work that should be rectified and offered the services of the Chamber in this connection if they can be of help.

Mr. Buell Duncan, President -elect of the Chamber stated he wished to reiterate Mr. Robinson's statement in offering the services of the Chamber, and that he looked forward to working with the City in the year ahead.

Mayor Smith stated that he and the Council have enjoyed working with the Chamber of Commerce and will look forward to the coming year with Mr. Duncan as President.

EMPLOYMENT OF M. VAN BUREN, INC. AS DESIGNER FOR THE INTERIOR DECORATIONS OF PUBLIC AREAS IN NEW HEALTH CENTER, AUTHORIZED.

Dr. M. B. Bethel requested permission to reopen the matter of a designer for the decorations of the interior of the public areas of the New Health Center. He stated they would like very much to have M. Van Buren, Inc. to do the designing of these areas, and his price is \$985.00, which amount is available in their capital fund, as the building cost is running lower than had been expected.

Dr. Bethel introduced Mr. P. D. Hawkins, Architect for the building, who stated he feels that the services of an Interior Consultant is best; that Mr. Van Buren has designed the interior of a number of buildings in Charlotte, including the new Public Library and he could render a real service to the city. He stated further that they are operating on a net credit so there is no question of asking for additional funds for Mr. Van Buren.

Mr. Hoyt Galvin, Director, Charlotte-Mecklenburg Public Library stated Charlotte has the reputation of having the most beautiful library in the world, and he thinks it is because they had the services of the Van Buren Company. That he has come to realize that interior designing and planning is just as important as having an architect, and he heartily endorses Dr. Bethel's request.

Councilman Albea moved that the request be granted, which was seconded by Councilman Dellinger, and unanimously carried.

RESOLUTION PREVENTING COLLECTION OF UNION DUES.

A resolution entitled: "Resolution Preventing Collection of Union Dues" was introduced by Councilman Baxter who moved its adoption following the reading thereof. The motion was seconded by Councilwoman Evans, and unanimously carried. The resolution is recorded in full in Resolutions Book 3, at Page 295. ✓

January 14, 1959
Minute Book 38 - Page 268

CITY ATTORNEY DIRECTED TO ASSIST COUNTY ATTORNEY IN DETERMINING THE LITIGATION OR OTHERWISE LIABILITY OF DOUGLAS AIRCRAFT COMPANY FOR TAXES ON PROPERTY IN THE OLD QUARTERMASTER DEPOT IN THE MANUFACTURE OF NIKE MISSILES, AND THAT ADDITIONAL COMPENSATION BE PAID THESE ATTORNEYS JOINTLY BY THE CITY AND COUNTY.

Councilman Baxter moved that the City Attorney be authorized, empowered, and directed to cooperate with and assist the County Attorney in connection with determining the litigation or otherwise liability of Douglas Aircraft Company for taxes on the property held by it at the old Quartermaster Depot in the manufacture of NIKE missiles; it being understood that such work by the City and County Attorneys is not covered by their present contracts with their governing bodies, and that reasonable compensation which may be agreed upon will be paid in connection with this matter.

And further that expenses in connection with this matter will be paid by the City and County jointly. The motion was seconded by Councilman Wilkinson, and unanimously carried.

APPRECIATION EXPRESSED TO POLICE AND FIRE DEPARTMENT PERSONNEL FOR COOPERATION WITH COUNCIL RELATIVE TO UNION AFFILIATIONS.

Councilman Baxter moved that the Council express its appreciation to the personnel in the Police and Fire Departments for their cooperation with the Council in the matter of Union affiliations. The motion was seconded by Councilwoman Evans, and unanimously carried.

CIVILIAN CLERK AUTHORIZED EMPLOYED IN CLERK OF RECORDER'S COURT OFFICE.

Motion was made by Councilman Dellinger, seconded by Councilman Foard, and unanimously carried, authorizing the employment of a Civilian Clerk in the office of the Clerk of City Recorder's Court, at a salary not to exceed \$3,600.00, and the transfer of the said amount from the Police Department Salary Account to the Salary Account of the Clerk of Recorder's Court.

PAYMENT OF ONE-HALF THE COST OF JUVENILE DIAGNOSTIC CENTER APPROVED.

Upon motion of Councilman Dellinger, seconded by Councilman Baxter, and unanimously carried, the payment of one-half the cost of the Juvenile Diagnostic Center, in the amount of \$5,726.67 as of July 1, 1959 was approved as requested by the Board of County Commissioners.

J. A. REID WHOLESALE COMPANY AUTHORIZED TO CONNECT PRIVATELY OWNED SANITARY SEWER LINES IN PIERSON DRIVE, ETC TO CITY'S SANITARY SEWERAGE SYSTEM.

Councilman Albea moved that J. A. Reid Wholesale Company be permitted to connect 600-ft. of privately owned sanitary sewer lines in Pierson Drive and Independence Boulevard, to the City's Sanitary Sewerage System. The motion was seconded by Councilman Wilkinson, and unanimously carried.

ACKNOWLEDGMENT OF RESOLUTION RELATIVE TO THE DEATH OF JAMES A. HARDISON PRESENTED.

Councilwoman Evans read the following acknowledgment of the Resolution Relative to the Death of James A. Hardison, adopted by the City Council in his memory: "The family of James Archibald Hardison will hold in grateful remembrance your comforting expression of sympathy."

January 14, 1959
Minute Book 38 - Page 269

TRANSFER OF FUNDS FROM SALARY ACCOUNT OF POLICE DEPARTMENT TO SUPERINTENDENT OF BUILDINGS FOR INSTALLATION OF MICROPHONES IN COUNCIL CHAMBER.

Upon motion of Councilwoman Evans, seconded by Councilman Dellinger, and unanimously carried, \$131.38 was authorized transferred from the Police Department Salary Account (Code 401-A-8) to the Superintendent of Buildings (Code 1505 G-44) for the installation of microphones in the Council Chamber.

POLICY ADOPTED FOR EXTENSION OF SANITARY SEWER MAINS IN AREAS TO BE ANNEXED AS RECOMMENDED BY CITY MANAGER AND CITY ENGINEER UNDER DATE OF JANUARY 9, 1959.

Upon motion of Councilman Baxter, seconded by Councilman Albea, and unanimously carried, the following policy was adopted for the extension of sanitary sewer mains in areas to be annexed, as recommended by the City Manager and City Engineer under date of January 9, 1959:

"The existing policy governing the extension of sanitary sewer service within the City limits provides for a credit of \$300 for each existing dwelling unit to be applied against the estimated cost of extending the particular sewer main, and a credit of \$600 for each existing dwelling unit to be applied against the estimated cost of extending the particular connection sewer trunk, with each dwelling unit to be credited only once and with priority given to the trunk line. When there are insufficient existing dwelling units, or credits, to cover the total estimated cost, the deficiency must be covered by a cash deposit to the City by the person or persons requesting the extension. If vacant lots exist where future dwelling units can be connected to the sewer, the depositer is entitled to a standard credit refund for each dwelling unit after it is connected to the sewer. The total amount refunded may not exceed the amount of the deposit, and in some cases the number of vacant lots for future dwelling units will be insufficient to permit a complete refund of the original deposit.

It is the intention of this Department to accomplish the sewer extensions in the area to be annexed by means of public contract. The area to be served is in various stages of development, and a solution must be found to the problem of applying this established policy so that plans for the various extensions can be completed in a logical manner. In order that this goal may be achieved in an equitable and expeditious manner, the following procedures are recommended for your approval:

1. Initial planning for, and extension of, sanitary sewer service shall be limited, to dwelling units already existing in the area to be annexed.
2. All pumping stations, force mains, and outfall lines larger than, and in some cases, including 12" lines will be constructed at public expense.
3. Planning and computation of cost estimates for mains and trunks will be based on the natural, local drainage area served by a particular trunk line and the mains radiating therefrom.
4. Sanitary sewer trunks and mains will be extended without request into natural drainage areas which meet all of the following criteria:
 - (a) The area can be served by gravity flow.
 - (b) At least 50% of the land area served is fully developed (dwelling units already built).

- (c) The total number of dwelling units and subdivided vacant lots is sufficient to cover the total estimated cost of construction, using the standard credit rates for mains and trunks.
 - (d) Where the total number of dwelling units and subdivided vacant lots in a drainage area is insufficient to cover the estimated cost of construction, the cost deficiency shall be equally prorated to each dwelling unit or vacant lot. Each property owner will be notified of the amount of the extra cost, which must be paid before any lateral connection is made to the sewer main.
5. Where less than 50% of a drainage area is developed, or where more than 50% of the area is not subdivided, sanitary sewer service will be extended only upon application or petition of interested parties accompanied by a cash deposit sufficient to cover the total estimated cost of construction, less any allowable credits for existing dwelling units. This procedure is identical to existing policy governing sanitary sewer extensions within the City limits, as outlined in the first paragraph of this memorandum.
6. Areas which cannot be served by gravity flow will be considered on the basis of the specific circumstances and problems involved.

It is requested that this policy become effective immediately, and that this Department be authorized to proceed immediately with sanitary sewer extensions."

STATEMENT BY COUNCILWOMAN EVANS RELATIVE TO PAST OPERATION OF COUNCIL.

Councilwoman Evans made a statement relative to the past operation of the City Council and moved that it be recorded in the Minutes of this meeting. The motion did not receive a second, and lost, and the statement is, therefore, not recorded herein.

COUNCILMAN FOARD URGES THAT WORK BE HURRIED ALONG ON PROVIDING SERVICES TO PERIMETER AREA TO BE ANNEXED JANUARY 1, 1960.

Councilman Foard urged that services to the perimeter area to be annexed January 1, 1960 be rushed along. He stated that the City has a million dollars in State funds and no work has been done except the surveys.

Mr. Yancey, City Manager, referred to his report to the Council concerning the status of this work, dated December 31st, which is incorporated in the Minutes of that meeting.

CONTRACT AWARDED J.V. ANDREWS COMPANY FOR PLUMBING ON OAKLAWN RECREATION CENTER AND TO W. H. YANDLE FOR ELECTRICAL WORK.

Upon motion of Councilman Foard, seconded by Councilman Baxter, and unanimously carried, the following contracts were awarded for the Plumbing and Electrical Work on the Oaklawn Recreation Center:

- (a) Contract awarded the low bidder, J. V. Andrews Company to furnish labor and material and supervise roughing in plumbing of basement and first floor and to install 2 closets, 2 lavatories, 1 urinal, 1 water heater, 1 scullery sink and 1 electric drinking fountain, in accordance with plans and specifications, at a total cost of \$1,910.25.

January 14, 1959
Minute Book 38 - Page 271.

Bids received on the Plumbing Work are as follows:

J. V. Andrews Company	\$1,910.25
Hefner Plumbing Company, Inc.	\$2,252.50
Tompkins-Johnston Company	\$2,308.00

- (b) Contract awarded the low bidder, W. H. Yandle, to furnish and install electrical service in Oaklawn Recreation Center Building, including porcelain receptacle connections and placing 1 control switch box in heater room, according to plans and specifications, at total price of \$805.00.

Bids received on the Electrical Work are as follows:

W. H. Yandle	\$805.00
Fink-Hill Electric Company	\$997.00

CITY MANAGER REQUESTED TO CHECK INTO MATTER OF PAYING THE FIRE INSURANCE ON OAKLAWN RECREATION CENTER.

Councilman Baxter requested the City Manager to check into the matter of paying the fire insurance on the Oaklawn Recreation Center, which is in the amount of \$173.75. Mr. Yancey stated he would handle the matter with the Insurance Committee.

PURCHASE OF PROPERTY FROM CHARLES R. COLLINS AND WIFE AS SITE FOR PUMPING STATION ON MCMULLEN CREEK.

Councilman Foard moved that the City exercise its option on the property of Charles R. Collins and wife, in the amount of \$8,500.00, to be used for the pumping station site on McMullen Creek. The motion was seconded by Councilman Baxter, and unanimously carried.

TRANSFER OF FUNDS FROM EMERGENCY FUND TO SUPERINTENDENT OF BUILDINGS TO COMPLETE PAINTING OF RECORDER'S COURT ROOM.

Upon motion of Councilman Baxter, seconded by Councilman Dellinger, and unanimously carried, \$90.00 was authorized transferred from the Emergency Fund to the Superintendent of Buildings (Code 505 B-25) to supplement funds for painting the Recorder's Court Room.

AMENDMENT TO RULES GOVERNING THE POLICE DEPARTMENT ADOPTED.

Councilman Baxter moved the adoption of the following amendments to the Rules Governing the Police Department, as recommended by Chief Selvey. The motion was seconded by Councilman Dellinger, and unanimously carried:

"RULE NUMBER V is amended by adding sub-section 25, page 15, as follows:

Sub-Section 25. Membership in organizations commonly known as "Labor Unions" or to any organization which has as one of its purposes collective bargaining for its members concerning wages, hours worked and conditions of employment is against the public interest insofar as the same applies to members of the Police Force of the City of Charlotte and its employees and any member of the Police Department of the City of Charlotte or employee of said department belonging to or being a member of any such organization on or after February 1, 1959, shall be dismissed for cause.

RULE NUMBER VIII of the Rules and Regulations governing the Police Department is amended as follows:

SECTION I

Sub-Section 38. Membership in "Labor Unions" and other collective bargaining organizations are expressly prohibited (see Rule 5, Sub-Section 25, Page 15.)"

RESOLUTION PROVIDING FOR PUBLIC HEARING ON FEBRUARY 18TH ON ORDINANCE NO. 529, ADOPTED.

Ordinance No. 529 Amending Chapter 21, Article I, Section 2 of the City Code, amending the Building Zone Map of Charlotte by changing property at the SW corner of Shorter Avenue and Independence Boulevard from R-2 to B-1, on petition of Spangler Construction Company, was introduced and read. A Resolution Providing for Public Hearing thereon on February 18th was then presented and read, and upon motion of Councilman Dellinger, seconded by Councilman Baxter, was unanimously adopted. The resolution is recorded in full in Resolutions Book 3, at Page 296.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON FEBRUARY 18TH ON ORDINANCE NO. 530, ADOPTED.

Ordinance No. 530 Amending Chapter 21, Article II, Section 5 of the City Code, amending the Building Zone Map of Charlotte Perimeter Area by changing property at the NW corner of Shamrock Road and Potters Road, from R-2 to B-1, on petition of Mr. H. H. Baucom, was introduced and read. A Resolution Providing for Public Hearing thereon on February 18th was then presented and read, and upon motion of Councilman Dellinger, seconded by Councilman Baxter was unanimously adopted. The resolution is recorded in full in Resolutions Book 3, at Page 297.

25% FIXED AS MAXIMUM PENALTY ON CITY PRIVILEGE LICENSES FOR FISCAL YEAR 1958-59.

Councilman Baxter moved that 25% be fixed as the maximum penalty on City privilege licenses for the fiscal year 1958-59. The motion was seconded by Councilman Wilkinson, and unanimously carried.

ERVIN CONSTRUCTION COMPANY AUTHORIZED TO CONNECT PRIVATE SEWER LINES TO CITY'S SANITARY SEWERAGE SYSTEM.

Upon motion of Councilman Wilkinson, seconded by Councilman Baxter, and unanimously carried, Ervin Construction Company was authorized to connect 917-feet of privately owned sanitary sewer lines, outside the city limits, to the City's sanitary sewerage system, upon condition that they comply with all laws, rules and regulations now in effect, or which may hereafter become effective relative to property similarly situated.

CONSTRUCTION OF SANITARY SEWER MAIN IN FOREST ROAD AUTHORIZED.

Motion was made by Councilman Foard, seconded by Councilman Dellinger, and unanimously carried, authorizing the construction of 100-feet of sanitary sewer lines in Forest Road, at the request of Mr. John Thomasson, 416 Providence Road, to serve one family unit, at an estimated cost of \$300.00, to be borne by the City.

January 14, 1959
Minute Book 38 - Page 273

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

Upon motion of Councilman Albea, seconded by Councilman Baxter, and un-
animously carried, the construction of the following driveway entrances
was authorized:

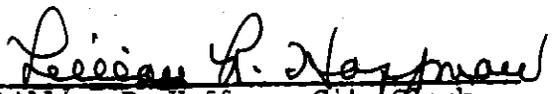
- (a) One 35-ft. entrance on S. Alexander Street and One 35-ft. entrance
On Jewell Street, both for 322 S. Alexander Street.
- (b) Two 30-ft. entrances at 2604 N. Brevard Street.
- (c) One 35-ft. entrance on Garden Terrace for 1701 E. Boulevard.
- (d) One 35-ft. entrance at 3924 Glenwood Drive.
- (e) One 30-ft. entrance at 2214 Hutchinson Avenue.
- (f) One 12-ft. entrance at 415 S. McDowell Street.
- (g) Two 35-ft. entrances on S. Mint Street and two 35-ft. entrances
on Morehead Street, all for 1001 S. Mint Street.
- (h) One 20-ft. entrance at 510 East 36th Street.

SPECIAL OFFICER PERMIT RENEWED TO JOHN P. BRUNDENELL ON PREMISES OF
SOUTHERN KNITWEAR MILLS.

Councilman Wilkinson moved the renewal of Special Officer Permit to
Mr. John P. Brundenell for use on the premises of Southern Knitwear
Mills, 622 East 28th Street, as requested. The motion was seconded by
Councilman Albea, and unanimously carried.

ADJOURNMENT.

Upon motion of Councilman Dellinger, seconded by Councilman Wilkinson,
and unanimously carried, the meeting was adjourned.


Lillian R. Hoffman, City Clerk