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SMBBJ

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Monday, July 12, 1965, at 3 o'clock p.m., with Mayor Brookshire presiding, and Councilmen Albea, Alexander, Jordan, Short, Thrower, Tuttle and Whittington present.

ABSENT: None.

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INVOCATION.

The invocation was given by Dr. A. B. Montgomery, Pastor of Caldwell Memorial Presbyterian Church.

MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Whittington, and unanimously carried, the Minutes of the last meeting on June 28th were approved as submitted to the City Council.

RESOLUTION CLOSING A CERTAIN PORTION OF BRUNSWICK AVENUE.

The public hearing was held on the proposed closing of that portion of Brunswick Avenue that was abandoned when the street was realigned by the City.

No objections were expressed to the closing by the public.

Councilman Albea moved the adoption of a Resolution Closing that Portion of Brunswick Avenue that was abandoned when the street was realigned, which was seconded by Councilman Jordan, and unanimously carried. The resolution is recorded in full in Resolutions Book 5, beginning at Page 44.

CITY'S PARTICIPATION IN COST OF GOVERNMENTAL OPERATIONS JOINTLY FINANCED WITH MECKLENBURG COUNTY FOR FISCAL YEAR 1965-66 APPROVED IN THE TOTAL AMOUNT OF \$670,805.00.

Councilman Alexander moved approval of the City's participation in the cost of the following operations jointly financed with Mecklenburg County, in the total amount of \$670,805.00:

Planning Board	\$ 56,000
Civil Defense	14,024
Health & Mental Health	289,840
Tax Supervisor	57,302
Collector of Revenue	84,756
Election Expense	17,692
Domestic Relations & Juvenile Courts	141,446
Veterans Service Office	9,745

The motion was seconded by Councilman Albea.

Councilman Short asked if the \$1,500.00 was included for the Planning Commission as he requested, and the City Manager replied that it was included.

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

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CITY MANAGER INSTRUCTED TO LOOK INTO THE MATTER OF PAY RAISES FOR CLERICAL EMPLOYEES AND MAKE RECOMMENDATION TO THE COUNCIL BEFORE THE PAY PLAN BECOMES EFFECTIVE ON OCTOBER 1ST.

Councilman Whittington stated in connection with his remarks in the Conference Session, he moves that the City Manager be instructed to look into the matter of pay raises for Clerical employees and give the Council his recommendation before the Pay Plan goes into effect on October 1st. The motion was seconded by Councilman Jordan.

Councilman Short commented that Mr. Veeder has just studied this matter and this is a question relating to whether our policy will be that our pay scale be competitive with the general market for workers of this type and also whether, in fact, our workers in the clerical field are competitive salary-wise. That it would appear to him that studying exactly the same thing again by the same persons almost instantly after it has been studied would amount to the same thing, and he would suggest that the City Manager be asked to give Council this information not on October 1st, but on January 1, 1966.

Councilman Whittington replied that he thinks Mr. Short's point is well taken but he would rather not set a date because the competitive scale may be the same on October 1st and may not change until January 1st, and for that reason and in trying to act in good faith with these employees who feel they have been discriminated against he would rather not set a date. Councilman Short remarked that Mr. Whittington has set a date in his motion - October 1st, and Councilman Whittington replied that his motion was that the City Manager give the Council his recommendation before the Pay Plan went into effect on October 1st.

The vote was taken on the motion and unanimously carried.

FIRE APPARATUS MECHANICS SALARY FIXED THE SAME AS FIRE CAPTAINS.

Councilman Whittington stated in connection with the discussion in the Conference Session relative to Fire Apparatus Mechanics, he would like to point out for the record that there are only two of these people who are responsible for 54 pieces of apparatus and we have had a precedent for years that they draw the same pay as a Captain; that where there is a two-alarm fire, these fire apparatus mechanics take the place of the Captain in case there is another alarm; secondly, when there is a two-alarm fire they go to the fire and stay there until the fire has been put out and is over.

Councilman Alexander commented that we not only have a problem of competitive pay here but also personnel problems growing out of exceptions he has heard this afternoon. That he does not know whether in Mr. Whittington's suggestion that the adjustments be made he has in mind that Council establish a permanent personnel policy but he is very interested in the fact that the duty of the Fire Apparatus Mechanic overlaps the duty of a Fire Captain and he thinks this should be clearly defined and a Fire Mechanic should not have the responsibility of a Fire Captain. And the same thing is true in the Clerical territory, there must be a defined personnel policy made so that we will not have this same problem every year in the Pay Plan. That it does not look as if we have solved anything when we step up a Fire Mechanic to a Captain's pay and we should permanently ascertain the real difference, then we will be getting somewhere.

Councilman Tuttle pointed out that the Fire Mechanic is only acting in the capacity of Captain when necessity demands it, and Councilman Alexander remarked that at the same time he would not become a Captain, he would not assume the full responsibility of a Captain.

Councilman Whittington stated he thinks that Mr. Alexander's point is well taken but it would seem to him that it would be very difficult to draw a line when a man's house is on fire and another one catches on fire and you have equipment running all over town and the Mechanic has to keep the pump going and the Captain has to fight fire, and the Mechanic is moved up in his place, but he does think because of the precedent these men should be paid the same as a Captain, and he so moved. The motion was seconded by Councilman Albea.

Councilman Alexander stated he is ready to vote but he still thinks his suggestion has merit and some consideration should be given to it if not now then at a later date to define responsibility so that they will not be overlapping as they are now.

The City Manager in discussing the point in general, stated it is desirable periodically to take a look at job content and classification as the duties change over a period of time, and it is most appropriate that this be reviewed from time to time. That he intends to do some of this between now and October 1st, and he would welcome the opportunity to do so.

The vote was taken on the motion and carried.

ORDINANCE NO. 360-X BUDGET FOR FISCAL YEAR 1965-66 ADOPTED.

Upon motion of Councilman Whittington, seconded by Councilman Thrower, and unanimously carried, Ordinance No. 360-X Budget for Fiscal Year 1965-66 was adopted. The ordinance is recorded in full in Ordinance Book 14, at Page 187.

RESOLUTION AUTHORIZING THE ISSUANCE OF \$2,000,000 REVENUE ANTICIPATION NOTES, ADOPTED.

Upon motion of Councilman Thrower, seconded by Councilman Short, and unanimously carried, a resolution entitled: Resolution Authorizing the Issuance of \$2,000,000 Revenue Anticipation Notes, was adopted. The resolution is recorded in full in Resolutions Book 5, at Page 46.

PETITION NO. 65-62 BY WRENN BROTHERS ET AL FOR CHANGE IN ZONING OF PROPERTY ON EAST SIDE OF SOUTH BOULEVARD, FROM WOODLAWN ROAD TO INWOOD DRIVE, DENIED.

Councilman Tuttle moved that Petition No. 65-62 by Wrenn Brothers et al for a change in zoning from B-2 to I-2 of property on the east side of South Boulevard, from Woodlawn Road to Inwood Drive, be denied as recommended by the Planning Commission. The motion was seconded by Councilman Albea, and unanimously carried.

CONTRACT AUTHORIZED WITH B. BREVARD BROOKSHIRE FOR APPRAISAL OF PROPERTY IN CONNECTION WITH THE NORTHWEST EXPRESSWAY AND SHARON AMITY ROAD WIDENING PROJECT.

Motion was made by Councilman Jordan, seconded by Councilman Short, and unanimously carried, authorizing contract with Mr. B. Brevard Brookshire for the appraisal of one parcel of land on Elizabeth Avenue in connection with the Northwest Expressway and one parcel on Sharon Amity Road in connection with the Sharon Amity Road Widening Project.

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RESOLUTION APPROVING THE SALE OF LAND TO THE FIRST BAPTIST CHURCH IN REDEVELOPMENT PROJECTS NC R-14 AND NC R-24.

Councilman Whittington moved the adoption of a resolution entitled: Resolution Approving the Sale of Land to the First Baptist Church in Redevelopment Projects NC R-14 and NC R-24. The motion was seconded by Councilman Thrower, and unanimously carried. The resolution is recorded in full in Resolutions Book 5, at Page 47.

APPLICATION FOR PRIVILEGE LICENSE FOR INVESTIGATIONS, INC. APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Thrower, and unanimously carried, the Application of Thomas O. Irby for a privilege license for Investigations, Inc. under the classification of "Detective" was approved.

SETTLEMENT OF CLAIM OF E. S. SATTERFIELD FOR DAMAGES TO HOME AUTHORIZED.

Councilman Tuttle moved approval of the payment of claim of Mr. E. S. Satterfield, in the amount of \$332.00 for damages to the interior of his house at 2200 Kilborne Drive by sewage flooding, as recommended by the City Attorney. The motion was seconded by Councilman Jordan, and unanimously carried.

SETTLEMENT OF CLAIM OF WILLIAM E. BLACKWELL AND HIS INSURER GOVERNMENT EMPLOYEES INSURANCE COMPANY, AUTHORIZED.

Upon motion of Councilman Jordan, seconded by Councilman Tuttle, and unanimously carried, the claim of Mr. William E. Blackwell, in the amount of \$112.75 and his insurer Government Employees Insurance Company, subrogee, in the amount of \$89.55, was authorized in connection with damages to Mr. Blackwell's car at the intersection of 36th Street and Cullman Avenue, and the rental of a car to return him to his home in Greensboro, as recommended by the City Attorney.

CITY MANAGER REQUESTED TO CORRECT LOOSE DRAIN COVER IN STREET AT MILL ROAD AND BEATTIES FORD ROAD.

Councilman Alexander requested the City Manager to look into a situation at Mill Road and Beatties Ford Road where a drain cover is not permanently attached and cars hit it hard enough to knock it up and hit the cars and it is creating a dangerous condition, and should be corrected.

CLAIM OF MRS ESTELLE K. HARPER FOR PERSONAL INJURIES, DENIED.

Councilman Tuttle moved that the claim of Mrs Estelle K. Harper in the amount of \$10,000.00, for personal injuries from stepping onto an improperly placed manhole cover at the intersection of Queens Road and Luther Street, be denied as recommended by the City Attorney. The motion was seconded by Councilman Short, and unanimously carried.

CONSTRUCTION OF SANITARY SEWER TRUNK AND MAIN TO SERVE PORTION OF WINDSOR PARK SUBDIVISION, APPROVED.

Motion was made by Councilman Alexander, seconded by Councilman Jordan, and unanimously carried, approving the construction of 220 feet of sanitary sewer trunk and 4,121 feet of main to serve a portion of The Windsor Park Subdivision, inside the city limits, at the request of Marsh Realty Company, at an estimated cost of \$19,935.00. All cost to be borne by the Applicant, whose deposit of the entire amount of the cost will be refunded as per terms of the contract.

CONTRACTS AUTHORIZED FOR THE INSTALLATION OF WATER MAINS.

Upon motion of Councilman Thrower, seconded by Councilman Albea, and un-animously carried, the following contracts were authorized for the installation of water mains:

- (a) Contract with Charlotte-Mecklenburg Board of Education for the installation of 120 feet of water mains to serve Allenbrook School, inside the city limits, at an estimated cost of \$400.00. The City to finance all construction costs and the Applicant to guarantee an annual gross water revenue equal to 10% of the total cost.
- (b) Contract with Charlotte-Mecklenburg Board of Education for the installation of 935 feet of water mains and one hydrant to serve Allenbrook Elementary School, outside the city limits, at an estimated cost of \$3,200.00. The Applicant to pay the entire cost of the mains and hydrant and will own same until such time as the area is incorporated into the city, when they will become the property of the City without further agreement.
- (c) Contract with C. D. Spangler Construction Company for the installation of 6,185 feet of water mains and five hydrants, in University Park North, inside the city limits, at an estimated cost of \$21,000.00. The City to finance all construction costs and the Applicant to guarantee an annual gross water revenue equal to 10% of the total cost.
- (d) Contract with The Windsor Company for the installation of 2,410 feet of water mains and one hydrant to serve Windsor Park, inside the city limits, at an estimated cost of \$7,600.00. The City to finance all construction costs and the Applicant to guarantee an annual gross water revenue equal to 10% of the total cost.

ENCROACHMENT AGREEMENT AUTHORIZED WITH PIEDMONT & NORTHERN RAILWAY COMPANY.

Councilman Thrower moved that an encroachment agreement be entered into with the Piedmont & Northern Railway Company for the construction and maintenance of a railroad siding across Tar Heel Road in Chemway Industrial Development, to serve a new bakery belonging to the A & P Tea Company. The motion was seconded by Councilman Albea, and un-animously carried.

ACTION ON PETITION FOR STREET IMPROVEMENTS ON WESTBURY AND CLOVER ROADS DEFERRED ONE WEEK AND CITY MANAGER TO HAVE PETITION SUBMITTED BY R. H. BARBER CHECKED.

In connection with the Petition for Street Improvements on Westbury Road, from Providence Road to Robin Road, and on Clover Road, from Sharon Amity Road to Westbury Road, which was heard on June 24th and action deferred until today, Council was advised that Mrs Frances Bowen, one of the petitioners owning 300 feet of property abutting on the proposed improvements has withdrawn her name from the Petition, which changes the percentages from 56.6% of the number of property owners who signed the petition to 53.3%, and from 54.8% of the lineal feet of frontage to 48.8% of the frontage; therefore, the petition is no longer sufficient for consideration.

Councilman Tuttle remarked that several people called him about this and he assured them that he saw no difficulty in the Petition being approved today, but at that time he did not know that Mrs Bowen's withdrawal from the Petition reduced the frontage so that the Petition is insufficient.

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Councilman Jordan commented that he is sure other members of Council have received a letter from Mr. R. H. Barber, who resides on Westbury Road, listing all the people on these streets and there is a difference in the footage from what is on the Agenda today. He asked the City Manager which is correct? Mr. Veeder replied that he would suggest that consideration be deferred for one week and give him an opportunity to have the letter and petition received from Mr. Barber checked.

Councilman Jordan moved that consideration of the Petition be deferred for one week, which was seconded by Councilman Whittington.

Councilman Tuttle asked if it would require a new petition and the City Attorney advised if the petition received by the Council proves to be sufficient it will not be necessary. Councilman Tuttle remarked that several residents have expressed dissatisfaction over the type curbing, stating they thought it would be the roll type and he wonders if they want to change to that type, would a new petition be required? Mr. Morrisey stated if the petitioners want to change that which they petitioned for, then they should get up a new petition; if they want the improvements as petitioned for, if it proves to be sufficient, that is enough for Council to act on.

Councilman Whittington stated he wants to point out that the petition he received from Mr. Barber does not have Mrs Bowen's name on it.

Councilman Short stated neither does the petition from Mr. Barber have signatures copied or photostated on it and apparently Mr. Barber's letter has some typewritten tabulations of his own. He stated further before Council votes on the motion and while everyone is present and Mrs Houser is here, who is one of the persons who had asked for a delay in the matter, he would like to ask her a question because people are calling him and telling him what Mrs Houser has agreed to and he would like to ask her about it in person. He stated to Mrs Houser that this has gotten to be one of those situations where everybody is trying to say what somebody else has said and he would rather have her version of her own feelings than someone else's, and he asked if he understands correctly that she would support this petition for the paving, storm drainage and curb and gutter provided the curbing were the rounded type? Mrs. Houser replied, yes she is in favor of it even though it will impose a great hardship for her, provided the less expensive coping can be done. Councilman Short asked Mrs Houser if she changes her mind will she please let these gentlemen know in person because we seem to have a situation here where people are calling telling us what the other person wants. Mrs Houser stated she has signed no petition. Councilman Thrower asked the City Attorney if Council is not authorized to vote on this if it is only 25% and Mr. Morrisey replied that was under the old Charter, and the new Charter provides 50% except in a situation where there is one owner owning 50% or more of the lineal footage.

The vote was taken on the motion to defer action for one week, and unanimously carried.

RENEWAL OF SPECIAL OFFICER PERMITS TO R. A. SMITH, CLAUDIS MILLS AND CYRUS C. AUSTIN ON THE PREMISES OF HIGHLAND PARK MFG. COMPANY.

Councilman Jordan moved approval of the renewal of Special Officer Permits for a period of one year to Mr. R. A. Smith, Mr. Claudis Mills and Mr. Cyrus C. Austin, for use on the premises of Highland Park Manufacturing Company. The motion was seconded by Councilman Thrower, and unanimously carried.

TRANSFER OF CEMETERY LOTS.

Upon motion of Councilman Albea, seconded by Councilman Alexander, and unanimously carried, the Mayor and City Clerk were authorized to execute deeds for the transfer of the following cemetery lots:

- (a) Deed with Mrs Jeanette Eudy, for Grave No. 8, in Lot 139, Section 2, Evergreen Cemetery, at \$60.00.
- (b) Deed with Mrs Gladys H. Williams, for Grave No. 9, in Lot 19, Section 7, Oaklawn Cemetery, at \$60.00.

CONTRACT AWARDED OSHKOSH B'GOSH, INC. FOR WORK CLOTHING.

Councilman Short moved the award of contract to Oshkosh B'Gosh, Inc. the low bidder, for 7,035 items of Work Clothing, as specified, in the amount of \$21,012.52, on a unit price basis. The motion was seconded by Councilman Alexander, and unanimously carried.

The following bids were received:

Oshkosh B'Gosh, Inc.	\$21,012.52
Gladstein's Inc.	21,639.97
The Hub Uniform Company	21,681.45

CONTRACT AWARDED GLADSTEIN'S INC. FOR TROUSERS AND JACKETS.

Upon motion of Councilman Thrower, seconded by Councilman Albea, and unanimously carried, contract was awarded to Gladstein's Inc., the low bidder, for 323 Corduroy Trousers and 375 Corduroy Jackets, as specified, in the amount of \$4,713.53, on a unit price basis.

The following bids were received:

Gladstein's Inc.	\$ 4,713.53
The Hub Uniform Company	4,763.54
Belk Bros. Company	4,788.96

BID ON PIT GRAVEL REJECTED.

Councilman Albea moved that the one bid received on 3,000 cubic yards of Pit Gravel be rejected, as recommended by the City Manager, and new bids be received. The motion was seconded by Councilman Thrower, and unanimously carried.

CONTRACT AWARDED SMITH-SETZER SONS, INC. FOR REINFORCED CONCRETE PIPE.

Motion was made by Councilman Thrower, seconded by Councilman Whittington, and unanimously carried, awarding contract to Smith-Setzer Sons, Inc. for 3,980 linear feet of reinforced Concrete Pipe, as specified, in the amount of \$12,814.50, on a unit price basis.

The following bids were received:

Smith-Setzer Sons, Inc.	\$12,814.50
Carolina Concrete Pipe Co.	13,508.45
Foltz Concrete Pipe Co., Inc.	13,819.26
Gray Concrete Pipe Co., Inc.	15,830.30

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RESOLUTION ACCEPTING THE GRANT OFFER DATED JULY 9, 1965 MADE BY THE ADMINISTRATOR OF FEDERAL AVIATION AGENCY ON BEHALF OF THE UNITED STATES OF AMERICA TO THE CITY OF CHARLOTTE, NORTH CAROLINA, AS AN AID IN THE DEVELOPMENT OF THE DOUGLAS MUNICIPAL AIRPORT.

The following resolution was introduced by Councilman Alexander, seconded by Councilman Jordan, read, considered and unanimously adopted, "Resolution Accepting the Grant Offer dated July 9, 1965 made by the Administrator of Federal Aviation Agency on Behalf of the United States of America to the City of Charlotte, North Carolina, in the sum of not to exceed \$494,600.00, as an Aid in the Development of the Douglas Municipal Airport". The resolution is recorded in full in Resolutions Book 5, at Page 48.

CONTRACTS AWARDED FOR THE CONSTRUCTION OF THE FIRST PHASE OF AIRPORT PROJECT NO. 9-31-017-C615.

Upon motion of Councilman Albea, seconded by Councilman Alexander, and unanimously carried, the following contracts were awarded for the construction of the first phase of Airport Project No. 9-31-017-C615 consisting of re-constructing 3,000 feet of Northeast-Southwest Runway, extending Terminal apron and certain lighting work.

- (a) Contract awarded Propst Construction Company, the low bidder, for site preparation, in the amount of \$244,973.00.

The following bids were received:

Propst Construction Company	\$244,073.00
Rea Construction Company	248,161.95
Crowder Construction Company	267,139.95
E. G. Gaymont Construction Company	271,423.00
Eagle Construction Company	311,264.90

- (b) Contract awarded Rea Construction Company, the low bidder, for paving, in the amount of \$179,971.05.

The following bids were received:

Rea Construction Company	\$179,971.05
Thompson Arthur Paving Company	192,365.05
Dickerson, Inc.	204,233.00

- (c) Contract awarded Walker & Whiteside, Inc., the only bidder, for lighting work, in the amount of \$5,167.74.

ACQUISITION OF PROPERTY FOR EASEMENT FOR FAIRMEADOWS SANITARY SEWER TRUNK, CONSTRUCTION EASEMENT AND RIGHT OF WAY FOR SHARON AMITY ROAD WIDENING AND RIGHT OF WAY FOR NORTHWEST EXPRESSWAY.

Upon motion of Councilman Whittington, seconded by Councilman Thrower, and unanimously carried, the following acquisitions of property was authorized:

- (a) Right of way 15' x 82.65' in Archdale Drive, from Hall M. Johnston and Dorothy G. Johnson, in the amount of \$41.33, for easement for Fairmeadows Sanitary Sewer Trunk.
- (b) Construction Easement in Sharon Amity Road, from John Quattlebaum and Jennie R. Quattlebaum, in the amount of \$150.00, for Sharon Amity Road Widening.

- (c) Right of way 407 sq. ft. in the southwest corner of Randolph Road and Sharon Amity Road, from Gulf Oil Corporation, in the amount of \$5,500.00, from Sharon Amity Road Widening Project.
- (d) Right of way 6,000 ft. at corner of Ross and Pharr Streets, from Odessa Dawkins, in the amount of \$1,000.00 for the Northwest Expressway.
- (e) Right of way 22,335 sq. ft. at 320-30 North Long Street, from Myra G. Lawing, in the amount of \$7,500.00, for the Northwest Expressway.

ORDINANCE NO. 361 AMENDING CHAPTER 13, ARTICLE I, OF THE CODE OF THE CITY OF CHARLOTTE BY ADDING A NEW SECTION PROHIBITING THE UNAUTHORIZED PRESENCE OF PERSONS ON PUBLIC PARKS AND PLAYGROUNDS WHEN OFFICIALLY CLOSED, ADOPTED.

Councilman Whittington moved that the ordinance requested by Mayor Brookshire and drawn by the City Attorney, entitled: "Ordinance Amending Chapter 13, Article I, of the Code of the City of Charlotte by Adding a New Section Prohibiting the Unauthorized Presence of Persons on Public Parks and Playgrounds when Officially Closed", be adopted, which was seconded by Councilman Jordan, and unanimously carried. The ordinance is recorded in full in Ordinance Book 14, at Page 192.

NOMINATIONS TO FILL VACANCY ON CIVIL SERVICE BOARD DEFERRED UNTIL NEXT MEETING.

Councilman Tuttle stated it is his belief that the Charlotte Civil Service Board is on trial, and perhaps the City Council as well. Many of a recent Charter Study Committee advocated the abolition of the Board in its present form, and this view was shared by others. But when administered by a forceful and non-political body, the system is sound and it, therefore, retains its place as a part of our local government. Now we are faced with a situation which might make a farce of the system and take it back to the position it was in several years ago - a position which lent good argument for its abolition. The Civil Service Board to survive and function as it should, must be manned by citizens of integrity, sound judgment and political freedom, nothing less will do.

With this in mind and in view of the fact that he has seen in the press so many names mentioned, he moves and sincerely hopes this Council will go along with his recommendation that we defer any nominations until next week. The motion was seconded by Councilman Whittington.

Councilman Albea commented that he had stated that he would make a nomination today and he could see no objections to it; however, if the Council sees fit to postpone it for a week he will not oppose it but next week he is going to nominate his man. The vote was taken on the motion to defer action for one week, and carried unanimously.

CITY MANAGER REQUESTED TO INVESTIGATE POSSIBILITY OF HAVING STREET LIGHT ERECTED ON WESTBURY ROAD.

Councilman Tuttle stated in the first block of Westbury Road off Providence Road there is one block where there is an unopened street, at the opening of the street, which is really two blocks off of Providence Road, there is a street light, but at the point where the street is not opened there is no light and it is very dark. He asked the City Manager to investigate the possibility of having a street light erected there.

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DISCUSSION AT CONFERENCE OF MAYORS REQUESTED RELATIVE TO FEDERAL GOVERNMENT
SUBSIDIZING CITIES MEETING STANDARDS OF DISTRESS BECAUSE OF RAPID GROWTH.

Councilman Tuttle stated he has had a letter from a citizen who, in part, asks why would it not be possible to have the Federal Government outdate a portion of the individual's corporate income taxes arising in areas like Charlotte which are growing too fast and to provide essential services from taxes and remit this allocation back directly to the areas which meet certain standards of distress because of rapid growth. The Federal Government has already indicated some receptiveness to such a basic idea and you will find strong and influential allies in other cities with the same problems.

meeting of ~~the National League of Cities~~ Councilman Tuttle commented that there is nothing on the Agenda for the ~~conference of Mayors~~ that touches on this subject and he asked Mayor Brookshire if he thinks this might come up and if not whether or not it would be possible for him to have some mention made of it at the coming ~~Meeting~~ Conference in Detroit? Mayor Brookshire stated that it is a little late to get this introduced but we might try; however, he would not be very optimistic about what is suggested. Councilman Tuttle stated he thinks he would after hearing Congressman Lindsay, who is running for Mayor of New York on the Republican Ticket, on Meet the Press on radio last night; that New York is making a strong play for federal funds and he sincerely believes that the day is coming when the Federal Government will have to subsidize these agencies.

Councilman Thrower commented that New York City has been trying to bypass the State of New York for a number of years, and Councilman Tuttle replied that he is aware of that.

COOPERATION OF ALL NEWS MEDIA REQUESTED IN PUBLICIZING NEED FOR PRIVATE
DONATIONS TO SUPPLEMENT THE CHARLOTTE BEAUTIFICATION PROGRAM.

Councilman Short called attention to Page 107 of the City's Operating Budget, that Item 298 is a figure of \$5,000 for what is called Specialized Department Supplies and Landscape Department. That we have here an organization with a budget of approximately \$32,000 and this organization or department is therefore, \$27,000 worth of equipment and men to process \$5,000 worth of merchandising tax. This would be the case if it were not true that they have many other duties more than just processing the \$5,000 worth of shrubs, trees and flowers etc provided for in the Budget. If this were their only duty, however, it would be a little bit ridiculous to spend \$27,000 worth of manpower to get this processed. However, the explanation for this is not only the fact that we have the great amount of maintenance duties which these men do in landscaping the city but also is in part anticipated that there will be a lot of donations made from private sources for the purposes of beautifying the city. At this time when Civic Clubs and Women's Clubs and Garden Clubs etc are planning what project they might have for this coming fall, we could very well give a little publicity to the fact that we have a \$32,000 organization to handle rose bushes, shrubs, flowers, trees, grass and anything that they would like to provide a little bit of funds for, and he thinks a little push on this from the news media would make the expenditure of \$27,000 for this equipment a much more efficient expenditure for the City and he would like to ask the news media to cooperate in this.

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APPRECIATION EXPRESSED TO NORTH CAROLINA STATE MOTOR CLUB FOR ROUTINGS FROM CHARLOTTE TO DETROIT FOR USE OF COUNCIL MEMBERS ATTENDING ~~CONFERENCE OF MAYORS~~ CONGRESS OF NATIONAL LEAGUE OF CITIES.

Councilman Tuttle advised that the North Carolina State Motor Club was good enough to make up four complete routings from Charlotte to Detroit, that he thinks several of the Council members are going to drive to Detroit to the ~~Conference of Mayors~~ Congress of National League of Cities, and take their families, and he is taking his family on into Canada, and he will pass the routings on to anyone who wants it, and he asked if the City Clerk will write the Motor Club and thank them for their cooperation.

CITY MANAGER TO LOOK INTO MATTER OF MOVING FENCE AT ELMWOOD CEMETERY AND PINWOOD CEMETERY, OLD 9TH STREET SECTION, TO THE END OF THE CEMETERY FACING THE RAILROAD TRACKS TO ELIMINATE TRESPASSING ON CEMETERY PROPERTY.

Councilman Alexander called attention that at Elmwood Cemetery and Pinewood Cemetery, the old 9th Street section, there is a fence around the edge of Elmwood marked "No Trespassing"; the other end of the cemetery that faces the railroad track has no fence and people walk across it and across the graves. He asked if the fence could not be moved to the end of the Cemetery facing the railroad, that he would imagine people assume that the sign means that section between the railroad and fence and not the other side. He asked the City Manager to look into this as he feels the other section of the Cemetery should be protected so that all of it would be protected.

REQUEST FOR REPORT ON REQUESTED STREET LIGHT IN 5300 BLOCK OF BUENA VISTA AND TO HAVE CITY ENGINEER CHECK ON HOLES IN STREET AT COLLEGE AND THIRD STREETS.

Councilman Jordan asked the City Manager to give him a report on the request he made some four weeks ago for a street light in the 5300 block of Buena Vista and also have the City Engineer to check on the holes in the street at the corner of Third and College Streets that he has talked with him about.

CITY MANAGER REQUESTED TO TELL SUPERINTENDENT OF SANITATION DEPARTMENT THAT COLLECTIONS OF TRASH MUST BE ON SCHEDULE.

Councilman Whittington asked the City Manager how long it will take to get the Sanitary Department the equipment authorized now that the Budget has been adopted? Mr. Veeder replied that normally bids would be taken in September but the main thing would be the model year and he is not quite sure when the model years might change on some of the equipment. Councilman Whittington stated the point he wants to make to him and the Council is that every day he gets from four to six complaints about the job this department is doing, and he thinks we should be apprised of it and the Superintendent ought to know that the Council knows they are behind in their work and Council wants him to get caught up. Mr. Veeder stated he thinks that the funds the Council has provided in the Budget will permit them to do so. Councilman Whittington commented that when you tell a housewife that the trash and garbage will be picked up on given days and three weeks later the trash is still there, then we are not doing our job and he asked that Mr. Veeder tell the Superintendent that the Council wants this corrected.

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COUNCILMAN WHITTINGTON URGES THAT CONSTRUCTION OF THE NORTHWEST EXPRESSWAY BE STARTED BY FALL AND THAT DOWNTOWN STREET IMPROVEMENT PROGRAM BE STARTED WITHOUT DELAY.

Councilman Whittington asked the City Manager how many parcels of land the City has bought for the Northwest Expressway corridor, and how much of the engineering is completed? Mr. Veeder stated that 75% of the right of way has been acquired and the engineering is 98% completed. Councilman Whittington then asked when the expressway will be started, that he believes for the last two years Mr. Veeder has been telling the Council it would be ready for bids and moving dirt the following fall or the next spring. Mr. Veeder replied what he has said was that he hoped the State would be ready sometime in the fall of 1965; that he is satisfied this is the date they have been working towards. Councilman Whittington stated he thinks what the City has done is terrific, that we went ahead with the engineering and told the people that would move us up two years, he asked if Mr. Veeder thinks the work will be under contract this fall? Mr. Veeder replied that he hopes that some elements of it will be under contract this fall and again he cannot speak for the State Highway Department. Councilman Whittington commented that it will be his hope that we can get these things in some perspective in the very near future and if there is a meeting contemplated with the State Highway that Mr. Veeder can bring the Council back a report as to where we stand

Councilman Whittington stated he thinks since it is now better than a half year since the people approved the Bond vote for Downtown Streets we ought to be ready in the near future - and he doesn't mean another six months, he means in a very reasonable time - to say what streets we are going to improve downtown.

Mayor Brookshire asked the City Manager to give Council a report on the conversations that Mr. Cheek, Mr. McIntyre, the City Manager and he have had on the subject. Mr. Veeder stated that he gathered that the meeting relating to the Downtown Planning effort - that he thinks that probably Mr. Tuttle and Mr. Jordan can comment on this better than he can, as he is getting his information second-hand from Mr. McIntyre. That these gentlemen and the rest of the Committee pointing towards decisions in the near future which might have a direct bearing on how soon the green light might be forthcoming on some of these downtown streets.

Mr. Tuttle commented that he believes they can answer that question directly if he will postpone it until next Monday. Mr. Veeder remarked to Councilman Whittington that he thinks the key as to what lies ahead in the Downtown Planning efforts is that which Mr. Tuttle and Mr. Jordan are engaged in. Councilman Whittington stated he is aware of that, that he has discussed this with Mr. Odell and the Mayor has asked him when he will be ready to tell us something, but you have to keep prodding people on all of these things and plan ahead.

Councilman Whittington stated in this connection he moves that a letter be written Mr. George Broadrick congratulating him on his appointment as our new Highway Commissioner and say to him that we are ready to cooperate with him and help him with the job, for certainly some of the things he will do will be very beneficial to this city, in other words let him know that we congratulate him and are available to meet with him in order to coordinate his efforts with ours. Mayor Brookshire replied that such a letter has already been written to him.

Councilman Tuttle then moved that a letter be written to Mr. Broadrick thanking him for his services on the Civil Service Board, and Mayor Brookshire replied that this was done when he acknowledged his letter of resignation.

RESIGNATION OF GEORGE BROADRICK FROM CIVIL SERVICE BOARD ACCEPTED WITH A GREAT DEAL OF REGRET.

Councilman Albea moved that the resignation of Mr. George Broadrick from the Civil Service Board be accepted with a great deal of regret. He remarked that he thinks Mr. Broadrick was a most valuable member of the Board. The motion was seconded by Councilman Tuttle, and unanimously carried.

ORDINANCE NO. 362 AMENDING CHAPTER 13 OF THE CODE OF THE CITY OF CHARLOTTE BY ADDING A NEW SECTION RELATIVE TO BEER AND WINE CONSUMPTION AND DISPOSAL OF CONTAINERS ADOPTED.

Councilman Thrower introduced an ordinance entitled: Ordinance No. 362 Amending Chapter 13 of the Code of the City of Charlotte by adding a new section relative to beer and wine consumption and disposal of containers, and moved its adoption, which was seconded by Councilman Whittington.

Councilman Whittington commented that he concurs in the ordinance and wants to ask if it should not go further - no mention was made of whiskey bottles and they are the ones made of glass as are some wine containers.

Councilman Tuttle remarked that he had already made notes of a question he was going to ask in line with that which Mr. Whittington has asked, and he would like to ask if what Mr. Whittington has in mind is "beer, wine, alcoholic and soft drinks"? Councilman Thrower stated he does not want this ordinance watered down too much - when you get into soft drink containers it could involve paper cups. That the sole purpose of this ordinance is to cover the consumption and scattering of beer cans over the right of way.

Mr. Morrissey, City Attorney, stated there is an anti-litter statute on the books that this is in part repetitious/ ^{of} and this ordinance was drafted in response to the specific request by Councilman Thrower directed at the specific problems of principally beer cans, and that is why the language of the ordinance is like it is. That if you want to broaden it to include the kitchen sink then it does not accomplish the purpose that he understood it was to serve.

Councilman Tuttle stated he has no trouble with the lot in front of him with beer, but it is wine and whiskey bottles. Councilman Albea remarked that they are in his front yard continuously, including the Sabbath Day. Councilman Thrower remarked that we also have certain areas where there is a problem with canned heat containers, but after all that is not the intent of this ordinance.

The City Attorney suggested if you include the whiskey in this ordinance you might go a little further than you would intend that the ordinance cover, and the ordinance was drafted to cover the problem as it was presented to him.

Councilman Alexander asked Mr. Thrower and Mr. Morrissey what would happen to this ordinance if we included in the second paragraph, "it shall also be unlawful for any person to drop, throw, cast or deposit any wine or beer container upon any public street or upon the private business premises of another or upon any private property without permission of the owner or person in control of such premises". Mr. Morrissey replied that this could be accomplished by striking out the word "business" in the second paragraph. Councilman Alexander asked if that would not solve Councilman Tuttle's

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problem? That his point is this would take care of the containers being thrown on private premises? Councilman Tuttle replied that persons can still throw liquor bottles in his yard.

Councilman Short asked if this was not generated by what is happening in the parks, and should it not be so worded that it would not only cover streets and private property but also the parks? Mr. Morrissey stated that as he understands the problem 99.9% of the problem arises with respect to business properties adjacent to establishments having these licenses; patrons will buy the beer, and park in adjacent parking lots or parking spaces after the hour when these businesses are closed, and the next morning there is a mess that has to be cleaned up on the premises, and this is the really aggravating problem that this is designed to reach; that could not be reached in any other way.

Councilman Alexander asked if Mr. McKnight did not mention that there is some element of this in the parks? Mr. Morrissey stated that he did, but he knows of no regulations at the present time that prohibits persons from carrying beer on a picnic.

Councilman Alexander remarked that he is willing to vote for this ordinance if it does no more than prohibit the consumption of wine or beer upon any public street. That he thinks right here it would stop teenagers from walking down the street drinking; if it stops that it will have accomplished a lot.

Councilman Tuttle stated he is not nearly as concerned about the park areas being cluttered up as he is his front yard and the private property of others.

Mayor Brookshire asked if it would take care of Mr. Tuttle's problem to leave business out and he asked Councilman Thrower if he would object to taking out the word "business"?

Councilman Thrower moved to amend his motion to delete the word "business" in the second paragraph. Councilman Whittington who seconded the motion accepted the amendment.

The vote was taken on the motion as amended and unanimously carried.

The ordinance is recorded in full in Ordinance Book 14, at Page 193.

CITY MANAGER REQUESTED TO GIVE COUNCIL REPRINTS OF LETTER TO THEM RELATIVE TO NEEDS OF THE VETERANS RECREATION AUTHORITY AND TO DOCKET IT FOR COUNCIL CONSIDERATION AT NEXT COUNCIL MEETING.

Councilman Thrower stated the Veterans Recreation Authority has its problems. The money for the basic needs of the Veterans Center to bring it up to standard was included in the Budget. They are going to need some extra dollars and he has asked Mr. Veeder to reprint the letter he gave the Council about a month ago and give it to us and include it on next week's docket.

ADJOURNMENT.

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


Lillian R. Hoffman, City Clerk