

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Monday, June 28, 1965, at 3 o'clock p.m., with Mayor Brookshire presiding, and Councilmen Albea, Alexander, Jordan, Short, Tuttle and Whittington present.

ABSENT: Councilman Thrower.

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INVOCATION.

The invocation was given by the Reverend James H. Lindley, Pastor of Queen City Baptist Church.

MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Whittington, and unanimously carried, the Minutes of the last meeting on June 21st were approved as submitted to the City Council.

MAYOR PRESENTS NAME PLATE FROM COUNCIL CHAMBER TO DON G. BRYANT, FORMER COUNCILMAN.

Mayor Brookshire presented Mr. Don Bryant his name plate that was at his chair in the Council Chamber during the four years he served on the Council, which has been mounted as a memento of his service to the City and Citizens from May 1961 to May 1965. Mayor Brookshire thanked him for a job well done.

The Mayor stated that Mr. Steve Dellinger and Mr. Gibson Smith, former City Councilmen, were out of the City and would be given similar name plates at a later date.

PLAQUES PRESENTED FIVE RETIRING CITY EMPLOYEES IN ACKNOWLEDGMENT AND APPRECIATION OF THEIR SERVICE TO THE CITY AND CITIZENS.

Mayor Brookshire presented Plaques to the following retiring employees in Acknowledgment and appreciation of their service to the City of Charlotte and its citizens during their employment with the City; he stated it was his great pleasure to so recognize their loyalty to the City and wish them much happiness in their retirement:

Mr. Byron H. Moore	30 years service	from 4-17-35 to 6-25-65	in Fire Dept.
Mr. David Williams	15 years service	from 5-25-60 to 6-25-65	in Water Dept.
Mr. James T. Hill	30 years service	from 10-25-35 to 6-30-65	in Eng. Dept.
Mr. D. C. Whitley	16 years service	from 1-24-49 to 6-30-65	in Motor Transport Department
Mr. Amos J. Knight	22 years service	from 5-15-43 to 6-30-65	in Parking Meter Division

Mr. Wilmer Rucker with 29 years service in the Engineering Department was not present.

H. H. BAXTER REQUESTS THAT THE TAX RATE BE REDUCED FROM \$1.52 TO \$1.50 AND SUBMITS CERTAIN TAX FACTS.

Mr. H. H. Baxter, former Mayor and City Councilman, appeared before Council and stated that he has obtained some tax facts which are public information for the guidance of the City Council.

Although he has been classed as a liberal, he has always been interested in holding the tax rate on real estate at an minimum. That he has always considered our bonded indebtedness as an investment instead of an expense and while he was on the City Council they issued only \$43,073,000.00 in Bonds covering a nine-year period from 1951 to 1960, while for the past five years the City Council has issued \$28,465,000.00 in Bonds, with the public pledge that it wouldn't increase the tax rate. Bonded indebtedness is necessary for our expanded economy for capital improvement and also "pay-as-you-go". It is necessary as long as it doesn't increase the tax rate because he believes future citizens should pay their pro-rata share. In the old days they always included over 1/2 million dollars for small capital improvement on a "pay-as-you-go" basis.

New industry is interested in moving into Charlotte and the first question asked is "What is your tax rate?" It's a well-known fact that with our high tax rate families and even industry are moving into surrounding counties to save on taxes while doing their business or working in Charlotte. It would be a big feather in the present administration's cap to tell prospective investors and citizens about our real estate tax, that the present administration is economy minded and has actually reduced the tax rate. It is well to consider the fact that the Federal Government has granted numerous tax reductions. The Governor and the State Legislature have held the line with no increase in taxes. The County Commissioners plan to hold the tax rate "as is" with no increase in taxes.

This idea of new taxes is a lot of propoganda to increase the tax bite on the individual. Citizens are over-taxed today as it is and the best way to hold the tax rate down is to cut expenses which should be done with a budget of approximately \$23,000,000.00 which, by the way, has increased 54% during the last 5 years while the population has increased only 28%. The North Carolina Law clearly states that a Municipality must budget the needs for one year only and adjust the tax rate accordingly. Why is it that in last year's budget the General Fund was \$2,125,972.00 and only \$941,053.00 was spent a "could-be" saving of \$1,184,919.00 on last year's tax rate, or approximately 15¢ to the tax payer on his tax rate.

The State Legislature is very considerate and generous to the City of Charlotte, returning almost \$3,000,000.00 to the City of Charlotte last year. If in the future tax adjustments are needed or returned through the Legislature they should be proposed and promoted when the Legislature convenes and not presented to them near the end of the session.

He asked Council's consideration with these facts in mind, that they cut the present tax rate of \$1.52 to a rate of \$1.50 and he thinks it could easily be cut 5¢ more. One cent on the proposed tax rate @ \$1.58 amounts to \$77,710.00 and to hold the tax rate at \$1.50 even for the new tax year would mean that only \$531,800.00 would have to be found and deducted from the proposed budget, If this amount or more cannot be found in \$23,000,000.00 somebody needs a sharper pencil.

Mr. Baxter stated he has left copies of his statement for the Mayor and members of the Council, which has attached a list of the revenue returned to the City of Charlotte from the State of North Carolina, and a Record

of the last 20 years tax information of the City, and also information as to what was returned to the County from the State.

Mayor Brookshire thanked Mr. Baxter and commented that he is sure the City Council will consider his recommendations in connection with their responsibilities for continuing to consider the needs for a growing community.

MAYOR LEFT MEETING AT THIS TIME AND THE MAYOR PRO TEM PRESIDED FOR THE REMAINDER OF THE SESSION.

Mayor Brookshire left the meeting at this time to meet the Postmaster General at the Airport, and Mr. James B. Whittington, Mayor pro tem, presided for the remainder of the session.

ORDINANCE NO. 351-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE CHANGING THE ZONING OF PROPERTY ON BOTH SIDES OF CLIFFWOOD PLACE, ADOPTED.

Upon motion of Councilman Albea, seconded by Councilman Tuttle, and unanimously carried, Ordinance No. 351-Z was adopted Amending Chapter 23, Section 23-8 of the City Code, changing the zoning of property on both sides of Cliffwood Place, from near Summit Avenue and Westwood Avenue, to the rear of lots on Park Avenue, from O-6 and R-6MF to B-2, upon petition of T. Stanley Crout et al, and recommended by the Planning Commission. The ordinance is recorded in full in Ordinance Book 14, at Page 178.

ORDINANCE NO. 352-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE CHANGING THE ZONING OF STRIP OF LAND ON EAST SIDE OF KILBORNE DRIVE, ADOPTED.

Councilman Albea moved the adoption of Ordinance No. 352-Z Amending Chapter 23, Section 23-8 of the City Code, changing the zoning of a strip of land beginning on the east side of Kilborne Drive north of Central Avenue and extending eastward to Birchcrest Drive, from R-6MF to B-1, upon the petition of Easthaven Development Corporation, and recommended by the Planning Commission. The motion was seconded by Councilman Short, and unanimously carried. The ordinance is recorded in full in Ordinance Book 14, at Page 179.

PETITION NO. 65-61 FOR CHANGE IN ZONING OF SIX LOTS ON SOUTH SIDE OF WEST BOULEVARD BY CAROLINA FOODS, INC., DENIED.

Councilman Albea moved that Petition No. 65-61 for change in zoning from B-1 to I-2 of six lots on the south side of West Boulevard, by Carolina Foods, Inc., be denied. The motion was seconded by Councilman Tuttle, and unanimously carried.

PETITION NO. 65-62 FOR CHANGE IN ZONING OF PROPERTY ON THE EAST SIDE OF SOUTH BOULEVARD FROM WOODLAWN ROAD TO INWOOD DRIVE, DEFERRED FOR THE FURTHER STUDY OF THE PLANNING COMMISSION.

Upon motion of Councilman Jordan, seconded by Councilman Alexander, and unanimously carried, Petition No. 65-62 by Wrenn Brothers, et al, for change in zoning of property on the east side of South Boulevard, from Woodlawn Road to Inwood Drive, from B-2 to I-2 was deferred for the further study of the petition by the Planning Commission.

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ORDINANCE NO. 353-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE CHANGING THE ZONING OF A LOT AT THE SOUTHEAST CORNER OF THE PLAZA AND KILDARE DRIVE, ADOPTED.

Councilman Alexander moved the adoption of Ordinance No. 353-Z Amending Chapter 23, Section 23-8 of the City Code, changing the zoning of a lot at the southeast corner of The Plaza and Kildare Drive, with the exception of the rear 20 feet of the lot, from O-6 to B-1, on petition of Troy D. Wilson, and recommended by the Planning Commission. The motion was seconded by Councilman Short, and unanimously carried. The ordinance is recorded in full in Ordinance Book 14, at Page 180.

ACTION ON PETITION NO. 65-64 BY CHARLOTTE-MECKLENBURG PLANNING COMMISSION TO AMEND THE CHARLOTTE ZONING ORDINANCE BY ADDING A NEW SECTION ENTITLED: "BUS STOP SHELTERS", DEFERRED UNTIL REQUESTED INFORMATION ON THE PETITION IS RECEIVED FROM THE PLANNING COMMISSION.

Councilman Jordan moved the adoption of an Ordinance Amending Sections 23-27, 23-31 and 23-34.1 of the Charlotte Zoning Ordinance by adding a new section 23-40.01 entitled: "Bus Stop Shelters" to permit the establishment of Bus Stop Shelters in all Zoning Districts, subject to conditional approval of such proposed locations by the City Council, following a recommendation by the Planning Commission without holding a public hearing. The motion was seconded by Councilman Albea.

The City Manager called attention that the Planning Commission has not made a recommendation since the Hearing and he suggested that Council may wish to defer it until their recommendation has been received. The City Attorney commented as he recalls the action taken last week at the Hearing, it was to defer consideration of the petition until the Planning Commission comes back with some answers to the several questions Council had on the matter, and as that information has not been received it would be in order to defer action until such time.

Councilman Alexander offered a substitute motion that action be deferred until the information is received from the Planning Commission. The motion was seconded by Councilman Tuttle, and unanimously carried.

ORDINANCE NO. 354-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING ZONING OF TRACT OF LAND ON THE NORTH SIDE OF MONROE ROAD, ADOPTED.

Upon motion of Councilman Tuttle, seconded by Councilman Alexander, and unanimously carried, Ordinance No. 354-Z Amending Chapter 23, Section 23-8 of the City Code, changing the zoning of a tract of land on the north side of Monroe Road, from a point 100 ft. east of Bramlet Road to Ayers Road, from I-2 to B-1 on the petition of D. L. Phillips Investment Builders and recommended by the Planning Commission, was adopted. The ordinance is recorded in full in Ordinance Book 14, at Page 181.

ORDINANCE NO. 355-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING ZONING OF TRACT OF LAND ON THE WEST SIDE OF STATESVILLE ROAD, NEAR NEVIN ROAD, ADOPTED.

Councilman Tuttle moved the adoption of Ordinance No. 355-Z Amending Chapter 23, Section 23-8 of the City Code, changing the zoning of a small tract of land on the west side of Statesville Road near Nevin Road, from R-9 to B-2 on the petition of W. D. Cornwell and M. A. Lyons, and recommended by the Planning Commission. The motion was seconded by Councilman Jordan, and unanimously carried. The ordinance is recorded in full in Ordinance Book 14, at Page 182.

PETITION NO. 65-46 FOR CHANGE IN ZONING OF TRACT OF LAND AT THE NW CORNER OF SLEEPY HOLLOW ROAD AND NEW US 21, DENIED.

Councilman Albea moved that Petition No. 65-46 by C. C. Thomas for change in zoning of a tract of land at the northwest corner of Sleepy Hollow Road and new US 21, from R-9MF to B-2, be denied as recommended by the Planning Commission. The motion was seconded by Councilman Tuttle, and unanimously carried.

ORDINANCE NO. 356-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING ZONING OF TRACT OF LAND ON NORTH SIDE OF I-85, ADOPTED.

Upon motion of Councilman Jordan, seconded by Councilman Albea, and unanimously carried, Ordinance No. 356-Z Amending Chapter 23, Section 23-8 of the City Code, changing the zoning of a tract of land on the north side of I-85 beginning at Stewarts Creek and extending eastward to Mecklenburg College property and northward to Hoskins Road, from R-6 to R-6MF and B-2 upon petition of C. D. Spangler Construction Company and recommended by the Planning Commission, was adopted. The ordinance is recorded in full in Ordinance Book 14, at Page 183.

PETITION NO. 65-52 FOR CHANGE IN ZONING OF 4.03 ACRE TRACT OF LAND NORTH OF SHAMROCK DRIVE, DENIED.

Councilman Albea moved that Petition No. 65-52 by H. H. Baucom for change in zoning from R-9 to R-9MF of a 4.03 acre tract of land north of Shamrock Drive, be denied as recommended by the Planning Commission. The motion was seconded by Councilman Alexander, and unanimously carried.

ORDINANCE NO. 357-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING ZONING OF 1.89 ACRE TRACT OF LAND ON SOUTH SIDE OF ARROWOOD ROAD, ADOPTED.

Upon motion of Councilman Jordan, seconded by Councilman Alexander, and unanimously carried, Ordinance No. 357-Z Amending Chapter 23, Section 23-8 of the City Code, was adopted changing the zoning of a 1.89 acre tract of land on the south side of Arrowood Road, extending from Irwin Creek to the new US 21, on the petition of J. F. Lane, and recommended by the Planning Commission. The ordinance is recorded in full in Ordinance Book 14, at Page 184.

ORDINANCE NO. 358-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING ZONING OF TRACT OF LAND ON NORTH SIDE OF ARROWOOD ROAD, ADOPTED.

Councilman Tuttle moved that Ordinance No. 358-Z Amending Chapter 23, Section 23-8 of the City Code be adopted changing the zoning of a tract of land on the north side of Arrowood Road, extending from Irwin Creek to the new US 21, on the petition of G. F. Shrum, and recommended by the Planning Commission. The motion was seconded by Councilman Short, and unanimously carried.

The ordinance is recorded in full in Ordinance Book 14, at Page 185.

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RESOLUTION PROVIDING FOR PUBLIC HEARING ON JULY 19TH ON PETITION NO. 65-70 FOR CHANGE IN ZONING OF SIX LOTS ON THE SOUTH SIDE OF WEST BOULEVARD.

Upon motion of Councilman Albea, seconded by Councilman Short, and un-animously carried, Resolution Providing for a Public Hearing on July 19th on Petition No. 65-70 by Charlotte-Mecklenburg Planning Commission for a change in zoning of six lots on the south side of West Boulevard, from B-1 to I-1, was adopted.

The resolution is recorded in full in Resolutions Book 5, at Page 42.

ORDINANCE NO. 359-X APPROPRIATING FUNDS FOR PAYING USUAL EXPENSES OF THE CITY PENDING THE ADOPTION OF THE 1965-66 BUDGET ORDINANCE, ADOPTED.

Councilman Alexander moved the adoption of Ordinance No. 359-X Appropriating Funds for Paying Usual Expenses of the City Pending the Adoption of the 1965-66 Budget Ordinance. The motion was seconded by Councilman Jordan, and unanimously carried. The ordinance is recorded in full in Ordinance Book 14, at Page 186.

ACTION ON THE SALE OF LAND TO THE FIRST BAPTIST CHURCH IN REDEVELOPMENT PROJECTS NC R-14 AND NC R-24, DEFERRED UNTIL JULY 12TH.

Mayor pro tem Whittington requested the Council to defer action on the Sale of land to the First Baptist Church in Redevelopment Projects until the next Council Meeting on July 12th in order that he may obtain more information on the subject.

Councilman Tuttle commented that this is a very important sale of land in the Redevelopment Area and he asked if there is any particular reason for requesting the postponement? Mayor pro tem Whittington replied that he is in no way opposing the sale, he would like to get more information that he does not have and he did not receive the information that Mr. Sawyer submitted to Council.

Councilman Tuttle moved that action be deferred until the next meeting on July 12th. The motion was seconded by Councilman Short, and unanimously carried.

RESOLUTION APPROVING THE SALE OF LAND TO THE AFRICAN METHODIST EPISCOPAL ZION CHURCH IN REDEVELOPMENT PROJECT NC R-14, ADOPTED.

Councilman Short moved the adoption of a Resolution Approving the Sale of Land to African Methodist Episcopal Zion Church in Redevelopment Project NC R-14, which was seconded by Councilman Alexander, and unanimously carried. The resolution is recorded in full in Resolutions Book 5, at Page 43.

CHANGE ORDER NO. 1 IN CONTRACT WITH C.M. ALLEN CONSTRUCTION COMPANY FOR RECONSTRUCTION OF PORTION OF BRIAR CREEK OUTFALL, APPROVED.

Upon motion of Councilman Tuttle, seconded by Councilman Short, and un-animously carried, Change Order No. 1 in the contract with C. M. Allen Construction Company for the reconstruction of a portion of Briar Creek Outfall, covering the relaying of 110 feet of 10-inch main, in lieu of the 8-inch main specified in the contract, at a cost of \$165.00, was approved.

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AGREEMENT BETWEEN THE CITY OF CHARLOTTE AND UNITED STATES GEOLOGICAL SURVEY FOR LOCAL STREAM GAGING PROJECTS, EXTENDED FOR FISCAL YEAR 1965-66.

Motion was made by Councilman Tuttle, seconded by Councilman Short, and unanimously carried, extending the Agreement between the City of Charlotte and United States Geological Survey for local stream gaging projects, for the fiscal year 1965-66.

CONTRACT AUTHORIZED WITH D. A. STOUT FOR APPRAISAL OF NORTHWEST EXPRESSWAY RIGHT OF WAY.

Councilman Alexander moved approval of a contract with D. A. Stout for the appraisal of one parcel of land on Independence Boulevard in connection with the right of way for the Northwest Expressway. The motion was seconded by Councilman Jordan, and unanimously carried.

STREETS TAKEN OVER FOR CITY MAINTENANCE.

Upon motion of Councilman Alexander, seconded by Councilman Short, and unanimously carried, the following streets were taken over for continuous maintenance by the City:

STREET	FROM	TO
Bannister Place	Yuma Street	Squirrel Hill Road
Squirrel Hill Road	150' S. of Bannister Pl.	White Plains Road
White Plains Road	150' N. of Yuma Street	Tom Hunter Road
Squirrel Hill Road	White Plains Road	Vancouver Drive
Dunn Street	Existing maintained Street	SE 1,275 ft.
Brookridge Lane	Providence Road	SW 1,550 ft.
Worthley Court	Brookridge Lane	End of cul-de-sac
Fairdale Drive	Beatties Ford Road	Dawnshire Avenue
Dawnshire Avenue	100' N. of Northbrook Dr.	190' S. of Northcliff Drive
Northcliff Drive	Dawnshire Avenue	Banberry Drive 340' West
Valleywood Place	Northcliff Drive	End of cul-de-sac north
Clearview Drive	Dawnshire Avenue	Northbrook Drive
Banberry Drive	Northcliff Drive	Northbrook Drive
Bondale Place	Banberry Place	End of cul-de-sac West
Northbrook Drive	Dawnshire Avenue	Banberry Drive
Unnamed Street	Northcliff Drive	South 185' north
McKinley Drive	140' W. of Alleghany St.	170' W. of Sandlewood Lane
Pebblebrook Drive	200' W. of Alleghany St.	Sandlewood Lane
Carrington Court	McKinley Drive	Pebblebrook Drive
Sandlewood Lane	McKinley Drive	150' N. of Pebblebrook Dr.
Maribel Avenue	Hildebrand Street	Estelle Street
Remington Street	Maribel Street	195' W. of McDonald Street.

CLAIM OF STANDARD THEATRE SUPPLY COMPANY FOR DESTRUCTION OF PROPERTY DENIED.

Motion was made by Councilman Jordan, seconded by Councilman Albea, and unanimously carried, denying the claim of Standard Theatre Supply Company in the amount of \$186.00 for a popcorn kettle carried away by the City Garbage Department with the usual garbage collection, as the City Attorney advised there was no evidence of negligence on the part of the City.

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CLAIM OF JOHN B. FANNING FOR LOSS OF PROPERTY DENIED.

Councilman Alexander moved that the claim of John B. Fanning, Firwood Lane Apartments, in the amount of \$12.35 for the loss of several items of food carried away by the City Garbage Department with the usual garbage collection, be denied as recommended by the City Attorney who advised there was no evidence of negligence on the part of the City. The motion was seconded by Councilman Albea, and unanimously carried.

PURCHASE OF WATER MAINS IN RIGNEY STREET FROM E.M. BEATTY AND D.C. GIBSON, AUTHORIZED.

Councilman Alexander moved approval of the purchase of 470 feet of 2-inch water mains located in Rigney Street, from Edleman Road to Lot 12, Block A of the subdivision abutting on said street, in the Thomasboro area, annexed in 1960, from E. M. Beatty and D. C. Gibson, at a net purchase price of \$370.34. The motion was seconded by Councilman Tuttle, and unanimously carried.

TRANSFER OF CEMETERY LOTS.

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

- (a) Deed with Julius Boyd Wike and wife, Edith, for Graves 1, 2 and 3, in Lot 156, Section 2, Evergreen Cemetery, at \$180.00.
- (b) Deed with Mrs G. A. Spoon, Sr., for Graves 3 and 4, in Lot 155, Section 2, Evergreen Cemetery, at \$120.00.
- (c) Deed with Mrs Anna Stewart Snodgrass & Thomas B. Snodgrass, Jr., for Lot 335, Section 2, Evergreen Cemetery, at \$360.00.

CONTRACT AWARDED LEWIS BUSINESS FORMS, INC. FOR WATER BILL AND WATER CUT-OFF BILL FORMS.

Motion was made by Councilman Short, seconded by Councilman Alexander, and unanimously carried, awarding contract to the low bidder, Lewis Business Forms, Inc. for 600,000 Water Bills and 150,000 Cut-off Bill forms, as specified, in the amount of \$1,373.51.

The following bids were received:

Lewis Business Forms, Inc.	\$1,373.51
Moore Business Forms, Inc.	1,645.43
Uarco Business Forms	1,660.88
Jordan Business Forms	1,714.95
International Business Machines	2,037.86
Allied Ergy Business Forms	2,285.06

BIDS FOR PORTLAND CEMENT REJECTED AND AUTHORIZED READVERTISED.

Councilman Alexander moved that all bids received on the purchase of 3,000 bags of Portland Cement be rejected, and bids for this material be readvertised. The motion was seconded by Councilman Short and unanimously carried.

The following bids were received:

McGee Lumber Company	\$4,045.05
Tucker-Kirby Company	4,090.50

CONTRACT AWARDED SUPERIOR STONE COMPANY FOR CRUSHED STONE.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and un-animously carried, contract was awarded the only bidder, Superior Stone Company for 129,000 tons of crushed stone, as specified, in the amount of \$268,057.50, on a unit price basis.

CONTRACT AWARDED PRISMO SAFETY CORP FOR PAVEMENT MARKERS.

Councilman Tuttle moved the award of contract to the low bidder, meeting the specifications on plastic, reflectorized, Pavement Markers, as specified, Prismo Safety Corporation, in the amount of \$11,412.40. The motion was seconded by Councilman Short, and unanimously carried.

The following bids were received:

Prismo Safety Corp.	\$11,412.40
Southeastern Safety Supplies, Inc.	12,092.20

Bid Not meeting specifications:

J. W. Neff Laboratories, Inc.	\$11,012.76
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REMINDER THAT TERM OF JOHN C. ERWIN ON AIRPORT ADVISORY COMMITTEE WILL EXPIRE ON JULY 31, 1965.

The Council was reminded by the City Clerk that the term of Mr. John C. Erwin on the Airport Advisory Committee will expire on July 31, 1965. That the term is for 5 years, and a member may succeed himself only once. That Mr. Erwin has served on the Committee since its reorganization by the Council in 1960.

ACQUISITION OF RIGHT OF WAY FOR SANITARY SEWER LINES IN PARK ROAD, JOHNSTON STREET AND TO SERVE FORD MOTOR COMPANY.

Upon motion of Councilman Jordan, seconded by Councilman Albea, and un-animously carried, the acquisition of right of ways for sanitary sewer lines in Park Road, Johnston Street and to serve Ford Motor Company, was authorized as follows:

- (a) Right of way 10' x 90' at 4116 Park Road, from J. C. Smith, at \$90.00 for Park Road Sanitary sewer.
- (b) Right of way 10' x 91.68' in 4000 block of Park Road, from Elva B. Holmes Estate, at \$1.00 for Park Road sanitary sewer.
- (c) Right of way 10' x 175' in 4000 block of Park Road, from Roy E. Holmes, at \$1.00 for Park Road sanitary sewer.
- (d) Right of way 10' x 178' in 4000 block of Park Road, from Ada C. Pendleton at \$1.00 for Park Road sanitary sewer.

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- (e) Right of way 10' x 70' in Park Road, from Tobin Realty, Inc., at \$1.00 for Park Road Sanitary Sewer.
- (f) Right of way 10' x 398' off N. Johnston Street, from L. A. Raulerson, at \$1.00 for Johnston Street sanitary sewer.
- (g) Right of way 10' x 440' off N. Johnston Street, from Great Southern Trucking Company, at \$1.00 for Johnston Street sanitary sewer.
- (h) Right of way 10' x 15.04' on N. Graham Street, from Humble Oil and Refining Company, at \$1.00 for sewer line to serve Ford Motor Company.

CITY MANAGER AND CHAIRMAN OF TRAFFIC COMMITTEE OF THE DOWNTOWN ASSOCIATION TO SUBMIT SUGGESTIONS RELATIVE TO PARKING RESTRICTIONS AND TOW-IN OF CARS IN THE DOWNTOWN AREA.

Mayor pro tem Whittington called for any discussion the Council wishes to have on the recommendation of Councilman Tuttle of the removal of the 4:30 and 5:00 o'clock parking restrictions in the immediate heart of the downtown area.

Councilman Tuttle stated that he agrees with the suggestion of Mr. Veeder, City Manager and Mr. Scott Cramer, Chairman of the Traffic Committee of the Downtown Association, that they come back on August 9th with suggestions as to the present tow-in law and with regard to putting the ban on parking in the downtown area on a uniform basis, and he stated he is happy to wait on their suggestions.

PLANNING COMMISSION REQUESTED TO REVIEW ZONING REGULATIONS FOR HIGH RISE STRUCTURES AS THEY APPLY TO THE CENTRAL BUSINESS DISTRICT AND ADJACENT R-6MFH ZONES.

Councilman Tuttle stated that most of us are aware that the real estate people are complaining about the high rise zoning and in the past year there have been several opportunities for high rise apartments but our zoning is such that it favors the two and three family apartments and disfavors the so-called efficiency apartments that would be very popular for the downtown area for young business people and young couples without children. So with this thought in mind he would like to move that the Planning Commission review the zoning regulations for multi-family structures as they apply to the Central Business District and adjacent R-6MFH zones. The purpose of the review would be to determine if the regulations should be modified to improve the economic feasibility of high-rise apartment structures in the central area of the city. The review to include specific recommendations for any changes in regulations deemed to be necessary and desirable to foster the development of apartments that can be favorably priced in terms of the market for central city housing, with the understanding there will be no expense for this report from anyone. The motion was seconded by Councilman Albea.

Mayor pro tem Whittington stated he would like to say for the record that he did not know that Mr. Tuttle was going to bring up the zoning downtown as far as high-rise apartments are concerned, and he would like to say that he wholeheartedly agrees with him and he hopes that the Planning Commission will bring in a favorable report on this. He stated further that it seems to him that if they want to do something about downtown, one of the things we should allow zoning where people can build these apartments to get people to live downtown and shop downtown and work downtown.

The vote was taken on the motion and unanimously carried.

MAYOR INSTRUCTED BY COUNCIL TO APPOINT A COMMITTEE TO ADVISE COUNCIL OF THE FEASIBILITY OF AND RATE SCHEDULE FOR A MUNICIPALLY OWNED AND OPERATED PARKING FACILITY, WITH ONE MEMBER OF THE CITY COUNCIL SERVING ON THE COMMITTEE.

Councilman Short stated that he believes that the motion made previously concerning municipal parking should be reinacted here in this public meeting, so without going into the background comments, he moves that the Council instruct Mayor Brookshire to appoint a Committee, consisting of local citizens conversant with downtown problems and challenges, to advise the Council of the feasibility of and the rate schedule for a proposed parking facility to be municipally owned and operated, with one member of the City Council to serve on the Committee. The motion was seconded by Councilman Albea, and unanimously carried.

CONSIDERATION OF RENOVATING VETERANS RECREATION CENTER POSTPONED UNTIL NEXT COUNCIL MEETING.

Councilman Jordan stated that since Councilman Whittington is presiding today and Councilman Thrower is absent, he moved that consideration of the report made by the Superintendent of the Building Inspection Department at Council's request as to the costs of renovating the Veterans Recreation Center be postponed until the next Council Meeting. The motion was seconded by Councilman Alexander, and unanimously carried.

COUNCILMAN REQUEST THAT JOB VACANCIES IN ALL DEPARTMENTS OF THE CITY BE PUBLICIZED SO THE PUBLIC MAY HAVE KNOWLEDGE OF THE VACANCY, AND CITY MANAGER AUTHORIZED TO CONSIDER THE PROPOSAL AND BRING SUGGESTIONS TO COUNCIL ALONG THE LINES DISCUSSED TODAY.

Councilman Alexander asked the City Manager if vacancies in city jobs are publicized in the newspaper or on the bulletin board at City Hall? Mr. Veeder replied this would vary with the type of job vacant. For instance, laborers jobs, perhaps would not be advertised as such, while the technical and professional positions might be extensively advertised. Police and Fire vacancies are advertised in both local newspapers by the Civil Service Commission, he believes; and we might advertise in professional journals depending on the type of vacancies. Councilman Alexander remarked that he thinks it would be a great service to the citizens if City vacancies were advertised, because people who would qualify for the vacancy would not otherwise apply for the job for they would not know when the vacancies occur. He stated further that he thinks it would be a useful procedure if job vacancies in all departments were advertised in some manner and he so moved. The motion did not receive a second.

The City Manager asked Mr. Alexander what type of advertisement he had in mind, and Mr. Alexander replied in a newspaper, or bulletin board at City Hall or wherever the vacancy could get publicity. Councilman Alexander stated the intent of his motion was not to change any form of advertising of any jobs that is being done now. That he thinks the sense of it would be complied with if we did nothing but advertise on a bulletin board in the City Hall, which in itself would give the public an opportunity to survey the jobs.

Councilman Albea asked if this is not entirely an administrative job?

Mr. Veeder suggested that we consider the question and come back to Council with some suggestions or thoughts along the lines that have been discussed.

Mayor pro tem Whittington suggested that something might be worked out with Mr. Everett of the Employment Office.

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CITY MANAGER INSTRUCTED TO CONVEY TO HOSPITAL AUTHORITY COUNCIL'S REQUEST THAT DISCRIMINATORY PRACTICE REGARDING LUNCHES AT CHARLOTTE COMMUNITY HOSPITAL BE DISCONTINUED IMMEDIATELY, AND LEARN WHO IS RESPONSIBLE FOR SUCH PRACTICE.

Councilman Alexander stated that he is advised that at Charlotte Community Hospital discrimination exists in food service to employees in that all white employees are given free lunches and all negro employees have to pay .75 cents for them, and he moved that the City Manager be instructed to investigate this complaint and convey the request of the City Council to the Hospital Authority that such discriminatory practice be discontinued immediately. The motion was seconded by Councilman Albea.

Councilman Tuttle suggested that if Mr. Veeder finds that this is happening, that he find out who is responsible for such practice and let the Council know.

The vote was taken on the motion and unanimously carried.

CITY MANAGER INSTRUCTED TO WRITE INSTITUTE OF GOVERNMENT AND N.C. LEAGUE OF MUNICIPALITIES FOR HOLDING THE SCHOOL FOR NEWLY ELECTED MAYORS AND COUNCILMEN IN CHARLOTTE.

Mayor pro tem Whittington suggested that the City Manager be instructed to write the Institute of Government and N. C. League of Municipalities thanking them for the School for newly elected Mayors and Councilmen they held in Charlotte last Wednesday and Thursday. Councilman Tuttle moved that this be done, which was seconded by Councilman Jordan, and unanimously carried.

SUGGESTION MADE THAT THE STATE HIGHWAY DEPARTMENT AND TRAFFIC ENGINEER BE REQUESTED TO HAVE OPENINGS ON PARK ROAD IN FRONT OF HAMILTON HOUSE AT TURN-AROUND COINCIDE WITH EACH OTHER.

Mayor pro tem Whittington advised that on Park Road in front of the Hamilton House, below Seneca Place on the left, there is a turn-around below the intersection of the Apartment and traffic/going in there and turning back against the traffic coming to town. He suggested that it would be well for the City Manager to ask the State and Mr. Hoose to try and make these openings so they will coincide with each other.

REQUEST FOR STREET LIGHT IN 1400 BLOCK OF WOODLAND DRIVE REFERRED TO CITY MANAGER FOR HANDLING.

Mayor pro tem Whittington advised that he has a request for a street light in the 1400 block of Woodland Drive and he asked the City Manager to handle the request.

CLAIM OF DAVIE CONTRACTORS DENIED IN CONNECTION WITH NORTHSOUTH RUNWAY EXTENSION WORK PERFORMED.

Mr. Morrissey, City Attorney, stated each member of Council, the Mayor, City Manager and City Attorney received correspondence from the attorney for Davie Contractors last month on May 24th setting forth a claim by Davie Contractors against the City in connection with the Northsouth Runway extension work which they performed. The City has withheld the retainage on that contract in the round figure amount of \$90,000 because our engineers advise that the Company has not completed the contract although the Company's position is that it has completed the work. The Company has also filed an

additional claim for \$259,000 in round figures for allegedly additional expenses in cost incurred by the Company. Mr. Morrissey stated he has asked the Attorney for the Company several times prior to the date of this notice to furnish us with itemization of the additional claim and has not yet received one; and it is apparent on the face of this claim that we will not receive such information, and he would assume the likely hood is that all of this is preliminary to litigation. On the basis of his investigation and long continuing experience with this project since its inception, he would recommend that Council deny the claim for the record.

Councilman Alba moved that the claim be denied. The motion was seconded by Councilman Short, and unanimously carried.

Mr. Morrissey stated the claim for the additional claim is for \$259,794.54.

ACQUISITION OF 67 PLUS ACRES OF PROPERTY FROM MRS SPRATT FOR AIRPORT PURPOSES, AUTHORIZED.

Mr. Veeder, City Manager, stated for about two years we have been engaged in acquiring property to accommodate the NS Runway extension, some of it by negotiation and on other we have been in Court. The members who served on the Council prior to May will recall that we attempted to negotiate the Spratt property and have been in court on it, and there has been a recent verdict on this by Superior Court. He pointed out the property on a map, indicating the location of the property we have acquired and the 11 plus acres of the Spratt property condemned, and advised that the Jury has turned in a verdict of \$78,000.00. He pointed out the location of the balance of the property owned by Mrs Spratt, approximately 55 acres, and also pointed out on the map the property needed for the extension of the Northsouth Runway. He stated since the verdict was rendered the City Attorney's office has had an offer by the owner for the sale of all of the property for \$120,000, with some 67 to 68 acres involved. If we accepted the offer to convey all of this property to the City the average price per acre to the City would be \$1,700.00. That FAA has been consulted and indicates that it will participate 50% in the cost of this acquisition, their reasoning in part being that the land will perhaps be required for future airport activities. After reviewing this very carefully with the City Attorney, Mr. Fennell and Mr. Raffety they recommend to Council that they consider approving the acquisition of all of this property. The offer that was presented to us by the Attorney for the owner has a July 1 deadline. That would represent \$42,000 for the balance of 55 acres. Mr. Veeder stated this purchase price in their judgment, and keeping in mind the Jury verdict, is one that appears to be in the City's best interest to accept. Mayor pro tem Whittington commented that he thinks when we realize that we have over a million people boarding planes now and anticipate 2 million by 1980 that any additional land we can get should be purchased.

Councilman Short stated we would either have to appeal this case in an effort to get a more favorable jury which will help average our cost by buying the additional land, and he would think the better approach on it would be averaging the cost by buying the other land because unless we know there was something wrong with the case, he doesn't know how we could appeal it.

Councilman Alba moved approval of the City Manager's recommendation. The motion was seconded by Councilman Alexander.

Mr. Veeder stated the motion requires the acceptance of the offer to purchase all of the Spratt property of some 67 odd acres at the offered price of \$120,000.00.

Following the discussion, the vote was taken on the motion and carried unanimously.

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BUDGET SESSIONS SCHEDULED FOR 7 P.M. EVENINGS OF JUNE 30TH, JULY 1ST AND 2ND.

Mayor pro tem Whittington reminded Council of the Budget Sessions at 7 p.m. on Wednesday, Thursday and Friday nights of this week in the Conference Room.

MEETING SCHEDULED WITH COUNTY COMMISSIONERS ON JOINTLY FINANCE ACTIVITIES ON WEDNESDAY, JULY 7TH AT 4 P.M.

The City Manager stated he and Mr. Weatherly, County Manager, suggest that Wednesday July 7th at 4 o'clock in the Courthouse be set up for the Joint Meeting with the County Commissioners on activities that are jointly finance. Mayor pro tem Whittington requested the City Manager to notify the Council of the meeting.

ADJOURNMENT.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, the meeting was adjourned until July 12th.


Lillian R. Hoffman, City Clerk