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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber in the City Hall, on Monday, June 8, 1959, at 4 o'clock p.m., with Mayor Smith presiding and Council members Albea, Babcock, Dellinger, Hitch, Myers, Smith and Whittington being present.

ABSENT: None.

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INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Hitch, seconded by Councilman Albea, and unanimously carried, the Minutes of the last meeting on June 1st were approved as submitted.

REAPPOINTMENT OF CHIEF ERNEST C. SELVEY AS CHIEF OF POLICE URGED BY FRIENDS.

Mr. Allen Bailey, Attorney representing the N. C. Automobile Dealers' Association, presented petitions which he stated contained some 5,000 to 7,000 signatures, recommending the permanent reappointment of Chief Ernest C. Selvey as Chief of the Charlotte Police Department, because of his 24 years of faithful service in the department, and the qualifications, capabilities and leadership he has displayed since his appointment as Chief of the department in November, 1958. He stated the petitions were circulated by the Association in order to secure a cross-section of the citizens; that they are not trying to dictate to the Council but merely to express their feelings for a man who is dedicated to his task and to say that it is not necessary to search further for a man who can serve the best interest of Charlotte as Chief of Police.

Mr. Ben McGraw, speaking for the reappointment of Chief Selvey stated that his grandfather, father and himself served on the Charlotte Police Force, from which he resigned in 1950. That the effect on the members of the Police Department by the appointment of an outside man as Chief will be disastrous and destroy the morale of the department. That the ambition of each of the men in the department, from the newest patrolman is to someday be Chief. He pointed out that this has been tried, and the out-of-town Chief tore the department to pieces and it can happen again. That, in his opinion, it is impossible for a new comer to do a good administrative job in the department and at the same time learn the city and its vices. That only yesterday he was approached by a Police Officer for a job with his company, because he knows he can go no further in the department.

Mr. Dwight Blackmon, Mr. W. J. Elvin, Mr. C. E. Allen and Mr. F. D. McDaniel each spoke in support of the reappointment of Chief Selvey, speaking of his fine character, his ability and the high morale of the department at the present time under his leadership.

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A. G. BROWN ADVOCATES SALARY INCREASE FOR CITY EMPLOYEES.

Mr. A. G. Brown appeared before Council and urged the increase in salaries of all employees which he stated could be done with the proper handling of the City's finances. Mr. Brown gave the estimated valuation of the City for 1959-60 at \$464,000,000; the City's 1959-60 budget at \$12,553,508.76, the amount of the outstanding bonds at \$45,363,000. He stated that each $1\frac{1}{2}$ cent raise on the present tax rate of \$1.88 on the \$100.00 valuation will bring in \$69,600.00 which is more than sufficient to give each employee a 10% raise across the board.

Mr. Brown urged the Council to pull together and coordinate their efforts for the good of Charlotte and in order not to hurt the morale of the employees.

JUNIOR CHAMBER OF COMMERCE AUTHORIZED TO ERECT BOOTH AT THE SQUARE FOR SALE OF TICKETS TO THEIR "MISS CHARLOTTE PAGEANT".

The City Manager advised that he has contacted the Junior Chamber of Commerce with regard to the purpose for which the proceeds will be used from the sale of tickets at the Booth they wish to erect at The Square, and they advise they do not have a Charity Project and will use the funds to send their entry in the Miss Charlotte Pageant to the State Pageant in Durham and for general operation purposes. Councilman Dellinger moved that their request to erect a Booth at the Square be granted. The motion was seconded by Councilman Whittington.

Councilman Albea stated he is of the opinion that the Council is letting down the bars in granting the request, as it has heretofore been granted only to charitable organizations, and in voting favorably for this organization, the same must be done for others. Councilman Dellinger stated each request should stand on its own merits. The vote was taken on the motion and carried, with the votes cast as follows:

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

NAYS: Councilman Babcock.

PAYMENT OF SUPPLEMENT BY CITY TO EMPLOYEES SERVING IN CAPACITY OF NATIONAL GUARDSMEN ILLEGAL.

Mr. Livingston, City Manager, presented a ruling from the City Attorney as to the legality of the City supplementing the salary of two employees, who are members of the National Guard, while on temporary service at the strike in Henderson, N. C., at the call of the Governor. The City Attorney ruled that the City may not supplement such National Guardsmen's military pay. That the General Statutes provides for the State to pay their salaries and prescribes the rate of pay but no authority is given whereby a municipality may supplement such salary.

STREET LIGHTS AND MARKERS TO BE ERECTED IN UNIVERSITY PARK AS REQUESTED.

The City Manager submitted a report from the Traffic Engineer stating he has investigated the request from residents of University Park for street lighting, referred to him by Council, and found better lighting is needed together with some street markers, and there will be erected at once thirteen street lights and seven street markers in the area.

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CLAIM OF MRS. WILSON CRANFORD FOR DAMAGES TO PERSONAL PROPERTY FROM FALL IN HOLE ON SIDEWALK REFERRED TO CITY ATTORNEY.

Mr. Livingston, City Manager, advised a letter has been received from Mrs. Wilson Cranford requesting payment of \$20.00 for repairs to glasses and watch, damaged when she fell into a hole in the sidewalk in front of Elizabeth School on April 24th. Upon motion of Councilman Albea, seconded by Councilman Babcock, and unanimously carried, the claim was referred to the City Attorney.

CLAIM OF MRS. M. M. BAREFOOT FOR INJURIES FROM FALLING ON BROKEN PAVEMENT REFERRED TO CITY ATTORNEY.

A Claim filed by Mr. Ralph V. Kidd, Attorney, in behalf of his client, Mrs. M. M. Barefoot in the amount of \$5,000.00 for personal injuries from falling on the sidewalk was submitted by the City Manager, and upon motion of Councilman Dellinger, seconded by Councilman Babcock, and unanimously carried, was referred to the City Attorney.

CORRECTION OF DRAINAGE PROBLEM IN 1300 BLOCK OF MEADOW LANE DEFERRED UNTIL APPROPRIATION BUDGET COMPLETED.

The City Manager submitted an estimate of the cost of installing storm drains to relieve the flooding condition in the 1300 block of Meadow Lane, in the total amount of \$3,845.00, and the recommendation by the City Engineer that the property owners install curbs and gutters to further help control the drainage in the area. Councilman Dellinger moved that as there are no funds available in the Engineering Budget for this work, that it be considered when the Appropriation Budget is made. The motion was seconded by Councilman Hitch, and unanimously carried.

DECISION DEFERRED ONE WEEK ON ORDINANCE NO. 553 TO AMEND THE ZONING ORDINANCE TO CHANGE PROPERTY ON BOTH SIDES OF CAMP GREENE STREET BETWEEN FREEDOM DRIVE AND ROYSTON ROAD, FROM R-2 TO B-1.

Councilman Myers stated he has discussed the matter of rezoning the property as outlined in Ordinance No. 553, on petition of Marsh Land Company which was deferred at last Council Meeting, and has reached an agreement that should be acceptable to all concerned. However, there are a number of persons from the area here today, and he moved that the matter be deferred for another week so that they may go over the matter and thoroughly understand what is proposed. The motion was seconded by Councilman Hitch, and unanimously carried.

ORDINANCE NO. 591-X LEVYING, ASSESSING, IMPOSING AND DEFINING THE LICENSE AND PRIVILEGE TAXES OF THE CITY OF CHARLOTTE, FOR THE FISCAL YEAR, BEGINNING JULY 1, 1959 AND ENDING JUNE 30, 1960, ADOPTED.

An ordinance entitled: "Ordinance No. 591-X Levying, Assessing, Imposing and Defining the License and Privilege Taxes of the City of Charlotte, for the Fiscal Year, Beginning July 1, 1959 and Ending June 30, 1960" was introduced and read, and upon motion of Councilman Dellinger, seconded by Councilman Smith, and unanimously carried, the ordinance was adopted.

The Ordinance is recorded in full in Ordinance Book 12, at Page 356.

RESOLUTION AUTHORIZING PERMANENT IMPROVEMENTS ON KING'S DRIVE, FROM 200 FEET NORTH OF EAST MOREHEAD STREET SOUTH TO BRUNSWICK AVENUE.

A resolution entitled: "Resolution Authorizing Permanent Improvements on King's Drive, from 200 Feet north of East Morehead Street south to Brunswick Avenue" was introduced and read, and upon motion of Councilman Albea, seconded by Councilman Dellinger, and unanimously carried, the resolution passed on its first reading. The resolution is recorded in full in Resolutions Book 3, at Page 369.

RESOLUTION AUTHORIZING PERMANENT IMPROVEMENTS ON BEATTIES FORD ROAD FROM CELIA AVENUE TO THE PRESENT CITY LIMITS.

A resolution entitled "Resolution Authorizing Permanent Improvements on Beatties Ford Road, from Celia Avenue to the present City Limits" was introduced and read, and upon motion of Councilman Smith, seconded by Councilman Whittington, and unanimously carried, the resolution passed on its first reading. The resolution is recorded in full in Resolutions Book 3, at Page 370.

RESOLUTION AUTHORIZING PERMANENT IMPROVEMENTS ON THE WEST SIDE OF HUTCHISON AVENUE FROM STATESVILLE AVENUE TO MORETZ AVENUE, AND BOTH SIDES OF HUTCHISON AVENUE, FROM MORETZ TO THE PRESENT CITY LIMITS.

A resolution entitled: "Resolution Authorizing Permanent Improvements on the West side of Hutchison Avenue from Statesville Avenue to Moretz Avenue, and both sides of Hutchison Avenue, from Moretz to the present City Limits" was introduced and read, and upon motion of Councilman Smith, seconded by Councilman Whittington and unanimously carried, the resolution passed on its first reading. The resolution is recorded in full in Resolutions Book 3, at Page 371.

RESOLUTION AUTHORIZING PERMANENT IMPROVEMENTS ON SOUTH SIDE OF EAST MOREHEAD STREET, FROM KINGS DRIVE TO NEAR HARDING PLACE.

A resolution entitled: "Resolution Authorizing Permanent Improvements on south side of East Morehead Street, from Kings Drive to near Harding Place" was introduced and read, and upon motion of Councilman Smith, seconded by Councilman Whittington and unanimously carried, the resolution passed on its first reading. The resolution is recorded in full in Resolutions Book 3, at Page 372.

RESOLUTION AUTHORIZING PERMANENT IMPROVEMENTS ON ROZZELLS FERRY ROAD, FROM SMALLWOOD PLACE TO N. C. HIGHWAY NO. 16.

A resolution entitled: "Resolution Authorizing Permanent Improvements on Rozzells Ferry Road from Smallwood Place to N. C. Highway No. 16" was introduced and read, and upon motion of Councilman Smith, seconded by Councilman Whittington and unanimously carried, the resolution passed on its first reading. The resolution is recorded in full in Resolutions Book 3, at Page 373.

RESOLUTION AUTHORIZING PERMANENT IMPROVEMENTS ON BRANDYWINE ROAD, FROM SELWYN AVENUE TO HASSEL PLACE.

A resolution entitled: "Resolution Authorizing Permanent Improvements on

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Brandywine Road, from Selwyn Avenue to Hassel Place" was introduced and read, and upon motion of Councilman Smith, seconded by Councilman Whittington, and unanimously carried, the resolution passed on its first reading. The resolution is recorded in full in Resolutions Book 3, at Page 375.

RESOLUTION AUTHORIZING PERMANENT IMPROVEMENTS ON CECIL STREET, FROM INDEPENDENCE BOULEVARD TO EAST FOURTH STREET.

A resolution entitled: "Resolution Authorizing Permanent Improvements on Cecil Street, from Independence Boulevard to East Fourth Street" was introduced and read, and upon motion of Councilman Smith, seconded by Councilman Whittington and unanimously carried, the resolution passed on its first reading. The resolution is recorded in full in Resolutions Book 3, at Page 374.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON JULY 20TH ON ORDINANCE NO. 584 ADOPTED.

Ordinance No. 584 Amending Chapter 21, Article I, Section 2 of the City Code to amend the Building Zone Map of the Perimeter Area by changing property located on the west side of 29-Bypass, from R-2 to Industrial, on petition of M. E. and Mary Beatty, was introduced and read. A Resolution Providing for a Public Hearing thereon on July 20th was then presented and read, and upon motion of Councilman Dellinger, seconded by Councilman Smith was unanimously adopted. The resolution is recorded in full in Resolutions Book 3, at Page 376.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON JULY 20TH ON ORDINANCE NO. 585 ADOPTED.

Ordinance No. 585 Amending Chapter 21, Article II, Section 5 of the City Code to amend the Building Zone Map of the Perimeter Area by changing property on both sides of Greenwich Road, at Old Sardis Road from B-1 to R-2 on petition of Cotswold Residents, was introduced and read. A Resolution Providing for a Public Hearing thereon on July 20th was then presented and read, and upon motion of Councilman Dellinger, seconded by Councilman Smith, was unanimously adopted. The resolution is recorded in full in Resolutions Book 3, at Page 377.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON JULY 20TH ON ORDINANCE NO. 586 ADOPTED.

Ordinance No. 586 Amending Chapter 21, Article II, Section 5 of the City Code to amend the Building Zone Map of the Perimeter Area by changing property along both sides of McDonald Belt Road, north of 29-Bypass, from Rural to Industrial, on petition of T. R. and Ned Broome, was introduced and read. A Resolution Providing for a Public Hearing thereon July 20th was then presented and read, and upon motion of Councilman Dellinger, seconded by Councilman Smith, was unanimously adopted. The resolution is recorded in full in Resolutions Book 3, at Page 378.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON JULY 20TH ON ORDINANCE NO. 587 ADOPTED.

Ordinance No. 587 Amending Chapter 21, Article I, Section 2 of the City Code to amend the Building Zone Map of the City of Charlotte by changing

property on the NW side of Thomas Place, between Herrin Avenue and Academy Street, from R-2 to B-1, on petition of S. P. Risley, was introduced and read. A Resolution Providing for a Public Hearing thereon on July 20th was then presented and read. Councilman Dellinger moved the adoption of the resolution, which was seconded by Councilman Smith and unanimously carried. The resolution is recorded in full in Resolutions Book 3, at Page 379.

RESOLUTION PROVIDING FOR A PUBLIC HEARING ON JULY 20TH ON ORDINANCE NO. 588, Adopted.

Ordinance No. 588 Amending Chapter 21, Article I, Section 2 of the City Code to amend the Building Zone Map of the City of Charlotte by changing property on the SE side of The Plaza, between Herrin Avenue and Anderson Street, from R-2 to B-1, on petition of Gus Collias, was introduced and read. A Resolution Providing for a Public Hearing thereon on July 20th was then presented and read. Councilman Dellinger moved the adoption of the resolution, which was seconded by Councilman Smith and unanimously carried. The resolution is recorded in full in Resolutions Book 3, at Page 380.

RESOLUTION PROVIDING FOR A PUBLIC HEARING ON JULY 20TH ON ORDINANCE NO. 589, ADOPTED.

Ordinance No. 589 Amending Chapter 21, Article I, Section 2 of the City Code to amend the Building Zone Map of the City of Charlotte by changing portions of property in the 3300-3400 blocks of The Plaza, from R2 to B-1, on petition of Plaza Baptist Church, et al was introduced and read. A Resolution Providing for a Public Hearing thereon on July 20th was then presented and read. Councilman Dellinger moved the adoption of the resolution, which was seconded by Councilman Smith and unanimously carried. The resolution is recorded in full in Resolutions Book 3, at Page 381.

RESOLUTION PROVIDING FOR A PUBLIC HEARING ON JULY 20TH ON ORDINANCE NO. 590 ADOPTED.

Ordinance No. 590 Amending Chapter 21, Article I, Section 2 of the City Code to amend the Building Zone Map of the City of Charlotte by changing property on the west side of Remount Road, south of Southern Railway, from R-2 to Industrial, on petition of Ralph M. Abercrombie and wife, was introduced and read. A Resolution Providing for a Public Hearing thereon on July 20th was then presented and read, and upon motion of Councilman Dellinger, seconded by Councilman Smith, was unanimously carried. The resolution is recorded in full in Resolutions Book 3, at Page 382.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON JULY 13TH ON PETITION OF TRUSTEE FOR EL CENTRO DEVELOPMENT COMPANY FOR THE ANNEXATION OF 43.889 ACRES OF PROPERTY TO CITY OF CHARLOTTE, ADOPTED.

The City Manager advised that a Petition has been filed by Mr. Ray Rankin, Trustee for El Centro Development Company, for the annexation to the City of Charlotte of 43.889 acres of their property located in Crab Orchard Township.

A Resolution Providing for the Publication of Notice of Session of the City Council on July 13, 1959 to consider the petition for the annexation

of the 43.889 acres of property was then introduced and read, and upon motion of Councilman Whittington, seconded by Councilman Albea, and un-animously carried, the resolution was adopted, and is recorded in full in Resolutions Book 3, at Page 383.

CHANGES AUTHORIZED IN POLICY GOVERNING INSTALLATION OF WATER MAINS WITHIN THE PERIMETER AREA TO CONFORM WITH POLICY FOR SAME INSTALLATION INSIDE THE CITY LIMITS.

Upon motion of Councilman Albea, seconded by Councilman Smith, and un-animously carried, the changes recommended by Mr. W. M. Franklin, Super-intendent of the Water Department, in the City's policy governing the installation of water mains in the perimeter area to be annexed to the City on January 1, 1960 were authorized so that the same policy that applies within the present city limits may apply only to the areas where existing buildings are already located, and not to new subdivisions.

CONTRACT AWARDED RICHLAND SHALE PRODUCTS COMPANY, DOING BUSINESS AS COLUMBIA PIPE COMPANY, FOR VITRIFIED CLAY PIPE.

Councilman Babcock moved the award of contract to the low bidder, Rich-land Shale Products Company, doing business as Columbia Pipe Company, for 40,500 linear feet of 4, 6, 8, 10 and 12 inch Vitrified Clay Pipe, on a unit price basis, as specified, at a total delivered price of \$21,102.50, subject to cash discount of \$422.05, or a net delivered price of \$20,680.45. The motion was seconded by Councilman Hitch, and unanimously carried.

The following net delivered bids were received:

Richland Shale Products Company doing business as Columbia Pipe Company	\$20,680.45
Georgia Vitrified Brick & Clay Company	\$20,989.30
Tucker-Kirby Company	\$23,351.93

CONTRACT AWARDED MITCHELL DISTRIBUTING COMPANY FOR STREET ROLLER.

Upon motion of Councilman Dellinger, seconded by Councilman Hitch, and un-animously carried, contract was awarded Mitchell Distributing Company for One Rosco SR-9-TR Street Roller, as specified, at a net delivered price of \$5,900.00, with rental price per month of \$486.87 with 100% to apply against the purchase if and when the option is exercised, represent-ing a total rental period of 12.9 months, plus a financing charge of \$380.55, at a total price of \$6,280.55.

The following net delivered bids were received:

Mitchell Distributing Company	\$5,900.00
J. B. Hunt & Sons, Inc.	\$6,453.00
E. F. Craven Company	\$6,500.00
N. C. Equipment Company	\$6,933.00

CONTRACT AWARDED POUND & MOORE COMPANY FOR REFINISHING OFFICE FURNITURE FOR NEW HEALTH CENTER.

Upon motion of Councilman Whittington, seconded by Councilman Hitch, and

unanimously carried, contract was awarded the low bidder, Pound & Moore Company for refinishing 21 desks, 43 chairs and 7 tables for the new Health Center, and furnishing equipment to be used in the refinishing work, at a total price of \$1,050.00.

Net delivered bids received are:

Pound & Moore Company	\$1,050.00
Thompson Antique Company	\$1,270.50
Wm. J. Kemenczky	\$1,779.00

CONTRACT AWARDED ASSOCIATED BRICK AGENCY FOR 33,000 BRICK.

Councilman Babcock moved the award of contract to the low bidder, Associated Brick Agency for 33,000 all hard tough, sound, clay brick as specified, at a total price of \$1,023.00, subject to cash discount of \$66.00, representing a total net delivered price of \$957.00. The motion was seconded by Councilman Smith, and unanimously carried.

All net delivered bids received are as follows:

Associated Brick Agency	\$ 957.00
Kendrick Brick & Tile Company	\$1,034.55
Doggett Lumber Company	\$1,034.88
Tucker-Kirby Company	\$1,065.90
Stanley Shale Products Company	\$1,065.90

CONSTRUCTION OF SANITARY SEWERS AUTHORIZED.

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

- (a) Construction of 2,485 feet of 8-inch trunk and main, in Windsor Park, to serve a portion of Windsor Park, at an estimated cost of \$6,590.00. All cost of construction to be borne by the City, with applicant's required deposit to be refunded as per terms of the agreement.
- (b) Construction of 400 feet of 8-inch trunk and main, in Hamilton Avenue, to serve 9 vacant lots, at an estimated cost of \$1,890.00. All cost of construction to be borne by the City, with applicant's required deposit to be refunded as per terms of the agreement.

SICK LEAVE EXTENDED TO HENRY PORTER AND J. B. FOWLER, ENGINEERING DEPARTMENT EMPLOYEES.

Motion was made by Councilman Albea, seconded by Councilman Babcock, and unanimously carried, authorizing the extension of sick leave to Mr. Henry Porter and Mr. J. B. Fowler, Engineering Department employees to July 31, 1959.

FOURTH OF JULY HOLIDAY GRANTED CITY EMPLOYEES.

Councilman Hitch moved that a holiday be granted City Employees on Friday, July 3rd in observance of the Fourth of July. The motion was seconded by Councilman Albea, and unanimously carried.

TRANSFER OF CEMETERY LOTS.

Upon motion of Councilman Hitch, seconded by Councilman Whittington, 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. Digna Marion, for Grave #6 in Lot #87, in Section 3, Evergreen Cemetery, at \$40.00.
- (b) Deed with Peter Thomas Milliones, for Lot #103, Section 4-A, Evergreen Cemetery, at \$252.00.

WILLIAM J. VEEDER APPOINTED AS CITY MANAGER.

Councilman Smith, as Chairman of the Mayor's Committee to select a City Manager, stated they interpreted their duty to survey all of the applications received and turn over to the Council the five top applicants, in their opinion. That all members of the Council were given the opportunity to interview these five applicants during their visits here, who are - Mr. W. J. Veeder, Fort Lauderdale, Florida, Mr. C. C. Burnett, Albany, Georgia, Mr. Francis Jacocks, Savannah, Georgia, Mr. Gerald Shaw, Greenville, S. C. and General L. B. Cresswell, Meridian, Mississippi. That the Committee's only recommendation is that one of these five men be selected as City Manager.

Councilman Hitch stated he thinks it is the feeling generally among the Council that any one of these men would make a good candidate, but some of them have very outstanding qualifications. He stated further that the Committee and Council has worked untiringly to secure a well qualified City Manager.

Councilman Albea, as a member of the Committee, concurred in the statements.

Councilman Albea then nominated Mr. Gerald Shaw for the position of City Manager.

Councilman Whittington stated that he did not have the opportunity to sit in on the interviews with Mr. Shaw and Mr. Jacocks, but has heard their qualifications discussed by the City Council. That he was present from 9 o'clock until 4 o'clock last Saturday when Mr. Veeder, General Cresswell and Mr. Burnett were interviewed, and he wishes to nominate Mr. Veeder for the position of City Manager.

Councilman Babcock moved that the nominations be closed.

Councilman Albea then moved the appointment of Mr. Gerald Shaw as City Manager. The motion was seconded by Councilman Dellinger, and lost, with the votes cast as follows:

YEAS: Councilmen Albea and Dellinger.

NAYS: Councilmen Babcock, Hitch, Myers, Smith and Whittington.

Councilman Babcock then moved the appointment of Mr. Veeder as City Manager at a Starting salary of \$17,500.00. The motion was seconded by Councilman Hitch, and carried unanimously.

APPOINTMENT OF JESSE R. JAMES AS CHIEF OF POLICE.

Referring to the appeal of citizens for the reappointment of Chief E. C. Selvey as Chief of Police, Councilman Hitch stated it seems in keeping

with the democracy of this Council that all of the people here today have shown interest in Charlotte's Chief of Police; that there is always danger in apathy, and that he may not agree entirely with everything that was said but he will defend to death the citizens right to say it.

Councilman Hitch then moved the appointment of Mr. Jesse R. James as Chief of Police. The motion was seconded by Councilman Babcock.

Councilman Dellinger stated he feels there are competent men in the Police Department for the position; that the people of Charlotte have demonstrated their interest in the appointment of a man from the department by coming down here in great numbers; that Chief Selvey was born in Charlotte, has raised his family here, has been an outstanding Police Officer and has risen from the lowest rank in the department to the top place, and is a fine Christian gentleman who deserves the full consideration of the Council.

He then offered a substitute motion that Chief Selvey be appointed Chief of Police at his present salary. The motion was seconded by Councilman Whittington.

Councilman Whittington stated that he is very disappointed in the manner in which the selection of the Chief of Police of Charlotte has been handled. The best that can be said is that it was done in a manner in which he does not approve. "That the future effectiveness of this Council must be decided today. Are we to act in the Public Interest as a seven man council, or is it to be Power Politics? Better that we act as a duly elected seven man body. This goes beyond the Police Chief Matter. If we are to be effective then we must stop this back door policy and work together, as a unit, and give ourselves an opportunity to disagree in a democratic way. It is a matter of record that I voted for Ernest Selvey to continue in office. As far as I knew at that time there was no other individual being considered who I considered better qualified. If a vote is to be taken today I will support Ernest Selvey because contrary to the statement in the paper saying that I had been informed of Mr. James's qualifications, the only knowledge I have of his record is that which I gained from the Newspapers. I do not feel that Chief Selvey was given proper consideration, nor do I think you extended the proper courtesy to this Veteran Officer, or other Officers in our Police Department that was due them. I was, I believe, elected to the City Council because I am a successful business man, and I was an independent candidate. As such, I have an open mind on important matters. If the name of any individual had been advanced who was better qualified than the present Chief I would have given same my complete consideration. My hope for the future is that matters concerning the business of the City of Charlotte will be transacted by normal discussions with all members of the Council. Such procedure will make for better cooperation throughout our City Government. The Chief of Police, whoever he may be, will have my support and cooperation as long as I think he is doing the best possible job for Charlotte and Charlotteans." He then asked the City Attorney if under Section 40 of the City Charter the Council can legally appoint a new Chief of Police without showing cause why the present Chief should be removed from office? Mr. John Shaw, City Attorney, replied that the City Council elects the Chief of Police and he should remain in office until another Council is elected, and once he is appointed he cannot be removed without cause. That this is an original appointment by this Council.

Councilman Hitch, speaking to the City Attorney, asked if he is then correct in understanding that the Council can elect a new Chief of Police? Mr. Shaw replied "that is my opinion".

The vote was then taken on the substitute motion by Councilman Dellinger, and lost, with the following votes cast:

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YEAS: Councilmen Dellinger, Whittington and Albea.

NAYS: Councilmen Babcock, Hitch, Myers and Smith.

The vote was next taken on the main motion by Councilman Hitch, and carried, with the following votes cast:

YEAS: Councilmen Hitch, Babcock, Myers and Smith.

NAYS: Councilmen Albea, Dellinger and Whittington.

Mayor Smith then announced that Mr. Jesse James has been elected as Chief of Police.

Councilman Dellinger stated he wants the Council to get together and get down to business for the good of the City. That any statement in the press that he was asked to confer with the four Council members on the selection of their candidate for Chief is a falsehood and he invites the man who said it to meet him in the corridor and tell him when and where he was so invited. That he will support the man elected as Chief and hopes he will give the best service we have ever had, but he could not support the motion naming Mr. James as Chief because it would be acquiescing in bad government.

Councilman Smith stated he does not wish to get in any argument and will be most happy if the business of the Council can be run by seven men in agreement.

Councilman Hitch then moved that the salary of Mr. James as Chief of Police be set at \$11,000.00 and that his moving expenses be paid. The motion was seconded by Councilman Myers.

Councilman Dellinger stated that the starting salary for the Chief of Police under Job Classification is \$7,500.00. Councilman Whittington offered a substitute motion that the new Police Chief be paid the starting salary provided under Job Classification. The motion was seconded by Councilman Albea and lost, with the following votes cast:

YEAS: Councilmen Whittington, Albea and Dellinger.

NAYS: Councilmen Babcock, Hitch, Myers and Smith.

The vote was then taken on the main motion by Councilman Hitch, and carried, with the following votes cast:

YEAS: Councilmen Babcock, Hitch, Myers and Smith.

NAYS: Councilmen Albea, Dellinger and Whittington.

Mr. Allen Bailey, Attorney, who had urged the reappointment of Chief Selvey earlier in the meeting, stated he has been requested by Chief Selvey to say to the three Councilmen who supported his reappointment that he is, indeed, most grateful to them. And to the other four Councilmen that they can expect his full cooperation and he has no animosity towards them.

Councilman Hitch stated that out of consideration for the service of Chief Selvey, it may be that the position of Major in the department can be created and the position given to Chief Selvey.

Councilman Dellinger stated he does not think Chief Selvey would appreciate that, nor would he want to tie the hands of the Chief of Police, and, in

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fact, that would be the function of the City Manager and not the Chief or Council.

Councilman Hitch stated that the suggestion could stand.

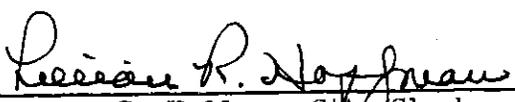
Councilman Hitch then asked that the newly elected Chief be invited into the meeting and to speak to the audience.

Mr. Jesse James came into the meeting, was greeted by the Mayor, and stated that it is his understanding that he has been appointed Chief of Police of Charlotte by a 4 to 3 vote of the Council. That he would like to say to the people of Charlotte that he appreciates this opportunity and will meet the challenge with a great deal of enthusiasm, and will do his best to live up to the confidence of the members of the Council. That to those who voted against his appointment, he admires and respects their feelings and asks that they give him the opportunity to show them that he can be the Chief of Police that they want. That he asks the people of Charlotte for their patience, consideration and tolerance. That there will be no hasty actions nor changes in the Police Department. That the only persons who have anything to worry about with him as Chief of Police is the dishonest citizen and the incompetent Policeman. Addressing Mayor Smith, Mr James said that he appreciates the opportunity and he hopes that with his trust in God and faith in his fellowman, he will do a good job for Charlotte.

Councilman Dellinger stated to Mr. James that he thinks it very unfortunate that the matter was handled in this way, as the entire Council should have been given an opportunity to interview him. That he voted against his appointment and not against Mr. James as a person, and he pledges to him his wholehearted support.

ADJOURNMENT.

Upon motion of Councilman Hitch, seconded by Councilman Albea, and un-animously carried, the meeting was adjourned.


Lillian R. Hoffman, City Clerk