

March 11, 1968
Minute Book 50 - Page 120

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, March 11, 1968, at 3:00 o'clock p.m., with Mayor Stan R. Brookshire presiding, and Councilmen Fred D. Alexander, Sandy R. Jordan, James B. Stegall, Jerry Tuttle and James B. Whittington present.

ABSENT: Councilmen Milton Short and Gibson L. Smith.

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INVOCATION.

The invocation was given by Councilman Jerry Tuttle.

MINUTES APPROVED.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, the minutes of the last meeting, on March 4, 1968, were approved as submitted.

REQUEST FOR WITHDRAWAL OF PETITION NO. 68-26 BY MARGARET L. WASHBURN AND DAISY M. MCALLISTER FOR CHANGE IN ZONING FROM R-6MF TO B-1 OF PROPERTY ON THE NORTHEAST SIDE OF WASHBURN AVENUE, BEGINNING AT TELEVISION PLACE AND EXTENDING 518 FEET TOWARD CHIPLEY AVENUE.

Mr. Ben Horack, Attorney, presented a request to withdraw the subject petition and stated the real party in interest is Mr. Lewis Honey. That the property is at the back of the Coliseum parking lot and the parking lot is under study which looks as though it will be a prolonged study, so it seems like a futile thing to have a hearing on this next Monday. He filed with the City Clerk the written request for withdrawal.

Mr. Horack stated as he reads the ordinance on the withdrawal procedures, he can file his request for withdrawal before the date of hearing, but Council cannot pass on the request until the date of hearing. In the meantime, with Council having not decided whether it will or will not grant the request, the protestors have to rush in on Wednesday preceding to file a protest to protect themselves. He stated he thinks the procedures need an overhaul.

Mr. Underhill, Assistant City Attorney, stated Council will have to wait until the public hearing date to act on the request.

Mayor Brookshire thanked Mr. Horack for his suggestion and requested Mr. Underhill to undertake to give the suggestion study and report back to Council. Mr. Underhill stated the ordinance was amended a year or two ago; that he thinks Mr. Horack's suggestion is very practical.

INDEPENDENCE HIGH SCHOOL CHAPTER OF VICA PRESENTS BICENTENNIAL PADS TO MAYOR AND MEMBERS OF COUNCIL.

Mr. Bill Hendrix, President of Independence High School Chapter of the Vocational Industrial Clubs of America, stated he and other representatives are present today to give to the Mayor and Council members Charlotte-Mecklenburg Bicentennial Memo Pads made up by the students in the graphic

arts classes at Independence. He stated the pads have the name of each individual. Mr. Hendrix stated this is VICA Week and runs from Monday through Saturday, and they are presenting the pads to commemorate VICA Week.

Mayor Brookshire stated he and the Council Members are very grateful to the VICA Students for their thoughtfulness and receive the pads with pleasure and will use them with delight.

LEASE WITH J. H. CUTTER & COMPANY, INC. FOR SPACE FOR STAFF OF THE MODEL NEIGHBORHOOD COMMISSION, AUTHORIZED.

Councilman Tuttle moved approval of the subject lease with J. H. Cutter & Company for a term of one year, with four one-year options, for space for the staff of the Model Neighborhood Commission at 327 North Tryon Street. The lease covers 2,352 square feet at a rate of \$3.50 per square foot per year. The motion was seconded by Councilman Jordan, and carried unanimously.

RIGHT-OF-WAY AGREEMENT BETWEEN THE CITY, STATE HIGHWAY COMMISSION AND JOHN CROSLAND COMPANY FOR WATER MAINS IN COLLEGE DOWNS SUBDIVISION, BEVERLY WOODS EAST SUBDIVISION, STONEHAVEN NO. 9, HUNTINGTOWNE FARMS SUBDIVISION, AUTHORIZED.

Motion was made by Councilman Whittington, seconded by Councilman Tuttle, and unanimously carried, authorizing the subject right-of-way agreement between the City, the State Highway Commission and John Crosland Company for the installation of water mains in College Downs Subdivision, Beverly Woods East Subdivision, Stonehaven No. 9 Subdivision, and Huntingtowne Farms Subdivision, outside the city limits.

RESOLUTION AUTHORIZING THE REFUND OF CERTAIN TAXES.

Councilman Jordan moved the adoption of the subject resolution to refund certain taxes which were collected through clerical error or illegally levied, in the total amount of \$175.87 on which the City-County Tax Collector has certified the proper written demand has been made for the refunds and the taxes in question were paid in error. The motion was seconded by Councilman Whittington, and carried unanimously.

The resolution is recorded in full in Resolutions Book 6, at Page 68.

CONTRACT TO CONNECT PRIVATE SANITARY SEWER LINE IN GLENDORA DRIVE, ADOPTED.

Upon motion of Councilman Whittington, seconded by Councilman Alexander, and unanimously carried, the subject contract was approved granting Mr. George W. McManus, 819 Glendora Drive, permission to connect private sanitary sewer lines to the city's sanitary sewerage system, in Glendora Drive.

CONTRACT FOR CONSTRUCTION OF TRUNK AND ~~WATER~~ MAIN IN WILLHAVEN DRIVE,
APPROVED.

Motion was made by Councilman Jordan, seconded by Councilman Stegall, and unanimously carried, approving contract with Mrs. Elizabeth B. Will for the construction of 230 feet of 8-inch trunk and 120 feet of 8-inch main in Willhaven Drive, inside the city, at an estimated cost of \$2,500.00 with all cost of construction to be borne by the applicant whose deposit in the full amount has been received and will be refunded as per terms of the agreement.

CONTINUOUS STREET MAINTENANCE AUTHORIZED.

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

- (a) Springview Road, from Wellingford Street to 365 feet west of Wellingford Street;
- (b) Maiden Street, from Dr. Carver Road to 580 feet east of centerline of Dr. Carver Road;
- (c) Carriage Drive, from 145 feet east of Carriage Drive to 231 feet east of Carriage Drive;
- (d) Kavanaugh Drive, from 140 feet east of Somerdale Lane to 142 feet east of Gainesborough Road;
- (e) Gainesborough Road to Ivanhoe Place to 155 feet north of Kavanaugh Drive;
- (f) Hancock Terrace from 140 feet east of Abbeydale Drive to Gainesborough Road;
- (g) Ivanhoe Place 140 feet east of Abbeydale Drive to 205 feet east of Gainesborough Road;
- (h) Colony Road from Ferncliff Road to 480 feet south of centerline of Wickersham Road;
- (i) Wheelock Road from Colony Road to 300 feet east of centerline of Colony Road;
- (j) Wickersham Road from 160 feet east of centerline of Cloverfield Road to Colony Road;
- (k) Stanwych Court from Wickersham Road to 500 feet north of centerline of Wickersham Road;
- (l) Beverwych Road from Colony Road to 255 feet east of centerline of Colony Road;
- (m) Richardson Drive from Colony Road to 300 feet east of centerline of Colony Road;
- (n) Log Cabin Road from 350 feet east of centerline of Mt. Kisco to 695 feet west of centerline of Mt. Kisco;

March 11, 1968
Minute Book 50 - Page 123

- (o) Mt. Kisco Drive from 145 feet north of centerline of Log Cabin Road to 170 feet north of centerline of Squirrel Hill Road;
- (p) Valley Way from Mt. Kisco Drive to 145 feet south of centerline of Mt. Kisco Drive;
- (q) Lynbrook Drive from Rama Road to 170 feet east of centerline of Redcoat Drive;
- (r) Redcoat Drive from 145 feet south of centerline of Lynbrook Drive to 160 feet north of centerline of Lynbrook Drive.

AGREEMENT WITH STATE HIGHWAY COMMISSION AND SOUTHERN RAILWAY COMPANY TO COVER CONSTRUCTION AND MAINTENANCE OF PROPOSED 30TH STREET BRIDGE STRUCTURE.

Motion was made by Councilman Whittington approving the agreement with State Highway Commission and Southern Railway to cover the construction and future maintenance of the proposed 30th Street bridge structure.

The motion was seconded by Councilman Stegall, and carried unanimously.

APPRAISAL CONTRACTS AUTHORIZED.

Motion was made by Councilman Tuttle, seconded by Councilman Whittington, and unanimously carried, approving appraisal contracts, as follows:

- (a) Contract with John M. Gallagher for appraisal of one parcel of land for the East Thirtieth Street Project;
- (b) Contract with Robert R. Rhyne, Sr. for appraisal of one parcel of land for the Poplar Street Widening;
- (c) Contract with Harry G. Brown for appraisal of one parcel of land for the East Thirtieth Street Project.

CLAIM OF MRS. ELIZA HOLLIFIELD FOR PERSONAL INJURIES DENIED.

Upon motion of Councilman Tuttle, seconded by Councilman Stegall, and unanimously carried, claim of Mrs. Eliza Hollifield, for personal injuries and damage to eye glasses, in the amount of \$113.00, was denied as recommended by the City Attorney.

CONSIDERATION OF CLAIM OF MRS. WALLACE R. TURNER DEFERRED FOR ONE WEEK.

Council was advised the City Attorney recommends denial of the claim of Mrs. Wallace R. Turner, 2039 Wensley Drive, in the amount of \$313.20, for damages to her home caused by a sewer main being stopped up and flooding the bottom level of her home.

Councilman Stegall stated he has talked with Mr. Turner, the husband of the person making the claim. That he is going to make a motion to pay the claim; that it might be setting a precedent but this was not their fault; it is something that happened. Mr. Turner told him they not only suffered dollar damages but there were other problems. Councilman Stegall stated this

could happen again if this sewer stops up. That he feels the people are victims of circumstances. That this was a sewer main in the street in front of their house that was stopped up; it was not their main as such. By the main stopping up, rather than moving on down the street, the sewerage came up into their house and flooded it.

Councilman Stegall moved the claim be paid. The motion was seconded by Councilman Whittington.

Councilman Tuttle stated he is in sympathy with what Mr. Stegall is saying, but before Council does set a precedent, he would make a substitute motion that someone from the Engineering Department look into the claim and be present next Monday and tell Council exactly what happened; that he thinks Council should have a full explanation from someone who actually investigated it. That motion was seconded by Councilman Alexander.

Councilman Stegall stated Mr. Turner was very highly complimentary of all the people whom he dealt with in the city; that they could not have been nicer; they corrected it as soon as they could, and he has no quarrel with the way the situation was handled at all.

Mr. Bobo, Administrative Assistant, stated it would be best for Council to delay this for one week to get other information. That it would be setting a precedent, and he doubts it would be legal for Council to pay the claim. That it would be better for Council to defer it for one week.

The vote was taken on the motion and carried unanimously.

Councilman Whittington stated this is the first time he can recall when this sort of thing happened to a residence that the City did not assume some damage. Mr. Bobo replied the times when Council has approved this type of damage was where it was shown the City did not exercise regular maintenance in cases of roots and that type of thing. That in this type of stop-up, it would show that all care was carried out, and it is something the City could not control.

APPOINTMENT TO PARK AND RECREATION COMMISSION DEFERRED UNTIL SEVEN MEMBERS OF COUNCIL ARE PRESENT.

Councilman Alexander moved that consideration of appointment to Park and Recreation Commission be deferred until seven members of Council are present. The motion was seconded by Councilman Tuttle, and carried unanimously.

SPECIAL OFFICER PERMIT AUTHORIZED.

Motion was made by Councilman Jordan, seconded by Councilman Stegall, and unanimously carried, authorizing issuance of a Special Officer Permit, for a period of one year, to Mr. Donald Richard Oshinski, for use on the premises of the Charlotte Branch, Federal Reserve Bank of Richmond.

TRANSFER OF CEMETERY LOTS.

Upon motion of Councilman Tuttle, 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 William B. McGuire and Grace R. McGuire for Lot No. 186, Section 3, Evergreen Cemetery, at \$1,107.00;
- (b) Deed with Mrs. Emilija D. Ankurs for Graves No. 7 and 8, in Lot No. 183, Section 2, Evergreen Cemetery, at \$120.00;
- (c) Deed with Mrs. Jean M. Covert for Lot No. 444, Section 6, Evergreen Cemetery, at \$240.00;
- (d) Deed with Mrs. Camille Swan Pilcher for Graves No. 7 and 8, in Lot No. 187, Section 2, Evergreen Cemetery, at \$120.00.

CONTRACT AWARDED HARTSELL BROTHERS FENCE COMPANY FOR ERECTING CHAIN LINK FENCE ON PORTION OF ELMWOOD CEMETERY.

Councilman Jordan moved award of contract to the low bidder, Hartsell Brothers Fence Company, in the amount of \$2,000.00, on a unit price basis, for labor and materials for erecting 1,345 linear feet of 6 ft. chain link fence to be erected on portion of Elmwood Cemetery. The motion was seconded by Councilman Whittington, and carried unanimously.

The following bids were received:

Hartsell Brothers Fence Company	\$ 2,000.00
Wilson Fence Company	2,132.70
Anchor Post Products, Inc.	2,551.69
Cyclone Fence Sales, U. S. Steel	2,559.20
Allison Fence Company	2,700.25

CONTRACT AWARDED CONCRETE PRODUCTS COMPANY FOR CONCRETE WATER METER BOXES.

Motion was made by Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, awarding contract to the only bidder, Concrete Products Company, in the amount of \$18,536.70, on a unit price basis, for 2,520 concrete meter boxes with covers and lids, 350 numbered lids, and 50 cast iron traffic covers.

CONTRACT AWARDED CROWDER CONSTRUCTION COMPANY FOR STREET IMPROVEMENTS ON WEST FOURTH STREET.

Councilman Tuttle moved award of contract to the low bidder, Crowder Construction Company, in the amount of \$569,799.00, on a unit price basis, for all materials, equipment and labor necessary for the construction of street improvements on West Fourth Street. The motion was seconded by Councilman Alexander, and carried unanimously.

The following bids were recieved:

Crowder Construction Co.	\$569,799.00
Blythe Bros. Company	583,129.00
Wright Construction Co.	608,205.00
Rea Construction Co.	628,352.00

ORDINANCE NO. 814-X AMENDING ORDINANCE NO. 655-X, THE 1967-68 BUDGET ORDINANCE, AUTHORIZING THE TRANSFER OF A PORTION OF THE GENERAL FUND CONTINGENCY APPROPRIATION.

Councilman Jordan moved the adoption of the subject ordinance authorizing the transfer of \$850.00 to General Fund-Non-Departmental Expenses to be used for the purpose of printing a booklet entitled "Charlotte City Government 1968". The motion was seconded by Councilman Whittington, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 15, Page 227.

FUTURE PRINTING OF BOOKLET CHARLOTTE CITY GOVERNMENT 1968 TO BE MADE WITHOUT ANY DESIGNATION IN ANY MANNER FOR ANY INDIVIDUAL OR ORGANIZATION.

Councilman Alexander stated he would like to make a motion concerning the printing of the booklet entitled "Charlotte City Government 1968". That the present printing carries a cover letter by the Mayor with one sentence reading as follows: "The purpose of this booklet, delivered to you by your Welcome Wagon Hostess, is to provide you and your family with this information". Councilman Alexander moved that all future printings of the book be made without any designation in any manner as to use by any individual or organization. The motion was seconded by Councilman Tuttle, and carried unanimously.

ORDINANCE NO. 815 AMENDING CHAPTER 13, ARTICLE I, SECTION 13-40 OF THE CODE OF THE CITY OF CHARLOTTE, AND ORDINANCE NO. 816 AMENDING CHAPTER 10, ARTICLE I, SECTION 10-9 OF THE CITY OF CHARLOTTE RELATING TO LITTER ADOPTED.

Councilman Tuttle moved the adoption of the two subject ordinances relating to litter. The motion was seconded by Councilman Jordan.

Councilman Whittington stated he is very much in favor of these ordinances but he thinks some mention should be made now for the Council in the very near future to make plans and create new ways of enforcing this ordinance. That deputizing of personnel in the Sanitation Department has been mentioned and Council has mentioned that some effort should be considered to make sure the Police Department enforces this ordinance. Enforcement is going to be the real key to the problem of litter. That Mr. Bobo, Mr. Veeder and Mr. Underhill should consider the suggestion in that light and bring Council something to consider. That no one knows what the fine would be unless they called City Hall and asked.

Councilman Tuttle stated that notices of the new ordinance will go out with the water bills; and he would suggest the fine should be included in the notice.

Councilman Stegall stated the Inspection Department has a division of Community Improvements headed by Mr. Austin. That perhaps this department should be beefed up by additional manpower and give these men power of arrest. In the paper this morning was a picture of a street that had been used as a garbage and litter dump. That at one time on Randolph Road there was a lot being used for this type of thing; Beal Street, he has brought up several times and it has been cleaned up but they continue to go back and dump. That while the Police Department has the authority to make an arrest, he questions whether they have the time to go out and

put a location under observation to try to catch the people who are throwing their trash out. If some of the men in the Community Improvements Division were deputized and they had the additional personnel, they could have someone go out and watch these places and catch the people and make an arrest.

Councilman Stegall stated the city cannot clean up the cans on the median strip between 8 A.M. and 5 P.M.; that it will take some evening and week end work. That the Community Improvements Office works five days a week from 8 A.M. to 5 P.M., and he is not critical of this, he is just saying to give them additional personnel and have some one assigned to week-ends to watch for this specific violation and makes some arrests. The problem now is there is no one there to make this enforcement.

Councilman Tuttle stated on February 5th Council asked Mr. Veeder to check into the possibility of using unemployed people, particularly in cases where the city could cooperate with Mr. Kuralt in the Welfare Department, and possibly keep some people off the welfare role, and come back with figures relating to a special sanitary department. That the litter problem cannot be licked until the attitude of the people is changed. So long as people carelessly throw it out, we will have litter; no matter how much it is enforced or how many people we have enforcing it. The psychological effect of a man going up and down the street picking up the trash that is thrown out will do more than anything that can be done. He urged Mr. Bobo to remind someone that Council is still looking for something on the cost; that federal aid is available and he is convinced that the City needs a dozen or more white coated sanitary engineers if for nothing more than the psychological effect.

Mr. Bobo stated they will have a report for Council shortly.

Councilman Jordan stated trucks continue to carry trash and garbage up and down the streets without tailgates. That this happens every week and as long as he has been on Council he cannot remember any of these people being brought in and fined; why someone does not see this, he does not know, but we are going to have to enforce any of the laws if they are to mean anything.

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

The ordinances are recorded in full in Ordinance Book 15, at Pages 228 and 229.

PROPERTY TRANSACTIONS AUTHORIZED.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, property transactions were authorized, as follows:

- (a) Acquisition of 601 sq. ft. of property at 1020 Wesley Avenue, from Lessie C. Ligon (widow), at \$300.00, for East Thirtieth Street Project;
- (b) Acquisition of 14,335 sq. ft. of property, with one-story frame duplex, at 705-07 Wesley Avenue, from Mrs. Blanche Thrower Ross (widow), at \$9,400.00, for East Thirtieth Street Project;
- (c) Acquisition of 131,551.20 sq. ft. of property east of, and off the 2600 block of North Tryon Street, from Dwight L. Phillips and wife, Louise E. Phillips, at \$40,000, for East Thirtieth Street Project;

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- (d) Acquisition of 524 sq. ft. of property at 920 Wesley Avenue, from Edgar J. and Clara P. Mallard, at \$300.00, for East Thirtieth Street Project;
- (e) Acquisition of 10,000 sq. ft. of property at 615 Wesley Avenue, from Mrs. Mamie E. Shue and husband, George R. Shue, at \$2,800.00, for East Thirtieth Street Project;
- (f) Acquisition of 641 sq. ft. of property at 925 Wesley Avenue, from Bobby J. and Rosemary R. Cox, at \$300.00, for East Thirtieth Street Project;
- (g) Acquisition of 11,921 sq. ft. of property at Brevard Street, approximately 150 foot south of Faison Street, from Highland Park Manufacturing Company, at \$2,275.00, for East Thirtieth Street Project;
- (h) Acquisition of 8,000 sq. ft. of property, with one-story frame single family residence, at 729 Wesley Avenue, from Joel E. Long and wife, Minnie P. Long, at \$8,500.00, for East Thirtieth Street Project;
- (i) Acquisition of 516 sq. ft. of property at 1228 Matheson Avenue, from A. L. Bailey and wife, Lorine M. Bailey, at \$1,600.00, for East Thirtieth Street Project;
- (j) Acquisition of 2,862 sq. ft. of property, with one-story brick veneer dwelling, at 2927 Clemson Avenue, from Murray C. Blackwelder and wife, Erline R. Blackwelder, at \$10,000.00, for East Thirtieth Street Project;
- (k) Acquisition of 10,530 sq. ft. of property, with one 1-1/2 story frame dwelling, at 2920 Clemson Avenue, from Darvin Foster and wife, Turvella W., at \$12,000.00, for the East Thirtieth Street Project;
- (l) Acquisition of 19,043 sq. ft. of property and 2 one-story frame dwellings and 1 one-story frame store building, at 2625 North Davidson Street, from Mattie J. Barrett (widow), at \$12,500.00, for East Thirtieth Street Project;
- (m) Acquisition of 1,068 sq. ft. of property at 819 Wesley Avenue, from Paul E. Stuart and wife, Eva M. Stuart, at \$300.00, for the East Thirtieth Street Project;
- (n) Acquisition of 2.2 acres, with one-story single family frame residence at Browhill Circle, Berryhill Township, from Loy W. Brown and wife, Feriba P. Brown, at \$22,000.00 for Airport Terminal Expansion Project;
- (o) Acquisition of 1,787.49 sq. ft. of right-of-way at corner of Remount and South Boulevard Intersections Project.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR ACQUISITION OF PROPERTY OF GEORGE S. GOODYEAR, AN INDIVIDUAL, AND MARPASTA CORPORATION, LOCATED ON PARK ROAD, BETWEEN SENECA PLACE AND CORTLAND ROAD, FOR THE COLONIAL PARK APARTMENTS' SANITARY SEWER.

Motion was made by Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, adopting the subject resolution.

The resolution is recorded in full in Resolutions Book 6, at Page 69.

RAILROAD COMPANY TO BE REMINDED THAT TRAINS MUST NOT BLOCK STREETS OR INTERSECTIONS.

Councilman Tuttle stated he has been receiving calls about North Tryon Street and the railroad where the trains are getting out of hand again. That several Council members set for fifteen minutes on their way to the Heart of Charlotte not long ago. He requested Mr. Bobo, Administrative Assistant to remind the railroad again.

COUNCIL EXPRESSES CONCERN REGARDING THE APPOINTMENT OF SPECIAL DEPUTIES BY SHERIFF STAHL AND CITY ATTORNEY TO LOOK INTO MATTER OF APPOINTMENT OF FIREMEN AS SPECIAL DEPUTIES.

Councilman Alexander stated he has been concerned about the article in the Charlotte Observer and the Charlotte News concerning the appointment of special deputies by the Sheriff. If what he reads in the article is a fact, he is more concerned especially when one section states "Stahl, referring to the Sheriff, said some of the persons requesting special deputy status told him they wanted protection in the event of racial trouble". Councilman Alexander stated he has no knowledge where this type of authority was placed upon a sheriff other than the authority to appoint deputies to issue papers. If this is a situation where a sheriff can authorize deputies with police powers such as the article intimates, then we are in terrible shape; especially in times like these. That he would like to register his concern about it.

Councilman Alexander stated if this is possible then many citizens will be flooding the sheriff's office asking for the same type of authority and the right to carry firearms. That you can see what we will be faced with in this community where we are trying to move forward in a progressive measure.

Councilman Alexander stated he is also concerned about the portion of the article that refers to the fact that members of the Fire Department have been appointed with the privilege of carrying firearms; it is stated in the paper there are cases which perhaps sets up a need for this type of protection. He stated he would like to know whether or not our Fire Department has the right to carry firearms without any authorization of the Council. That he thinks if this is the case it should be known and Council should know about it and the circumstances. He stated he would like to express his concern officially and would hope that the Council would be as interested about it and would want to express its concern.

Councilman Alexander moved that Council express its concern over the act of the Sheriff, Mr. Donald Stahl, and asked the City Manager to transmit this concern to the proper county authorities for whatever consideration would be necessary. The motion was seconded by Councilman Tuttle, and carried unanimously.

Mayor Brookshire stated the reference to the Firemen being authorized to carry firearms is a question for the City Attorney. Mr. Underhill stated he is not aware of any specific code or charter provisions that allows firemen to carry firearms in the process of their official duties, nor is he aware of any state statute allowing this, although he has not taken a good hard look at it.

Councilman Alexander suggested the City Attorney look into this matter and come back to Council with information as to whether or not this is permissive act that Council can accept.

CHURCH ON WEST BOULEVARD EXPRESSES APPRECIATION TO CITY FOR CLEANING UP
DITCH THAT RUNS BESIDE CHURCH.

Councilman Stegall stated he would like to pass on a compliment to the City by the church on West Boulevard concerning the ditch in the deplorable condition with the trash and garbage. The ditch has been cleaned up. That he received a call this morning from one of the members of the Church on the property committee, wishing to thank the Council and the proper department that took part in cleaning up the ditch; that it looks 100% better. Also the proposition made to them whereby the City would participate in helping to pipe the ditch they are very pleased with the results of it.

REPORT ON CITY EMPLOYEES UNDER COMPENSATION NOT RECEIVING CREDIT FOR
VACATION, SICK LEAVE OR HOLIDAYS.

Councilman Stegall requested the City Manager to bring to Council next week a report on city employees on compensation; that it is a part of the pay plan. If a man is injured on duty and goes out on compensation, he loses his benefit insofar as the days he may build up for purposes of vacation and sick leave. As an example, any city employee who might be hurt on duty and is put on compensation for a period of time, he does not receive any benefits such as a day's sick leave a month, a day's vacation a month or holidays that he would normally build up if he were working. That he would like for Mr. Bobo, or Mr. Earle come to the next conference session to talk about this to see if it can be rectified. That he did not understand it to be this way and several other members of Council were not aware of this; that these people are being penalized when they are on workmen's compensation and not gaining these days they would normally gain if they were working.

Councilman Whittington stated the important thing is that the employees are not aware of this in the pay plan, and he was not aware of it until he had a call on it.

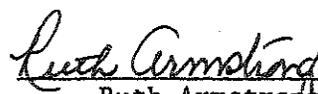
ORDINANCE NO. 817-X, AMENDING ORDINANCE NO. 655-X, THE 1967-68 BUDGET
ORDINANCE, AUTHORIZING THE TRANSFER OF A PORTION OF AIRPORT FUND ACCOUNTS.

Councilman Whittington moved the adoption of the subject ordinance authorizing the transfer of \$280,000 to the Airport Fund Account 7310, which money will be used in payment of judgement in the case of Davie Contractors, Inc., vs City of Charlotte. The motion was seconded by Councilman Tuttle, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 15, at Page 230.

ADJOURNMENT.

Upon motion of Councilman Jordan, seconded by Councilman Stegall, and carried unanimously, the meeting was adjourned.


Ruth Armstrong, City Clerk