

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 13, 1967, at 3:00 o'clock p.m., with Mayor Stan R. Brookshire presiding, and Councilmen Claude L. Albea, Fred D. Alexander, Sandy R. Jordan, Milton Short, John H. Thrower, Jerry Tuttle and James B. Whittington present.

ABSENT: None.

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INVOCATION.

The invocation was given by Reverend Robert Howard, Pastor of Myers Park Baptist Church.

MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Short, and unanimously carried, the Minutes of the last Council Meeting on Monday, March 6th were approved as submitted.

COUNCIL REQUESTED NOT TO MAKE DECISION ON AWARDING FRANCHISE FOR CABLE TELEVISION TODAY SO THAT TELEVISION TRANSMISSION OF NORTH CAROLINA CAN MAKE AN AMENDED PROPOSAL.

Mr. Paul Ervin stated Council is in the process of considering the possibility of granting a franchise to cable television operators in the City. On behalf of Television Transmission of North Carolina, one of the applicants, he requests that Council not make a decision today on the granting of the franchise, but that it postpone consideration for a week or two weeks to give his client, and others if they are so minded, to make an amended proposal.

Mr. Ervin stated his suggestion is made in the belief that it will be in the interest of the City of Charlotte and the Citizens of Charlotte. That the one hearing which was held, was held for the purpose of determining what the Council was going to do about whether or not it would grant the franchise for this purpose. That the Council has come to the conclusion that a franchise should be granted, and he thinks now it can direct its attention towards which one is in the best interest of the City.

Mayor Brookshire advised the matter is not on the Docket for today and he does not expect it to be considered.

COMPROMISE SETTLEMENT IN RIGHT OF WAY CONDEMNATION FOR NORTHEAST, SOUTH-WEST EXPRESSWAY ON GEORGE HOUSTON & WIFE'S PROPERTY ON NORTH COLLEGE STREET REQUESTED.

Mr. John Shaw, Attorney, advised he represents Mr. & Mrs. George Houston in connection with a right of way condemnation for the Northeast, South-West Expressway. That it involves his clients' home on North College Street. That an offer was made and was refused; a hearing was held before the Clerk, his clients appealed but they have submitted to the City Attorney a proposition about half way in between what the Clerk's appraisers and the City's appraisers said the land was worth.

He requested that the City accept the compromise.

Mr. Kiser, City Attorney, replied the property has been appraised by three independent appraisers; the money has been deposited into Court; the first step in the condemnation procedure has been held; the Commissioners appointed by the Clerk have returned with the valuation of the property which they have placed upon it, and this is a value which the City would be well advised not to exceed without further court procedures to determine that the City should. His recommendation is that the City not exceed the amount returned by the Commissioners appointed by the Court.

ATTORNEY FOR PETITIONER FOR CHANGE IN ZONING AT 1200 QUEENS ROAD
REQUEST THAT PETITION BE RETURNED TO PLANNING COMMISSION FOR A
HARD-NOSE LOOK.

Mr. Benjamin Horack, Attorney, stated although his suggestion relates to a zoning matter - the Queens Road petition - it is not any prolonging of the hearing. That his suggestion stems from an editorial in Sunday Morning's Observer with reference to the case. In reading this editorial, he sees it as an indication of a public concern about this particular matter that goes far and beyond the specific property in question that in fact, relates to the neighborhood.

Mr. Horack suggested that this matter should be referred back to the Planning Commission for a hard-nose look; not only of this property but to the area that is equally involved of which this particular petition is only a symbol of what is happening to the neighborhood.

Mayor Brookshire replied he is sure Council has taken note of Mr. Horack's suggestion and will handle the matter when it comes up on the docket.

Mr. Leon Olive, one of the protesters, remarked that Mr. Horack stated he did not want to prolong the hearing yet that is exactly what he did. He brought in new material that has already been discussed. That it appears the newspaper received one side of this case and did not receive the other side; there are plenty of answers to Mr. Horack's questions, which answers were made right here before the City Council at the hearing. There is no reason that this matter should go back to the Planning Commission. The Planning Commission did give a hard-nose hearing and consideration to this zoning proposal before they voted on it. The Planning Commission voted that the proposed change be denied unanimously, and he hopes the Council will do the same thing.

MONTCLAIRE MOTHERS' FOR SAFETY REQUEST FLASHING YELLOW LIGHTS, SCHOOL
SIGNS AND LOWER SPEED LIMIT ON ARCHDALE DRIVE AND OTHER INTERSECTIONS
FOR CHILDREN ATTENDING MONTCLAIRE SCHOOL.

Mrs. Ritchie Russell, representing the Montclair Mothers' For Safety stated they wish to ask that Archdale Drive be zoned for a school zone and that the streets surrounding Montclair School, including Archdale Drive, have a flashing yellow crossing light erected at various intersections so as to warn oncoming motorists that a school is near. She called attention to the traffic problems they are facing today

and stated there are three thoroughfares in the immediate vicinity - Woodlawn Road, Seneca Place and Archdale Drive. That Archdale Drive is what they are really concerned about. On Friday, March 10, at a little after 8:00 A.M. on the corner of Archdale and Montpelier, a very tragic accident occurred. Two boys on their way to school were hit by a car. One boy is in critical condition and the other one is in severe pain with two broken legs. This is not the first accident at this corner, there have been three others involving cars.

Mrs. Russell stated they have called the Police Department and the Traffic Department trying to get caution signs, school zone signs, stop signs, anything, but to no avail. They called the Police Department to complain about the speeding, still to no avail. The legal speed limit is 35 MPH which is too fast when a school is near. Archdale Drive is the next street from Emerywood Drive, and Emerywood is zoned for a school and Archdale is not. It is a complete throughway leading to South Boulevard. Every morning and afternoon there are 100 children or more crossing Archdale Drive to go to Montclair School, and yet the legal speed is 35 MPH. There are no warning signs; there are no school zone signs and yet the Principal of Montclair sends out his school patrol to Archdale Drive in order to help the children across the street. She asked if this street should not be zoned for school also? The traffic comes because of Celanese which is three blocks from the school; and because of other drivers whose place of business is on South Boulevard or simply because it is the shortest route to South Boulevard from the Park Road area. There are huge trucks that use both Emerywood and Archdale as a throughway and this should not be.

Mrs. Russell stated they are requesting that a school zone sign be erected on Archdale Drive at Burnley, and at Archdale and Delchester; that flashing caution lights be erected at the following intersections - Burnley and Emerywood, Emerywood and Amstead Place; Farnbrook and Wensley Drive, Archdale and Burnley Drive, Archdale and Delchester Drive, Archdale and Montpelier Road and Emerywood and Montpelier Road.

Mayor Brookshire extended Council's sympathy to the community and particularly to the families of the youngsters who were involved in the accident. He requested that Mr. Hoose, Traffic Engineer, tell what plans are being made at the moment.

Mr. Hoose stated his office set up the necessary machinery Friday morning to make surveys in the area. Some surveys were completed in October at the request of some. The area is assigned the standard school signs on Emerywood and Farnbrook and they plan to take some additional pedestrian surveys in the area of Archdale and some of the intersections.

Mr. Hoose stated he could not say exactly when the surveys would be completed but they would try to have them completed within the next couple of weeks. That the surveys have to run three or four days at a time in order to get the count.

Mr. Henry Crouse stated he requested a survey last September and he called at the time of the accident and found that no survey had been made. That he would like to know when the survey would be made.

Mr. Anthony Simon asked if a school crossing could be placed there temporarily. That they are asking for the safety of their children

and if it is a matter of the cost for putting up the school signs, he would be glad to incur the expense himself. They want something for the children if it is just a sign saying school crossing until the flashing sign can be installed.

Mayor Brookshire stated he understands the school patrol usually operates at that intersection and was not there last Friday. Mr. Simon stated you have to take into consideration that these are ten and eleven year old boys handling this and they cannot stop the motorist. They are just asking for a temporary sign.

Mr. Hoose replied he would not attempt to put up anything until after the count is made because he would not want to put up anything that would be misleading to the motorist and not for the security of the children. That he does not think this can be rushed into. They do not understand all the problems and the best thing is to check them out and get the particular problems. That they ran a survey in October and turned it over to members of the P.T.A at that time.

Councilman Tuttle asked if it would be possible to have these people go back to the school and have the school work out a certain route which would channel most of the children to one particular crossing and in the meantime perhaps the City could provide a temporary guard at the temporary crossing.

Mr. Veeder, City Manager, advised he has just talked to Mr. Hoose and this work will be completed this week.

Mrs. Russell stated the children in the first and second grades leave at 2 o'clock and when they leave there are school guards which takes them to various corners and cross them. That Archdale Drive is what they are mainly concerned about because there is no school guard there. They bring the children across Emerywood and then let them go. The third graders come from all the streets around there and the children leave at various times in the morning and there is nothing that they can do to meet at a certain place.

Mrs. Russell stated when the accident happend, it was cloudy out and the boys had left for school and a sudden downpour came; the school guard had started up to the corner and because of the rain he had gone back for his raincoat. This was why he was not at the corner. At the sudden downpour the boys dashed to get across and to school before they got wet, and ran into the side of the man's car. That the guard would have been there if it had not been raining.

Mr. J. E. Wilson, 2054 Archdale Drive, stated he has been living here for about six years and year by year they have been seeing the traffic increase. The reason for the increase is obvious. This is about the only way you can get through to South Boulevard over to Eastern Air Lines, Celanese and other places. In one effect, this is the price we are paying for progress. That he thinks when these industrial developments go into a residential neighborhood such as this we should be closing more doors before th horse gets out. This has been happening all the time. The danger has been there. If we have inherent dangerous positions or conditions - and this is one, and something should have been done about it before this

happened, what are we going to do about it. Are we going to study this for two or three more months?

Mayor Brookshire replied an answer should be ready within the next week or so.

REVISED AGREEMENT BETWEEN THE CITY OF CHARLOTTE AND REDEVELOPMENT COMMISSION OF THE CITY OF CHARLOTTE FOR REDEVELOPMENT SECTION NO. 3, BROOKLYN URBAN RENEWAL AREA, PROJECT NO. N. C. R-37, APPROVED.

Councilman Albea moved approval of the revised agreement between the City of Charlotte, North Carolina and Redevelopment Commission of the City of Charlotte, North Carolina for Redevelopment Section No. 3, Brooklyn Urban Renewal Area, Project No. N. C. R-37, made necessary by changes in certain cost estimated by the Department of Housing and Urban Development when it approved the amendment to the Project which adds the block on which the Law Enforcement Building and Jail will be located. The motion was seconded by Councilman Jordan and carried unanimously.

RESOLUTION PROVIDING FOR THE ISSUANCE OF \$1,000,000 STREET WIDENING, EXTENSION AND IMPROVEMENT BOND ANTICIPATION NOTES; RESOLUTION PROVIDING FOR THE ISSUANCE OF \$1,000,000 STREET BOND ANTICIPATION NOTES; RESOLUTION PROVIDING FOR THE ISSUANCE OF \$1,000,000 POLICE HEADQUARTERS BUILDING BOND ANTICIPATION NOTES; RESOLUTION PROVIDING FOR THE ISSUANCE OF \$2,900,000 AIRPORT BOND ANTICIPATION NOTES; AND RESOLUTION FIXING THE FORM AND MANNER OF EXECUTION OF \$5,900,000 BOND ANTICIPATION NOTES TO BE ISSUED UNDER THE DATE OF MARCH 28, 1967, AND RATIFYING APPLICATION TO LOCAL GOVERNMENT COMMISSION FOR THE APPROVAL, ADVERTISEMENT AND SALE OF SAID NOTES.

Councilman Jordan introduced a resolution entitled: "Resolution Providing for the Issuance of \$1,000,000 Street Widening, Extension and Improvement Bond Anticipation Notes". Thereupon, upon motion of Councilman Jordan, seconded by Councilman Thrower, the resolution was passed by the following vote:

YEAS: Councilmen Albea, Alexander, Jordan, Short, Thrower, Tuttle and Whittington.

NAYS: None.

Thereupon, Councilman Thrower introduced a resolution entitled: "Resolution Providing for the Issuance of \$1,000,000 Street Bond Anticipation Notes". Upon motion of Councilman Thrower, seconded by Councilman Jordan, the foregoing resolution was passed by the following vote:

YEAS: Councilmen Albea, Alexander, Jordan, Short, Thrower, Tuttle and Whittington.

NAYS: None.

Thereupon, Councilman Whittington introduced a resolution entitled: "Resolution Providing for the Issuance of \$1,000,000 Police Headquarters Building Bond Anticipation Notes". Upon motion of Councilman Whittington, seconded by Councilman Tuttle, the foregoing resolution was passed by the following vote:

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YEAS: Councilmen Albea, Alexander, Jordan, Short, Thrower, Tuttle and Whittington.

NAYS: None.

Thereupon, Councilman Albea introduced a resolution entitled: "Resolution Providing for the Issuance of \$2,900,000 Airport Bond Anticipation Notes". Upon motion of Councilman Albea, seconded by Councilman Thrower, the foregoing resolution was passed by the following vote:

YEAS: Councilmen Albea, Alexander, Jordan, Short, Thrower, Tuttle and Whittington.

NAYS: None.

Thereupon, Councilman Jordan introduced a resolution entitled: "Resolution Fixing the Form and Manner of Execution of \$5,900,000 Bond Anticipation Notes to be Issued under the date of March 28, 1967, and Ratifying Application to Local Government Commission for the Approval, Advertisement and Sale of said Notes". Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, the foregoing resolution was passed by the following vote:

YEAS: Councilmen Albea, Alexander, Jordan, Short, Thrower, Tuttle and Whittington.

NAYS: None.

The Resolutions are recorded in full in Resolutions Book 5, beginning at Page 413.

PETITION NO. 67-5 BY V. R. WILLIAMS FOR A CHANGE IN ZONING FROM R-6MF TO R-6MF-H OF PROPERTY FRONTING 119 FEET AT 1200 QUEENS ROAD AND HAVING A DEPTH OF 450 FEET, DENIED.

Councilman Alexander moved that the subject petition be referred back to the Planning Commission as he thinks some of the statements which have been made by both sides have justifications. That some reclarification can be done, and he moved the matter be referred back to the Planning Commission for further study. The motion did not receive a second.

Councilman Short stated he has a tendency to agree with Mr. Horack that the present zoning along this part of Queens Road is not the best as for twenty years this block has continued almost entirely as a sort of R-15 single family area even though it was zoned for R-6MF. This would seem to be considerable evidence that the present zoning is not appropriate, and from the fact that the residents who live there did not even know - some of them - that this land was zoned for multi-family. That it seems to him the present zoning is not realistic. That he would have to disagree with Mr. Horack as to the remedy that he has proposed. Mr. Horack is saying we will lower this zoning to call for the lowest number of square feet per family that the law allows - lower even than some of the public housing projects - then the landlord can realize a yield that will allow him to provide some luxuries for the people in this luxury neighborhood. That to him this argument overlooks the fact that spaciousness itself is perhaps the dearest and the most sought

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after of all residential luxuries. That it might be possible for the tenants who might occupy such an apartment to make some other arrangements for some of the luxuries mentioned such as a swimming pool and elevators and so forth. If Council kills the spaciousness of this area then this is one luxury that is gone forever. That we should be able to rezone this neighborhood so that it will evolve into apartments having some of the spaciousness and graciousness of some of the noted homes in this area. For example, the Tropicana Apartments which is considered highly desirable and is located in R-12MF zoning. It is luxurious and spacious and obviously is financially sound. That R-6MF-H will not accomplish what is best in this fine old section of perhaps the finest street of our City. That the best way to send this back to the Planning Commission is not to ask them to deliberate within the confines of this one lot and this one R-6MF-H zoning category, and we should not ask them to deliberate within the confines of a petition which already has hanging over it a protest which invokes the six-man vote rule.

Councilman Short moved that the subject petition be denied, as recommended by the Planning Commission, and that the Planning Commission be requested to study this entire area - along Queens Road, from Morehead Street to Providence Road - and to come back and make recommendations concerning the zoning of this entire area to this Council. The motion was seconded by Councilman Whittington.

Councilman Alexander asked what the motion would mean in regard to the Petitioner's right to be considered. If the motion is to deny, he has no right to further consideration even if the Planning Commission would submit a rezoning classification. Councilman Short stated his motion has within it a saving clause with reference to the two year rule; the Council and the Planning Commission can, of their own motion, rezone this land at such time as is appropriate without regard to the two year rule. That he believes this will give the applicant all the protection he needs.

Mr. Kiser, City Attorney, stated he assumes what Mr. Short was referring to is that the whole area be considered for possible rezoning. The two year rule applies to a specific piece of property and a specific petition for a specific type of zoning. If the Planning Commission came back with a recommendation that the entire area, including this one, be rezoned to another zoning classification, then this would be permissible.

Councilman Tuttle asked if the Planning Commission comes up with some suggestions for this area, then these people can reapply without the two year waiting period? Councilman Short replied in effect, reapplication has been done for them. Councilman Alexander stated he understands if this is done, then the petitioner has the benefit of the new classification. Whether that suits him or not is another question.

Councilman Thrower stated if Mr. Short will add to his motion that this will be handled as any other public hearing to give the people out there the full benefit and the full knowledge of what might be going on or what transition might be taking in the entire neighborhood, he will support it. Councilman Short replied he will be glad to include this in the motion, but he believes it is superfluous as the law itself would make this necessary. That he believes Mr. Kiser would agree that when the Planning Commission comes back to Council

with the report on the entire area, the routine, the procedures set out in the law would have to be followed in order for Council to change any zoning in this area.

Mr. Kiser replied incorporated in the motion is that the recommendations of the Planning Commission, if they are to change the zoning, would be in the form of a petition from the Planning Commission to rezone this area along the entire street. Councilman Short stated he assumed that it would be done in the procedural way; if Council wants him to set out the procedural details in his motion, he will. Mr. Kiser replied he does not think that is necessary because he thought it was an essential part of the motion as it was stated - the Petition would be prepared by the Planning Commission if it desired to make recommendations for the change in zoning; then the petition would be advertised, a public hearing would be held and would follow in the normal course of rezoning matters.

Councilman Threwer stated he just does not want this area to come back later and say, "you changed my zoning and I did not know anything about it".

Councilman Short stated this is not an unprecedented procedure. Recently this was done with reference to an area near the intersection of Plaza Road and Sugar Creek Road. The Council asked that the entire area be studied and it was and Council subsequently did some rezoning rather comprehensively instead of on a one-lot at the time basis.

Councilman Tuttle asked the City Attorney if he can refrain from voting on the motion on the basis that he does not know what he is voting on at this point?

Mr. Kiser replied the Charter provisions specifies that no member shall be excused from voting except upon matters involving consideration of his own official conduct or involving his financial interests.

Councilman Whittington stated the motion means that the Council will deny the request of the petitioner, represented by Mr. Horack, and this area from Morehead Street on Queens Road to Providence Road, will be referred to the Planning Commission to make a new study of the zoning - similar to the one they made at Sugar Creek and The Plaza, and on South Tryon Street (the new South 49) about three months ago when they denied that petition. This would give this area an opportunity to be restudied. He thinks whatever they come back with will be a higher classification than what we have now. At that time there would be another public hearing at which all people who wanted to either protest or have a part in the public hearing would have an opportunity to do so.

The vote was taken on the motion and carried unanimously.

ORDINANCE NO. 595-X ORDERING THE DEMOLITION AND REMOVAL OF DWELLING LOCATED AT 137 MANLEY STREET, PURSUANT TO THE HOUSING CODE OF THE CITY AND ARTICLE 15, CHAPTER 160 OF THE GENERAL STATUTES OF NORTH CAROLINA, ADOPTED.

Councilman Whittington moved the adoption of the subject ordinance, which was seconded by Councilman Tuttle, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 14, at Page 492.

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ORDINANCE NO. 596-X ORDERING THE DEMOLITION AND REMOVAL OF DWELLING LOCATED AT 207 MANLEY STREET, PURSUANT TO THE HOUSING CODE OF THE CITY AND ARTICLE 15, CHAPTER 160 OF THE GENERAL STATUTES OF NORTH CAROLINA, ADOPTED.

Motion was made by Councilman Whittington, seconded by Councilman Tuttle, and unanimously carried, adopting the subject ordinance.

The ordinance is recorded in full in Ordinance Book 14, at Page 493.

ENCROACHMENT CONTRACT WITH NORTH CAROLINA STATE HIGHWAY COMMISSION FOR THE INSTALLATION OF A SANITARY SEWER OUTFALL IN WILMOUNT ROAD, AUTHORIZED.

Upon motion of Councilman Short, seconded by Councilman Alexander and unanimously carried, the Mayor and City Clerk were authorized to execute an encroachment contract with the North Carolina State Highway Commission in connection with the installation of a sanitary sewer outfall in Wilmount Road.

CONTRACT FOR THE INSTALLATION OF WATER MAIN IN KENTWOOD SUBDIVISION II, AUTHORIZED.

Councilman Albea moved approval of a contract with William Trotter Development Company for the installation of 3,610 feet of water main and three (3) fire hydrants in Kentwood Subdivision II, inside the city, at an estimated cost of \$13,300.00 with the City to finance all construction costs and the applicant to guarantee an annual gross water revenue equal to 10% of the total construction cost. The motion was seconded by Councilman Thrower.

Councilman Short asked the status of the City's budgetary allocation on this particular item? Mr. Veeder replied the City is alright on this; the problem is the accrued liability of paying back some of the monies on some of the others.

The vote was taken on the motion and carried unanimously.

STREETS TAKEN OVER FOR CONTINUOUS MAINTENANCE BY THE CITY.

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

- (a) Colebrook Road from 652' west of centerline of Malta Place to 729.5' west of centerline of Malta Place;
- (b) Oak Forest Drive from 442' east of centerline of Slagle Drive to 766.3' east of centerline of Slagle Drive;
- (c) Malta Place, cul-de-sac;
- (d) Corry Drive, cul-de-sac.

U. CHESTER WHELCHER, WILLIAM OLIVER AND ROSSER FARR NOMINATED TO
 FILL VACANCY ON PARK AND RECREATION COMMISSION.

Councilman Albea stated since last Monday, Mr. E. Lowell Mason has notified him that he would not be available for another five year term on the Park and Recreation Commission; therefore he withdraws Mr. Mason's name from nomination with regrets.

Councilman Tuttle placed in nomination Mr. U. Chester Whelcher of the Celanese Corporation. Mr. Whelcher served on the Park and Recreation Commission in 1947, 1948 and 1949, and during a part of this time he was Vice-Chairman. Those he has talked to said Mr. Whelcher did an outstanding job; he is a civic leader and he has indicated a desire to serve. Mayor Brookshire stated he thinks this is a very fine nomination; he knows Mr. Whelcher personally and remembers his serving on this Commission and he is sure he made a fine contribution to it; he is a man of considerable ability and has great interest in community affairs of Charlotte.

Councilman Alexander placed in nomination Mr. William Oliver. He is a citizen of Charlotte and is interested in recreation and athletics; he spent more than ten years in the athletic field as far as coaching is concerned in various athletic activities; he is knowledgeable of recreation procedures and programming. At present he is Assistant Principal of Myers Park High School. Councilman Alexander stated he feels Mr. Oliver would make a wonderful addition to the Park and Recreation Commission, and he is willing to serve.

Councilman Whittington placed in nomination Mr. Rosser C. Farr. That he is a very fine citizen; he is with Wilbur Kinsey Service, he is very active in Masonic work and the Shrine Bowl Game and Legion work.

Mayor Brookshire advised the nominations would remain on the table for one week.

TRANSFER OF CEMETERY LOTS.

Motion was made by Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, authorizing the Mayor and City Clerk to execute deeds for the transfer of the following cemetery lots:

- (a) Deed with C. F. McPherson for Graves No. 1 and 2, in Lot No. 178, Section 2, Evergreen Cemetery, at \$120.00;
- (b) Deed with Mrs. Zelma W. Davis for Graves No. 5 and 6, in Lot No. 184, Section 2, Evergreen Cemetery, at \$120.00.

CONTRACT AWARDED KENDRICK BRICK & TILE COMPANY FOR CLAY BRICK.

Councilman Albea moved award of contract to the low bidder, Kendrick Brick & Tile Company in the amount of \$9,733.50, on a unit price basis for 350,000 clay brick. The motion was seconded by Councilman Tuttle, and carried unanimously.

The following bids were received:

Kendrick Brick & Tile Company	\$ 9,733.50
Montgomery Shale Products Company	9,926.42
Isenhour Brick & Tile Company	10,221.40
Tucker-Kirby Company	10,995.25

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CONTRACT AWARDED BLYTHE BROTHERS COMPANY FOR PLANT MIX ASPHALT.

Upon motion of Councilman Jordan, seconded by Councilman Albea and unanimously carried, contract was awarded the low bidder, Blythe Brothers Company in the amount of \$26,844.37 on a unit price basis for 3,750 tons of plant mix asphalt.

The following bids were received:

Blythe Brothers Company	\$ 26,844.37
Asphalt Materials Co., Inc.	27,153.38

CONTRACT AWARDED ASPHALT DIVISION OF REA CONSTRUCTION COMPANY FOR PLANT MIX ASPHALT.

Councilman Whittington moved award of contract to Asphalt Division of Rea Construction Company in the amount of \$2,863.40 on a unit price basis for 400 tons of mix asphalt. The motion was seconded by Councilman Jordan, and carried unanimously.

The following bids were received:

Asphalt Division of Rea Const. Co.	\$ 2,863.40
Blythe Brothers Company	2,863.40
Asphalt Materials Co., Inc.	2,894.30

CONTRACT AWARDED ASPHALT DIVISION OF REA CONSTRUCTION COMPANY FOR PLANT MIX ASPHALT.

Motion was made by Councilman Thrower, seconded by Councilman Albea, and unanimously carried, awarding contract to the Asphalt Division of Rea Construction Company in the amount of \$26,844.38 on a unit price basis for 3,750 tons of plant mix asphalt.

The following bids were received:

Asphalt Div. of Rea Const. Co.	\$ 26,844.38
Blythe Brothers Company	26,844.38
Asphalt Materials Co., Inc.	27,153.38

MONDAY, APRIL 3, 1967 SET FOR PUBLIC HEARING ON PROPOSED AMENDMENT TO THE SUBDIVISION ORDINANCE.

Councilman Albea moved that a public hearing on the proposed amendment to the subdivision ordinance which would require the developer to erect both a barricade at dead-end streets and to install warning signs at the last intersection prior to the end of the street, be set for Monday, April 3, 1967. The motion was seconded by Councilman Short, and carried unanimously.

LEASE-AGREEMENT WITH AIRPORT AUTO SERVICE, INC. FOR THE CONSTRUCTION AND OPERATION OF AIRPORT PUBLIC PARKING FACILITIES, APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Tuttle, and unanimously carried, a lease-agreement was authorized with Airport Auto Service, Inc. for the construction and operation of the airport public parking facilities.

AMENDMENT TO LEASE AGREEMENT WITH AIRPORT AUTO SERVICE, INC. FOR OPERATION OF THE AIRPORT SERVICE STATION AUTHORIZED.

Councilman Alexander moved approval of the amendment to the lease-agreement with Airport Auto Service, Inc. for the operation of the airport service station. The motion was seconded by Councilman Thrower, and carried unanimously.

PROPERTY TRANSACTIONS AUTHORIZED.

Upon motion of Councilman Albea, seconded by Councilman Thrower, and unanimously carried, the following property transactions were authorized:

- (a) Acquisition of 5,778 sq. ft. of property at 120 South Independence Boulevard, from Elvie Maye Morning, at \$21,000.00, for The East Third Street Improvements;
- (b) Acquisition of 10,563.08 sq. ft. of property at 216 Victoria Avenue, from George F. and Wilson L. Stratton, Inc., at \$10,600.00 for the West Fourth Street Widening;
- (c) Acquisition of 7,660.27 sq. ft. of property at 300 Grandin Road, from Fred C. and Essie M. Paschal, at \$11,800.00 for the West Fourth Street Widening;
- (d) Acquisition of 3,079.38 sq. ft. of property at the corner of Cedar and Fourth Streets, from Frank O. and Velma C. Ratcliffe, at \$3,000.00 for West Fourth Street Widening;
- (e) Acquisition of 5,570.99 sq. ft. of property at 1517 Westbrook Avenue, from Harrell J. Auten and wife, at \$11,600.00 for the West Fourth Street Widening;
- (f) Acquisition of 6,009.59 sq. ft. of property at 1025 Grove Street, from Sidney Bowman and wife, at \$8,000.00 for the West Fourth Street Widening;
- (g) Acquisition of 1,573 sq. ft. of property at 301-15 East Fifth Street, from Surety Investment Company, Lorick Enterprises, Inc., at \$3,760.00 for the East Fifth Street Project;
- (h) Acquisition of 475 sq. ft. of property at 229 East Fifth Street, from W. W. Hagood and Allright Piedmont Parking Company, at \$2,950.00 for the East Fifth Street Project;
- (i) Acquisition of 245 sq. ft. of property at 318 West Fifth Street, from F.J.H. Realty Company, at \$850.00, for the Sixth Street Widening;
- (j) Acquisition of 3,063 sq. ft. of property at 228-39 North Caldwell Street, from B. J. Stacks, at \$11,000 for the Sixth Street Project;
- (k) Acquisition of 2,489 sq. ft. of property at 314 West Sixth Street, from Beulah W. Grier, c/o Joe W. Grier, at \$7,625.00 for the Sixth Street Widening;
- (l) Right of way Agreement with Alfred F. Hilton and wife, Betty Jo C., for 30' from the center line of The Plaza, at \$94.50, in connection with The Plaza Road Widening.

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CITY MANAGER REQUESTED TO HAVE PERSONNEL DIRECTOR TO EXPLAIN THE DIFFERENCE BETWEEN THOSE WHO DRIVE TRUCKS OR VEHICLES ONLY AND THOSE WHO DRIVE AND PARTICIPATE IN THE WORK AT THE POINT OF SERVICE.

Councilman Short requested the City Manager to have Mr. Earle, Personnel Director, to provide him and all other Councilmen, if they would like, with a list which would explain, or would detail, those who drive trucks for the City in various city operations - street repair, maintenance and services - and who are not required to do work other than the driving of the trucks. For example, a person who is operating a garbage collection truck simply drives the truck and others do the collecting and pouring of the refuse into the truck. He would also like a list of those who drive trucks or service type vehicles of any sort, where the driver is expected upon the arrival at the point of service to assist in the service as well as do the driving. If possible, he would appreciate if Mr. Earle would explain the difference between those who drive only, and those who both drive and participate when they arrive at the point of service.

Councilman Short stated he believes this information will be helpful for Council. That this question has been brought up with sufficient frequency and he thinks they, as Councilmen, should be able to explain the City's policy and position on this matter to the individuals who call about this. That he is not in any way criticizing the activities of the Department Head for their policies in this regard, but he merely wants to know what the policies are.

CITY MANAGER REQUESTED TO SEE THAT CITY TRUCKS AND PACKERS ARE COVERED AND TAILGATES ARE UP IN ACCORDANCE WITH CITY ORDINANCE TO PREVENT TRASH FROM BLOWING ONTO THE HIGHWAY AND PRIVATE PROPERTIES.

Councilman Alexander stated the City passed an ordinance requiring that trucks be covered and tailgates be up to alleviate trash blowing off the trucks on the highways and on people's property. That before the City can begin to crack down on outside trucks, we are going to have to give consideration to our own. He requested the City Manager to look into this and see that a special attempt is made that the City's trucks are covered and that attention is given to the city packers, and that all the paper refuse blows within the packer so this trash blowing off the City's trucks can be eliminated before we begin to criticize numbers and numbers of other trucks that do it every day.

ORDINANCE NO. 597-X AMENDING ORDINANCE NO. 498-X, THE 1966-67 BUDGET ORDINANCE AUTHORIZING THE TRANSFER OF A PORTION OF THE NON-TAX REVENUES IN THE GENERAL FUND CONTINGENCY APPROPRIATION.

Councilman Thrower stated sometime back the City had an appropriation for the Life Saving Crew and it was cut to some extent for obvious reasons. That at the time, the cut was necessary; but since that time there has been no duplication of services, no competitiveness that exist between the Ambulance Service and Life Saving Crew. That Charlotte, being the size it is, needs a Life Saving Crew.

Councilman Thrower moved the adoption of the subject ordinance authorizing the transfer of \$1,500 of the General Fund Contingency Appropriation, non-tax revenues, to the 1966-67 Budget Ordinance, for Non-Departmental Expense Life Saving Crew to be used in the performance of its duties, and asked that the Life Saving Crew also

go to the County and ask for some additional funds so that they might continue to render their volunteer service. The motion was seconded by Councilman Alba.

Councilman Tuttle stated he would not like to see the City in a position of contributing to the Life Saving Crew without the County; that he would much prefer knowing that if the City is going to contribute this money that the County is also. That this is about as much a county operation as it is a city operation.

Councilman Tuttle made a substitute motion that the City's contribution be contingent upon the County's matching the funds and that Mr. Veeder so investigate. The motion did not receive a second.

Councilman Whittington stated this is an agency that has rendered a tremendous service to this community over the years - a service beyond what the ambulance service could do and in many instances what the Fire Department can do. Over the last five years they have depended on contributions for their support, with what little the City and County gives. That he thinks the City should go ahead and do this whether the County does or does not to show good faith in this organization and these people who are working around the clock as volunteers. That he would hope the County would contribute; but if they do not, the need is still there, and the City will only be remedying a part of the problem.

Councilman Tuttle stated he is in favor of the motion and of the contribution but he simply did not want the City to be in a position of putting the County on the spot simply because he believes in the past matters involving joint contributions that we have consulted the County, and this is the only reason he made the motion.

Councilman Thrower stated he does not look at this as a joint City-County operation; that he thinks we should shoulder the responsibility - perhaps the entire responsibility if we are not now doing it. Many, many times a day or mostly at night, these people are called on to make inter-state, inter-county blood runs and things of this nature. That he does not want it based on the fact that someone else should have to contribute equal dollars because he does not know that we will get it.

Councilman Short stated in view of the needs of this organization he would ask Mr. Thrower and also the budgetary people, if \$1,500 is sufficient as this is a serious need. They are \$3,000 in debt and they need some other things.

Councilman Alexander stated when the request goes before the County, he feels they will see it as the City does and make a contribution. That he was quite impressed with the Rescue Squad the night he spent three hours watching the fire at West Trade Street and Church Street. The service that was rendered to the Fire Department during the period he stood there amazed him. If the Fire Department had not had the service of this Unit administering oxygen and carrying firemen who had been overcome by smoke to the hospital, and various other measures of assistance that he witnessed, there is no telling. That for that type of assistance just within the City to our own Fire Department it is worth the City considering giving this additional amount of money at this time. That he would like to see the motion passed without any strings tied to it based on what the County will do. Councilman Tuttle stated he is going to vote

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for the motion and he does not want to be taken out of context; he simply felt when we are talking about county participation that one week's delay would not do any harm.

The vote was taken on the motion and carried unanimously.

The ordinance is recorded in full in Ordinance Book 14, at Page 494.

CITY MANAGER REQUESTED TO HAVE INSPECTORS IN MINIMUM HOUSING TO WORK IN OLD DILWORTH SECTION ON CODE ENFORCEMENT.

Councilman Whittington stated some two or three months ago he brought up the need for the Building Inspection Department, particularly those working with the minimum housing code, to make an enforcement push in the Old Dilworth Area. To his knowledge there has been only one house that has been corrected. That this is a real need and something should be done immediately and he urged that it be done. There is one house at 400 East Boulevard, and there are many others on East Boulevard that need help. That he is talking about the old Dilworth Area and not the urban renewal area. Last Friday and Saturday he rode for some three hours in different sections of this community taking photographs which he will have next week. That he would like to commend what Mr. Short and Mr. Alexander have said - one on litter and one on drivers and assistant drivers.

Councilman Whittington stated there are many areas and many instances where the City is passing ordinances and putting them on the books and doing nothing about them. If the City as a municipality does not do something about them, he does not see how we can insist on other people doing anything about it. Where we are talking about the physical well-being and the health of individuals, these are areas where we should work twenty-four hours a day if necessary. He stated to the City Manager that the Council wants something done in this area, and he will give to Council next Monday pictures and other presentations with the hope that they will do something about another area.

Mayor Brookshire asked how many inspectors are working now under code enforcement? Mr. Veeder replied there are seven men now working, and one is assigned on a full time basis in the Dilworth area. That within the last several months there were at least sixteen houses brought up to code or torn down in this general area. That he has discussed this with Mr. Jamison at some length and he is assigning additional personnel to the area.

Councilman Whittington stated he has an advantage over some of the Council members as he knows the streets in the various communities and the creeks because he has ridden the streets for many, many years as an ambulance attendant and as a funeral director. When he sees these conditions, he tries to make note of them. Over a year ago he pointed out a house in Dilworth and it was to be repaired in ninety days and nothing has been done about it as of today. That this sort of thing is ridiculous and somebody is just not getting the job done.

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CITY MANAGER REQUESTED TO WORK TOWARDS LAND FOR PARK PURPOSES IN NORTHWEST SECTION OF TOWN.

Councilman Whittington requested the City Manager to work towards some prospects for land use for park purposes in the northwest side of the community.

REPORT BY COUNCILMAN JORDAN ON TRIP TO BANGKOK, THAILAND FOR THE 18TH INTERNATIONAL CONGRESS OF LOCAL AUTHORITIES.

Councilman Jordan presented the following report on his recent trip to Bangkok, Thailand to attend the 18th International Congress of Local Authorities:

"I have brought back many lengthy reports of speakers and delegates who attended from large and small, developed and undeveloped countries of the world. More reports are to arrive any time. As you all know, the theme of this congress was "The Management of Public Utilities". Our studies of utilities, housing, traffic, poverty, hunger and population explosions started in Tokyo, Japan and continued in many countries around the world. We met with Embassy and Government Officials in all these countries to hear about, see, and study their problems. We reviewed many cities of Japan, then went to Hong Kong, China where some of the greatest municipal problems of the world are taking place. Thousands of refugees continually pour into Hong Kong, giving them difficulties in housing, hunger, heat, water, traffic, poverty and unbelievable sanitary conditions. There are enormous pipe lines that come in from Red China to bring water to Hong Kong which causes problem...and the cutting down of mountains in new territory to provide land to build housing and apartments---plus many, many things we were shown and studied of life there. From China, we went to Bangkok and the Congress. There were many meetings held by people of different races, colors and creeds...trying desperately to find ways and means to provide the necessities of life to their people and in the most economical way. Sixty-two nations were represented.

It was a strange feeling to be in countries where sanitary conditions are so bad that you cannot even brush your teeth, much less drink, using their water. Where you have to be careful of everything you eat or drink...to see people that have no housing, or sanitary facilities, no heat or lights and so many transportation problems and yet each trying to help the other find a solution to these things that are so important to the peoples all over the world. I took many rolls of film and hope I can show you soon some of the conditions that exist in most of these countries...most things unbelievable unless you see them. How wonderful and thankful we should be to live in a country such as ours.

It was truly a privilege and pleasure for me to make this trip on behalf of my state and city. I was accorded and received many honors that I shall always remember and cherish. I learned much that I hope to pass on to you.

Mr. Mayor, it is hard to believe and comprehend that people from 62 nations of the world, many at their own expense, would travel such tremendous distances to meet and exchange ideas and knowledge to help make life and conditions better for their people, and yet, here

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we are in Charlotte and Mecklenburg County, two Governing bodies of the same people, same problems and only a few feet apart from each other...and do not or cannot sit down together as Governing Bodies or Men should...and try to work out the best solutions for our problems and our citizens in the best and most economical way for all concerned. I surely admit that I am no expert on water and sewer facilities...and feel that I am not alone in this category. That is why both Governing bodies have paid experts that should be permitted or authorized to work out plans, policies, and details, with the help of other experts that they desire. Then, they and each Governing Body meet and move ahead to provide these vital facilities in the quickest and most economical way to the people ...forgetting whose plan is whose and what citizens live in the city or county. They are all citizens and are our responsibility. I want to thank you and Governor Moore again for permitting me to represent our city and state at this meeting...indeed it was a high honor."

Mayor Brookshire thanked Councilman Jordan for the report and stated he is due a vote of thanks for taking his own money and attending the Congress. From what he has heard from others, Councilman Jordan made a very fine contribution to it, and is bringing back thoughts which he hopes will be helpful to us.

Councilman Tuttle moved that Mr. Jordan be offered commendation for having made the trip and the excellent report. The motion was seconded by Councilman Albea, and carried unanimously.

ORDINANCE NO. 598-X AMENDING ORDINANCE NO. 498-X, THE 1966-67 BUDGET ORDINANCE, AUTHORIZING THE TRANSFER OF A PORTION OF THE GENERAL FUND CONTINGENCY APPROPRIATION.

Mr. Kiser, City Attorney, stated he would like to bring to Council's attention for consideration a matter which involves a proposed settlement of a law suit. That the suit stems from an automobile accident in which a young girl was injured. That the City was liable for failing to have appropriate warning devices at the location. He recommended that the law suit be settled for \$7,000.00.

Councilman Thrower moved the adoption of the subject ordinance, authorizing the transfer of \$7,000.00 of the General Fund Contingency Appropriation to the 1966-67 Budget Ordinance for Non-Departmental Expense - Awards & Damages, to be used for the payment of the judgment in the case of Linda Anne Tarte vs. Donna R. Logan, Harold Graham Logan and the City of Charlotte. The motion was seconded by Councilman Whittington.

Councilman Short asked the City Attorney the grounds under which a person can abstain from voting? Mr. Kiser replied in questions involving official conduct and personal financial interest.

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

RESIGNATION OF MR. BRUCE SMITH, CITY TREASURER ANNOUNCED.

Mr. Veeder, City Manager, advised that Mr. Bruce Smith, City Treasurer is leaving the City to join Piedmont-Community College.

ADJOURNMENT.

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

Ruth Armstrong

Ruth Armstrong, City Clerk