

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, May 11, 1964, at 3 o'clock p.m., with Mayor Brookshire presiding, and Councilmen Albea, Bryant, Jordan and Smith present.

ABSENT: Councilmen Dellinger, Thrower and Whittington.

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INVOCATION.

The invocation was given by Reverend Wendell G. Davis, Minister, Midwood Baptist Church.

MINUTES APPROVED AS CORRECTED.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and un-animously carried, the Minutes of the last meeting on May 4th were approved with the following correction: On Page 204, Acquisition of Property from Mr. & Mrs. Dellinger, in first line after word authorized add "at an appraised value of \$26,500.00" and in the second line after "Mr. & Mrs." add "Steve W."

RESOLUTION DECLARING THAT PUBLIC CONVENIENCE AND NECESSITY REQUIRE THE TAXICAB SERVICE PROPOSED BY THE APPLICATION OF CHARLOTTE CAB COMPANY, INC., FOR TRANSFER OF CERTIFICATES HELD BY TROY L. BROWN AND WILLIAM JOE KING UPON TRANSFER OF OWNERSHIP OF TAXICABS TO CHARLOTTE CAB COMPANY, INC.

The public hearing on application for Issuance of Certificates of Public Convenience and Necessity to Charlotte Cab Company, Inc. was held.

Mr. John Engle, Attorney with Craighill, Rendleman and Clarkson, stated they represent the applicant, Charlotte Cab Company. He advised this is an application for the approval of the transfer of 14 taxicabs and 14 certificates of convenience and necessity from Troy L. Brown and William Joe King to Charlotte Cab Company, Inc., that Charlotte Cab Company, Inc. is a corporation which has been organized by Troy L. Brown and William Joe King and they are the sole share holders. He stated they request that the application be approved and he would answer any questions Council would like to ask.

Mr. Morrisey, the City Attorney, advised Council the application has received all approvals required by the Code.

Upon motion of Councilman Jordan, seconded by Councilman Albea, and un-animously carried, a Resolution Declaring that Public Convenience and Necessity require the Taxicab Service Proposed by the Application of Charlotte Cab Company, Inc., for Transfer of Certificates held by Troy L. Brown and William Joe King Upon Transfer of Ownership of Taxicabs to Charlotte Cab Company, Inc., was adopted.

The resolution is recorded in full in Resolutions Book 4, at Page 385.

Councilman Albea stated as a matter of record this is just for the transfer of Certificates and they are not adding any new ones.

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COMPLAINT AGAINST MEMORIAL HOSPITAL CONSTRUCTING PARKING LOT ON GARDEN TERRACE REGISTERED BY L. L. LEDBETTER.

Mr. L. L. Ledbetter, resident of 1616 Garden Terrace, stated that on September 4, 1963, the Inspection Department issued a building permit to either Memorial Hospital or the Charlotte Mecklenburg Hospital Authority for building an apartment building at the end of Garden Terrace. That he went to the Building Inspection Department to see the plans and was told to go to the Traffic Engineering Department; he went to the Traffic Engineering Department twice and both times was told they did not know where the plans were as they were misplaced and they could not find them. Finally he told them they could either show them to him in the Traffic Engineering Office, or in the City Council Chambers or in Court, as he was entitled to see them. Later he received a letter from the Traffic Engineering Department saying they now had the plans and he could see them. That the plans they showed him at that time were for 5 lots on Garden Terrace, which the Hospital did not own at the time the building permit was issued, and the permit was issued on September 4, 1963, and the lots were not bought until the end of January, 1964. That if they have a right to do that then he thinks everyone else should have the same privilege; that it is not right for the hospital to be treated any different from anyone else. Mr. Ledbetter stated further that all the property on Garden Terrace, from above him down to and abutting the Hospital Authority, is all restricted in the deeds to resident purposes only. That it looks as if they are trying to railroad this over the property owners out there; that he has issued notice to the Hospital Authority that he is going to fight it in every legal and moral means at his disposal, and this appearance before Council is the first step in it. They will be parking cars within 10 feet of his bedroom window - and he wonders how many would like to have public parking right up to their bedroom window. That more than likely they will want to put a flood light out there for protection of cars. That he is bitter against it and is going to do everything he can and he wants Council to know it and he does not think it is fair, but if they can do this he is going back to the Planning Commission and ask that his property be zoned for business as it will be ruined as far as a resident is concerned; it will reduce the value of his property from a residential standpoint. He stated he feels like they feel once they get the parking lot there, then he will be glad to take anything to get rid of the property, and they can get it at their own price.

Councilman Smith asked Mr. Ledbetter if his restrictions call for residential purposes and Mr. Ledbetter stated for residential purposes only. Councilman Smith then asked if the parking lot is separate from the apartment building they plan to build. Mr. Ledbetter stated there are two houses and lots between the original property of the hospital and the two lots they have bought which adjoin him. Councilman Smith advised Council has discussed this type of thing about zoning and deed restrictions. That the public seems to think if property is zoned a particular way that eliminates all deed restrictions; but deed restrictions take precedent over zoning and your relief is usually in the Civil Courts.

The City Attorney advised they take precedent if they are more stringent than the zoning provisions and would have to be settled in a Civil Court. Councilman Smith stated even though Council gives some people permission to use a residential lot for parking in conjunction with a building, the property owner still has relief in the Court if their deed restrictions are strong enough.

Mr. Ledbetter stated he does not think the Inspection Department has the right to issue a permit until they own the property. Councilman Smith asked the City Attorney if the Inspection Department goes into the title to find the restrictions involved, and Mr. Morrissey stated not with respect to the restrictive covenants, as to the use of the property, but simply as to title.

CONTRACTS AUTHORIZED FOR INSTALLATION OF WATER MAINS IN MICHIGAN STREET AND IN CRAIGHEAD ROAD.

Upon motion of Councilman Jordan, seconded by Councilman Bryant, and un-animously carried, contracts were authorized for the installation of water mains, as follows:

- (a) Contract with Trotter & Allan Construction Company for the construction of 900 feet of water main and 1 fire hydrant in Michigan Street, inside the city, at an estimated cost of \$3,100.00. The City to finance all costs and applicant to guarantee an annual gross water revenue equal to 10% of the total cost.
- (b) Contract with Harrison-Wright Company, Inc. for construction of 775 feet of main and 1 fire hydrant, in Craighead Road, inside the city, at an estimated cost of \$3,850.00. The City to finance all costs and the applicant to guarantee an annual gross water revenue equal to 10% of the total cost.

RIGHTS-OF-WAY AGREEMENT AUTHORIZED WITH N. C. STATE HIGHWAY COMMISSION FOR INSTALLATION OF WATER MAINS.

Councilman Albea moved approval of rights-of-way agreements with N. C. State Highway Commission for the installation of water mains across North Independence Boulevard at Commonwealth Avenue; in Commonwealth Avenue from N. Independence Boulevard to Old Monroe Road; in Old Monroe Road from Commonwealth Avenue to Chippendale Drive; in the Plaza, from Sweetbriar Street to Eastway Drive; and in Eastway Drive, from the Plaza to North Tryon Street. The motion was seconded by Councilman Bryant, and unanimously carried.

CONSTRUCTION OF SANITARY SEWER MAINS IN VARIOUS LOCATIONS AUTHORIZED.

Upon motion of Councilman Jordan, seconded by Councilman Bryant, and un-animously carried, construction of sanitary sewer mains were authorized as follows:

- (a) Construction of 700-ft. 8-inch main and 305-ft. 8-inch trunk, to serve an Industrial Development, inside the city, at request of H. D. Albright, Sr., at an estimated cost of \$4,167.00, with all cost to be borne by the applicant, whose deposit of the entire amount will be refunded as per terms of the agreement.
- (b) Construction of 850-ft. of main to replace trunk serving Castleton Gardens, inside city, at request of A. P. Perkinson, at an estimated cost of \$3,545.00, with all costs to be borne by the applicant whose deposit of the entire amount will be refunded as per terms of the agreement.
- (c) Construction of 610-ft. of main to serve Worcaster Place, inside city, at request of A. P. Perkinson, at an estimated cost of \$2,135.00, with all costs to be borne by the applicant, whose deposit of the entire amount will be refunded as per terms of the agreement.

- (d) Construction of 698-ft. of 8-inch trunk and 1,382-ft of 8-inch main, to serve Westchester #6, inside city, at request of Ervin Construction Company, at an estimated cost of \$7,690.00, with all costs to be borne by the applicant, whose deposit of the entire amount will be refunded as per terms of the agreement.

LEASE AUTHORIZED WITH CLARK TERRAZZO, INC. FOR AIRPORT BUILDING 257.

Motion was made by Councilman Bryant, seconded by Councilman Jordan and unanimously carried, authorizing lease with Clark Terrazzo, Inc. for Airport Building 257, containing approximately 1,500 sq. ft. of space, for a term of one year, at a rental of \$75.00 per month.

The City Manager advised the last time this building was appraised for rental purpose, it was in such condition that it was appraised at \$12.50 per month for rental purposes. That the program for rehabilitating some of the buildings by the Airport by its own personnel is reflected. That they brought the building up to a decent standard and have been able to raise the rent accordingly.

Mayor Brookshire stated this is a very high compliment to the Airport Manager, Mr. Raffety.

TRANSFER OF CEMETERY LOTS.

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

- (a) Deed with Dr & Mrs. John O. Lafferty, for Graves 3 and 4, in lot 136, Section 2, Evergreen Cemetery, at \$120.00.
- (b) Deed with Mrs. John H. Harrison, for Graves 1 and 2, in Lot 136, Section 2, Evergreen Cemetery, at \$120.00.
- (c) Deed with R. M. Cox and wife, Alice C. Cox, for Graves 9 and 10, in Lot 121, Section 2, Evergreen Cemetery, at \$120.00.
- (d) Deed with Mrs. L. E. Small, for Grave 3, Lot 284, Section 8, Oaklawn Cemetery, at \$60.00.

CONTRACT AWARDED CROWDER CONSTRUCTION COMPANY FOR SIDEWALK IMPROVEMENTS IN DOWNTOWN BUSINESS AREA.

Motion was made by Councilman Albea awarding contract to the low bid, Crowder Construction Company, in the amount of \$26,150.00 on a unit price basis, for sidewalk improvements in the Downtown Business Area, as specified. The motion was seconded by Councilman Bryant, and unanimously carried.

The following bids were received:

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| Crowder Construction Co. | \$26,150.00 |
| A. V. Blankenship & C.D. Spangler Constr. Co. | 26,739.50 |
| Rea Construction Co. | 27,725.00 |
| T. A. Sherrill Construction Co. | 28,210.00 |
| L. A. Armstrong | 29,180.00 |

CONTRACT AWARDED BLYTHE BROS. COMPANY FOR RESURFACING VARIOUS STREETS.

Councilman Jordan moved award of contract to Blythe Brothers Company, the low bidder, in the amount of \$99,412.50 on a unit price basis, for asphalt resurfacing on various streets, as specified. The motion was seconded by Councilman Bryant, and unanimously carried.

The following bids were received:

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| Blythe Brothers Company | \$ 99,412.50 |
| Rea Construction Company | 100,094.50 |
| Dickerson, Inc. | 107,250.00 |

CONTRACT AWARDED MOZINGO'S TIRE COMPANY, INC. FOR TIRES AND TUBES.

Upon motion of Councilman Bryant, seconded by Councilman Jordan and unanimously carried, contract was awarded the low bidder meeting specifications, Mozingo's Tire Company, Inc. for 110 level tires and tubes of various sizes consisting of 485 tires and 450 tubes, as specified, in the amount of \$10,996.51, on a unit price basis.

The following bids were received:

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| Mozingo's Tire Company, Inc. | \$ 10,996.51 |
| Dayton Tire Sales Company | 11,924.61 |
| L & N Royal Tire Service | 12,893.27 |

Other Bids received not meeting specifications:

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| The Pure Oil Co. | \$ 5,642.61 |
| The Mohawk Rubber Co. | 9,775.16 |
| Cooper Tire & Rubber Co. | 10,152.64 |
| General Tire Company | 14,349.40 |
| Goodyear Tire & Rubber Co. | 15,301.23 |
| Firestone Stores | 16,952.68 |

ACTION ON MECKLENBURG AVENUE DRAINAGE DITCH POSTPONED FOR ONE WEEK.

Councilman Smith moved that action on the Mecklenburg Avenue drainage ditch be postponed for one week. The motion was seconded by Councilman Jordan, and unanimously carried.

CITY MANAGER TO SUGGEST DATE OF HEARING ON AIRPORT ZONING.

Councilman Smith moved that the matter of zoning in the airport area be turned over to the City Manager for a suggestion as to date of hearing. The motion was seconded by Councilman Jordan, and unanimously carried.

ACQUISITION OF PROPERTY FOR NORTH-SOUTH RUNWAY EXPANSION, SANITARY SEWER EASEMENT AND NORTHWEST EXPRESSWAY RIGHTS-OF-WAY.

Upon motion of Councilman Albee, seconded by Councilman Bryant and unanimously carried, the acquisition of property was authorized as follows:

- (a) Acquisition of 34,990 sq. ft. of property on Old Dowd Road, west of Harlee Avenue, from James Rush Holland, Sr., and Eloise Nabors Holland, at \$8,000.00 for Airport Extension, Clear Zone, North end of North-South Runway.
- (b) Acquisition of 5,760 acres of property on Old Dowd Road, west of Harlee Avenue, from Charles P. Sloan and wife, Nora A. Sloan, at \$27,793.00, for Airport Extension, North end of North-South Runway.
- (c) Acquisition of property 10' wide and 700.07' long between Highway 49 and Evergreen Cemetery, from Elva C. Peterson and Albert T. Peterson, at \$525.05, for sanitary sewer right-of-way to serve Winterfield Subdivision.
- (d) Acquisition of 6,420 sq. ft. of property, at 1029-31 Haley Place, from Ramsey Perry and wife, Anna Bell C. Perry, at \$4,500.00, for Northwest Expressway.
- (e) Acquisition of 4,813 sq. ft. of property, at 228 North Long Street, from C. L. Wilcox and Annie Lee Wilcox, at \$9,300.00, for Northwest Expressway.
- (f) Acquisition of 21,995 sq. ft. of property at 1023-29 and 1031-33 East 4th Street, from Charlotte Meat Center, at \$127,250.00 for Northwest Expressway.
- (g) Acquisition of 10,082 sq. ft. of property at Corner of Central Avenue and Presser Street from William J. Bain and Elizabeth F. Bain, at \$60,254.99, for Northwest Expressway.
- (h) Acquisition of 5,600 sq. ft. of property at 825 North Caldwell Street, from James R. Buckaloo and Etta H. Buckaloo, at \$4,100.00, for Northwest Expressway.
- (i) Acquisition of 6,050 sq. ft. of property at 725 North Pine Street, from N. C. National Bank, Trustee for J. W. Shepherd Estate, at \$15,000.00, for Northwest Expressway.
- (j) Acquisition of 7,562 sq. ft. of property at 422 West 12th Street, from N. C. National Bank, Trustee for John W. Shepherd Estate, at \$5,250.00, for Northwest Expressway.
- (k) Acquisition of 5,412 sq. ft. of property at 1017-19 Kendrick Street, from John D. Hemby and Eunice Wease Hemby, at \$7,000.00, for Northwest Expressway.

CITY OWNED PROPERTY AT 512 EAST 21ST STREET AUTHORIZED ADVERTISED FOR SALE.

Upon motion of Councilman Bryant, seconded by Councilman Jordan, and un-animously carried, the city owned vacant lot at 512 East 21st Street was authorized advertised for sale with the bid starting at \$700.00.

CITY ATTORNEY REQUESTED TO MAKE REPORT REGARDING AMENDMENT TO ORDINANCE PROHIBITING ICE CREAM VENDERS FROM OPERATING AFTER CERTAIN HOURS.

Councilman Smith stated Council has discussed ice cream trucks with regard to the very high noise records which they are playing in the neighborhoods,

and the general nuisance of the trucks. That when the ice cream vendors first presented the way they would operate, it was to be on a very small basis with a light flashing to attract attention, and no chimes; then they starting using the chimes, and then putting on records at full volume and they are now in the courts; that the Judge issued an injunction restraining the city from doing anything to prevent these trucks from operating, and Council feels the complaints they are receiving are legitimate; one driver told a housewife they were operating in accordance with the court ruling and they had the right to make as much noise as they want. He asked the City Attorney to comment as to remedies which might be taken by the Council. Councilman Jordan stated also the trucks are staying out until 9 or 10 o'clock at night.

Mr. Morrissey stated in the hearing on the question of continuing the restraining order, the City prevailed in that action; the Judge dissolved the temporary restraining order but then continued the order only for the purpose of appeal. He advised the City cannot at present enforce the present anti-noise ordinance against the ice cream peddlers because of the force of that order until the Supreme Court passes on the question. That with respect to the later hours, it might be appropriate to give consideration to some reasonable regulation, particularly in the evening.

Councilman Smith asked in that connection if the City did not take any action, would the decision of the Supreme Court make it easier, as they would probably appeal any regulation which Council might pass? Mr. Morrissey replied the City probably would be responding to another restraining order. Councilman Bryant asked about the matter of a public nuisance, and Mr. Morrissey advised this is a question which the City is restrained from raising. Councilman Smith then asked if Council were to set a time of 6 o'clock beyond which they are not to operate the vehicles on the street, then they could appeal to the courts for an injunction restraining the City from enforcing the ordinance until it is heard in court? Mr. Morrissey stated that would be their right, and it is a possibility. Councilman Smith then asked if this would be in a form of an amendment to the present permissive ordinance which Council passed giving them the right, and Mr. Morrissey advised it would and it also has some refinements which should be broader than just ice cream peddlers.

The Council requested the City Attorney to make a report at the next Council meeting on the question of the adoption of such an ordinance.

SETTLEMENT OF CLAIM OF O. R. ROWE, JR. AUTHORIZED.

The City Attorney recommended settlement of Claim in the amount of \$5.00 of Mr. O. R. Rowe, Jr. against the City for having his car cleaned after it was splattered with tar during a city street patching operation on a windy day, at the corner of Weona and South Mint Street, on April 3, 1964.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, the claim in the amount of \$5.00 was authorized paid.

IMPROVEMENTS TO TAXIWAY AT AIRPORT AUTHORIZED ON JOINT BASIS BETWEEN CITY AND AIR NATIONAL GUARD.

The City Manager presented a sketch to Council which he stated shows a section of taxiway at the airport which the City tentatively has scheduled for improvement for 1967-68. He stated the principle user of this stretch

of taxiway is the Air National Guard, and Mr. Raffety, the Airport Manager, has been working with General Payne towards getting an approval of this section of the taxiway, recognizing the Air Guard's interest and immediate need for the improvement of the taxiway is greater than other aviation interest, and they have been working along the lines of a joint project, and as a result, the Air National Guard is in a position to take care of the construction cost of the job which is estimated at \$130,000.00. The City's interest in the project would be to assume the cost of the engineering design, the testing and inspection of the construction work, and this would not exceed the engineering percentage which the City is paying now. That there is not a written commitment now, but both Mr. Raffety and General Payne are anxious to proceed because the money which the Air Guard plans to use for the improvement will expire at the end of the federal fiscal year. Mr. Veeder requested Council to authorize proceeding with the engineering of the \$130,000 job and suggested that it be authorized on the basis of using the City's existing consultant, John Talbert & Associates, and that the work be approved in principle on a joint basis with the Air National Guard. That it is a very worthwhile project, and Mr. Raffety and General Payne have worked out a very satisfactory way of doing it from both points of view. He stated this would call for the Air National Guard to pay all of the construction cost, and the City to pay only the engineering fees, which would be under 10% of the construction cost.

Councilman Albea moved approval of the recommendations as presented by the City Manager. The motion was seconded by Councilman Bryant, and unanimously carried.

DISCUSSION OF WATER AND SEWER SERVICES AT AIRPORT.

Councilman Smith asked if the Airport is buying water and sewer at a flat fee, and the City Manager replied they are. Councilman Smith then asked about the tenants who are located on the city property, if they have separate meters, and Mr. Veeder replied some are on meters and some are on the same flat rates as the Airport. Councilman Smith stated he thought this should be corrected. That the history of major airports all over the country shows that a lot of industry, office buildings, motels, etc. are being built in the vicinity of the airports, and Charlotte is going to have to face up to the problem of water and sewer. That at present the Airport Manager is not in a position to tell a person who is going to build out there, that he can furnish him with water and sewer, and he feels the City should meter the area and operate it. That Mr. Raffety could tell first hand how it becomes quite an industrial and business complex around airports, and he believes Charlotte should correct this before it becomes too complicated and make it easier for a person to get to the water and sewer. Councilman Jordan asked if this would not be appropriate now with the Planning Board asking for the change in zoning and Mr. Veeder replied the two are not necessarily related as the main thing the airport is concerned with is the operation of the utilities on the city owned property. That under other city policies the properties off the city owned acreage can obtain these services. Councilman Smith asked if Mr. Franklin could not start back on this project.

POLICE DEPARTMENT AUTHORIZED TO BUY PORTABLE RADIO UNITS AND CONSOLE UNITS.

Upon motion of Councilman Jordan, seconded by Councilman Bryant, and unanimously carried, the Police Department was authorized to buy 4 additional portable radio units and one console unit, at a cost of \$3,164.00, the money being available in the Police Department budget but not appropriated for this purpose.

The City Manager advised the portable radio units will be used by walking personnel in the central business district, and the console unit would be placed in the office of the Captain of Patrol, and this would have the effect of 4 men downtown in constant two-way contact with the station, and also would provide these units for other purposes such as riot control, should the need arise.

DISCUSSION OF IMPROVEMENTS TO FIELDVIEW ROAD.

The City Manager asked for suggestions as to what Council would desire to do in connection with Fieldview Road improvements. That Council has indicated a willingness to approve Fieldview Road to a width of 16 feet as requested by the property owners. He advised the maximum cost to the property owners would be \$2.50 under the Special Policy. That based on the City's estimates for a 16 foot street it will cost more than \$2.50 a front foot which means the property owners will only have to pay \$2.50. The point is, if Council thinks it is desirable to put in the standard width, it would still cost the property owners only \$2.50, because of the maximum which could be assessed to property owners for this type of street. As a possible suggestion, it might be desirable to bring this situation to the attention of each of the property owners and perhaps the matter could be discussed out at the time of a public hearing which would be held on it, or any other approach that Council would like to follow. There seems to be a mistaken impression on the part of some of the abutting property owners that it will cost less than \$2.50, and the City's estimates show that when it is bid it is not apt to be so. In essence, from the property owner's point of view, whether it is 16 or 24 ft., their cost will probably be the same. Recognizing that Council indicated a willingness to put in a 16 ft. street the city can proceed on that basis, as it will cost the property owners the same amount in any event, or give the property owners the option, or Council have the option, or discuss it at the time of the public hearing.

Mayor Brookshire asked how much more it will cost the City to make it 24 feet, and Mr. Veeder replied the City's estimates for the 16 ft. street is \$5,302.00 and for the 24 ft. street the estimate is \$6,039.00.

Councilman Smith asked if the property owners did not say they had a bid and they wanted to put the street in if the City would accept it for continuous maintenance, and that this was the basis Council voted on. They were going to pay for the 16 foot street and they had a bid in hand of what it would cost them, and all the City was doing was taking it over for maintenance, which is against the general policy but the City was not getting into the extra cost.

Mr. Veeder stated his understanding was that the City would go out and build the 16 foot street to the City's standard specifications. Councilman Smith stated the whole argument was based on a contract the property owners had. They said they could not build the street 16 foot wide because the City refused to take it over for maintenance and all he thought Council had voted on was to make an exception because of the small dead-end street that the City would maintain it at 16 feet because it would probably be adequate for the traffic which they had going in there. Mr. Veeder stated he thought the 16 foot street was to be built to the City's standard specifications. Councilman Smith stated the whole argument revolved around the idea that it would not cost the City anything, the property owners would pay for the construction. That their specifications and contract covered the City's specifications and they would have it built and pay for it as they could get it for \$1.60, and the Council said to go ahead and build it and the City would take care of it

if it is up to specifications; that the width was the main thing Council was talking about. That the City says 24 feet is the minimum that they will maintain and so Council made the expectation that the City would maintain the 16 feet as a special case having just 4 houses involved, if they would put the street in. That he does not think Council should be involved in any extra cost as that is not what they voted on.

Mr. Veeder asked if it was not to be done as an assessment project. Councilman Smith stated they had a man who was going to bid when the City put it out to specifications and he was going to bid and would be low man; but they were going to pay for the whole improvement as it figured only a \$1.60 or so per foot and the City wanted \$2.50. Mr. Veeder stated they need to know if the street is to be built to City specifications, and if it is it will cost them more than \$1.60 per front foot. Councilman Smith asked why the Engineering Department does not go to whoever was going to bid on this project and find what they are bidding on. Mr. Veeder stated he does not think a street built to city specifications - 16 feet only - can be built for the price that the property owners indicated. If it can they will be pleased to accept such a bid from whoever gave them the price.

Councilman Jordan asked if these people could not be asked to come in again, and the City Manager advised they will have to come back in any event for a public hearing. That it was his understanding it was to be an assessment project.

Councilman Smith stated these people have been coming back and forth to the Engineering Department ever since they were before Council trying to get something started. That it has been over a month, and someone in the Engineering Department is dragging his feet because it went against policy and this should be expedited. Mr. Veeder stated as long as he knows it is Council's intent that the street should be built to city specifications 16 feet wide, then he knows how to proceed, and will do it with dispatch.

Councilman Smith stated the property owners stated they wanted a 16 foot street, they had a bid to build it to city specifications and they wanted to pay for it, but the Engineering Department said they had to make it 24 feet, and they could not afford it, so Council said if they would build it at their expense to 16 feet and considering it is a dead end street with only 3 or 4 houses on it, Council would make an exception in this case and let them build it to the City's specifications, and they apparently had a bid from some reliable contractor to do it.

CITY MANAGER AND CITY ATTORNEY TO MAKE REPORT WITH RECOMMENDATIONS TO COUNCIL REGARDING TAXICABS.

The City Manager advised the City has received an application in behalf of Baker Cab Company for 10 additional taxicab certificates. That the application is in proper form; that a review of the application has been made by the Taxicab Inspector and he has prepared a report. That he would suggest that the nature of the request is such that perhaps Council should consider a public hearing, and based on what is presented at the Public hearing make whatever decision they desire.

The City Attorney advised Baker formerly operated under Checker Cab Company; then they formed Baker Cab Company and transferred his individual certificates to Baker Cab Company, Inc., and the Cab Company, Inc. now makes application for 10 additional certificates.

Councilman Bryant moved that a hearing be set for this matter for June 1st. The motion was seconded by Councilman Smith.

Councilman Smith stated he assumes that other Councilmen are in the dark as he is on the whole taxicab setup. Where they have licenses that they trade and sell in and so many the limit and so forth, and that it probably dates back a number of years when this system was put into effect. He requested that the Mayor designate someone to study the whole taxicab situation and clarify and simplify it for Council's information and make recommendations on the procedure as this system is something which he does not understand and he believes it should be clarified to Council as to how they operate.

Councilman Bryant withdrew his motion setting a date of hearing with the approval of Councilman Smith who seconded the motion.

Councilman Smith stated he believes the Mayor's appointment should be made from the administrative and not from Council.

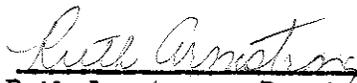
Mayor Brookshire appointed Mr. Veeder and Mr. Morrissey to delve into the matter of the taxicabs and to bring back a report with recommendations to Council.

INVITATION EXTENDED COUNCIL TO ATTEND PROGRAM OF SPECIAL FORCES OF NATIONAL GUARD NEXT SATURDAY AT CARPENTERS AIRPORT.

Mr. Veeder extended an invitation to Council on behalf of Mr. Joe Eppley one of the T. V. Reporters to attend a program of the Special Forces of the National Guard at 2 o'clock on Saturday afternoon at Carpenters Airport. The program will include about 20 members of the unit in parachute jumps. That this will be a combination of Arm Forces Day with Mecklenburg Declaration of Independence Celebration.

ADJOURNMENT.

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


Ruth Armstrong, Deputy City Clerk