

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 23, 1960, at 3 o'clock p.m., with Mayor Smith presiding, and Councilmen Albea, Babcock, Dellinger, Hitch, Myers, Smith and Whittington being present.

ABSENT: None.

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INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Hitch, seconded by Councilman Albea, and un-animously carried, the Minutes of the last meeting on May 16th were approved as submitted.

CHAMBER OF COMMERCE CITY APPEARANCE COMMITTEE RECOMMENDS INSTALLATION OF CURBING ON HIGHWAY APPROACHES AND AT INTERSECTIONS MAINTAINED JOINTLY BY CITY AND STATE HIGHWAY AND ESTABLISHMENT OF STREET IMPROVEMENT REVOLVING FUND.

Mr. Joe Grier, Chairman of a sub-committee of the Chamber of Commerce City Appearance Committee, appeared before Council and advised the Committee has conferred with the City Engineer relative to the establishment of a revolving fund of \$150,000.00 for street improvements on petition assessment, which is advocated by the City Engineer, and the Committee highly recommends the establishment of said fund. That the Committee has also conferred with the City Engineer and City Traffic Engineer relative to the installation of curbing on highway approaches and at intersections maintained jointly by the City and State Highway and they recommend that curbing be so installed. Mr. Grier presented copies of their recommendations in detail to the Council, which is attached hereto and made a part of these Minutes.

Upon motion of Councilman Dellinger, seconded by Councilman Albea, and un-animously carried, the report and recommendations were referred to the City Manager.

REQUEST OF JOHN C. BENNETT THAT COUNCIL TAKE NOTICE OF ILLEGAL PROCEDURE IN EMPLOYMENT OF AUDITING FIRM AND ARRANGE FOR HEARING ON MATTER REFERRED TO CITY MANAGER.

Mr. John C. Bennett again appeared before Council and presented the following letter, which was referred to the City Manager upon motion of Councilman Dellinger, seconded by Councilman Smith, and un-animously carried:

"3406 Washburn Ave.
Charlotte, N. C.
May 23, 1960

Members of the Charlotte City Council
Charlotte, N. C.

Gentlemen:

At the meeting on May 16, 1960, I appeared before and stated that the City of Charlotte had never had a legal audit since Geo. G. Scott & Co. had been retained; although the audit contracts and reports have been represented to be in accordance with State laws and City Ordinances and accepted professional auditing standards. This particular firm, by reason of its ownership has never been eligible to enter into a contract to audit the records of the City of Charlotte or any other local government in North Carolina and the reports do not appear to be in accordance with accepted auditing standards.

In the Charlotte Observer of February 11, 1951, page 18-B, the following are named as partners:

H. E. Coffin
W. A. Richard
Fred R. Young
W. A. Sanford
John Drew Elliott

This does not agree with the official registration in the Assumed Names register at the Court House. The presence of Richard and Young as partners, automatically makes the firm ineligible under State and Local laws, since they are not certified public accountants, and the firm is prohibited from representing itself as a firm of certified public accountants. In the Charlotte Observer of April 20, 1960 there appears a statement by Fred R. Young that he was a partner in this firm from 1933 to 1952. This statement appears in a special section announcing the opening of the new home of the Young Motor Company.

It has been the practice of the firm to register only the partners or owners who hold certificates as certified public accountants, which appears to be deliberately misleading, as disclosure of all partners, as required by law, would make the firm ineligible for general practice as a firm of certified public accountants. The partners officially registered are Mr. Coffin, Mr. Sanford and Mr. Elliott.

I called this matter to the attention of the City Treasurer, Mr. Ledbetter, in 1948 and again in 1949. He referred it to the State Local Government Commission, and to Mr. John D. Shaw, the City Attorney. Mr. Shaw and I checked the record at the Court House, and could find no record of the registration of the firm. Mr. Shaw was aware that George H. Terry, W. A. Richard and Fred R. Young were the owners. A few days later, I was informed by the attorney for Geo. G. Scott & Co. that the firm was now registered. However, the registration was incomplete, as the names of Richard and Young were omitted, although they have stated publicly that they were the owners of the firm. Mr. Shaw did not inform the City Council of this discrepancy.

As a result of my interest in this matter, I received several warnings, some threats, some pressure and also some information. This information indicated that Mr. R.S. Dickson had a very strong connection with the firm of Geo. G. Scott & Co., and this information, received in 1951, is now of some significance.

The warnings I received were that I would have some trouble. This trouble came in the form of a long and aggravated series of malicious civil and criminal prosecution, all of which was proven to be without cause, and which I devoted all my physical and financial resources to opposing, and in which there appears forgery, fraud, extortion, and bad faith by the bar and judiciary. The way in which this litigation progressed, certain

events in 1953 and 1954, and certain meetings with State officials, and the disappearance of some key records, indicate that this is a tremendously important case which may lead to large-scale profiteering in public business, and conspiracy between public officials and business men.

I, therefore, request that the Charlotte City Council take notice of this evidence of illegal procedure, and make arrangements for a complete hearing on this matter, and take such action that may be justified.

Respectfully submitted,

JCB:bb

(Signed) John C. Bennett"

ORDINANCE NO. 659 AMENDING CHAPTER 21, ARTICLE I, SECTION 2 OF THE CITY CODE AMENDING THE BUILDING ZONE MAP BY CHANGING THE ZONING ON PROPERTY ON THE SOUTH SIDE OF GRANVILLE ROAD FROM R-1 TO R-2, DENIED.

Upon motion of Councilman Whittington, seconded by Councilman Hitch, and unanimously carried, Ordinance No. 659 Amending the Zoning Ordinance by changing property on the south side of Granville Road, from R-1 to R-2, on petition of Towers Land & Development Company, was denied, as recommended by the Planning Board.

ORDINANCE NO. 662 AMENDING CHAPTER 21, ARTICLE I, SECTION 2 OF THE CITY CODE AMENDING THE BUILDING ZONE MAP BY CHANGING THE ZONING ON PROPERTY ON GLENWOOD DRIVE FROM R-2 TO B-1, ADOPTED.

Motion was made by Councilman Albea that Ordinance No. 662 be adopted Amending the Zoning Ordinance by changing the zoning from R-2 to B-1 on only that portion of the property within 220 feet of North Avenue, contained in the petition of W. J. Widenhouse, et al, as recommended by the Planning Board. The motion failed for lack of a second. Councilman Smith moved the adoption of the Ordinance changing the zoning of the property on Glenwood Drive at Interstate Highway 85, from R-2 to B-1, as petitioned for by W. J. Widenhouse et al. The motion was seconded by Councilman Whittington, and carried with the votes cast as follows:

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

The ordinance is recorded in full in Ordinance Book 12, at Page 488.

ORDINANCE NO. 667 AMENDING CHAPTER 21, ARTICLE I, SECTION 2 OF THE CITY CODE AMENDING THE BUILDING ZONE MAP BY CHANGING THE ZONING ON PROPERTY ON THE NORTH SIDE OF HUNTLEY PLACE, FROM R-1 TO B-1, REFERRED TO PLANNING BOARD FOR RECOMMENDATION.

Councilman Dellinger moved that Ordinance No. 667 Amending the Zoning Ordinance by changing zoning on property located on the north side of Huntley Place, from R-1 to B-1, on petition of Mrs. Elizabeth W. Myers be denied. The motion was seconded by Councilman Whittington.

Councilman Myers asked if the City has the legal right to take action on this matter in view of the petition having asked for a change in zoning of certain property and the newspaper notice of the hearing being for only a portion of the property. Councilman Dellinger called attention that he stated last week he did not think the petition should be heard; first, because it had been before the Board of Adjustment, and secondly, that the

entire tract was not advertised to be heard. Mr. Shaw, City Attorney, stated he left the decision as to whether it should be heard up to the Attorney for the petitioner. He suggested that the Council render a decision today and if the change is approved then it can be readvertised and reheard.

Councilman Hitch advised that Mr. McIntyre called him Saturday and stated he thinks it should go back to the Planning Board for reconsideration. He offered a substitute motion that it be referred to the Planning Board for recommendation. The motion was seconded by Councilman Albea, and carried by the following vote:

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

ORDINANCE NO. 668 AMENDING CHAPTER 21, ARTICLE I, SECTION 2 OF THE CITY CODE AMENDING THE BUILDING ZONE MAP BY CHANGING ZONING ON PROPERTY ON THE NORTH SIDE OF HUNTLEY PLACE, FROM R-1 TO R-2, DENIED.

Upon motion of Councilman Whittington, seconded by Councilman Dellinger, and unanimously carried, Ordinance No. 668 Amending the Zoning Ordinance by changing property on the north side of Huntley Place, from R-1 to R-2, on petition of Beverly H. and Emery Flinn, denied as recommended by the Planning Board.

ORDINANCE NO. 669 AMENDING CHAPTER 21, ARTICLE I, SECTION 2 OF THE CITY CODE AMENDING THE BUILDING ZONE MAP BY CHANGING ZONING ON PROPERTY ON BOTH SIDES OF LEXINGTON AVENUE, S. CALDWELL STREET TO EUCLID AVENUE, FROM R-2 TO O-I, ADOPTED.

Councilman Myers disqualified himself from discussing or voting on the petition as he stated he has an interest in the property in question.

Motion was made by Councilman Dellinger, seconded by Councilman Albea, and unanimously carried, adopting Ordinance No. 669 Amending the Zoning Ordinance by changing property on both sides of Lexington Avenue, S. Caldwell Street to Euclid Avenue, from R-2 to O-I, on petition of Goodyear Mortgage Co. as recommended by the Planning Board. The ordinance is recorded in full in Ordinance Book 12, at Page 489.

ORDINANCE NO. 670 AMENDING CHAPTER 21, ARTICLE I, SECTION 2 OF THE CITY CODE AMENDING THE BUILDING ZONE MAP BY CHANGING ZONING IN THE 700 BLOCK OF CENTRAL AVENUE, FROM R-2 TO B-1, ADOPTED.

Councilman Albea moved that Ordinance No. 670 Amending the Zoning Ordinance by changing property in the 700 block of Central Avenue, from R-2 to B-1, on petition of John R. Renfrow, Jr. et al be denied, as recommended by the Planning Board. The motion lost for lack of a second.

Councilman Smith moved that the Ordinance be adopted. The motion was seconded by Councilman Dellinger, and carried, by the following vote:

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

The Ordinance is recorded in full in Ordinance Book 12, at Page 490.

PLANNING BOARD REQUESTED TO CONSIDER CHANGING ZONING ON CENTRAL AVENUE FROM 7TH STREET TO LOUISE AVENUE TO B-1 ZONE.

Councilman Dellinger moved that the Planning Board be requested to consider

changing the zoning to B-1 on the remainder of the property on Central Avenue from East 7th Street to Louise Avenue. He stated many of the property owners in these blocks have discussed the matter with him. The motion was seconded by Councilman Albea, and carried by the following vote:

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

ORDINANCE NO. 671 AMENDING CHAPTER 21, ARTICLE I, SECTION 2 OF THE CITY CODE AMENDING THE BUILDING ZONE MAP BY CHANGING ZONING ON PROPERTY ON THE NORTH SIDE OF N. TRYON STREET, BETWEEN MARKWAY & BEECHWAY CIRCLES, FROM R-2 TO B-1, ADOPTED.

Motion was made by Councilman Albea, seconded by Councilman Whittington, and unanimously carried, adopting Ordinance No. 671 Amending the Zoning Ordinance by changing property on the north side of North Tryon Street, between Markway and Beechway Circles, from R-2 to B-1, on petition of Amon L. Baucom and wife, as recommended by the Planning Board. The ordinance is recorded in full in Ordinance Book 12, at Page 491.

SETTLEMENT OF CLAIM OF MISS KATHLEEN TROUTMAN FOR DAMAGES TO CAR.

Councilman Albea moved approval of the payment of \$27.65 to Miss Kathleen Troutman in settlement of her claim for damages to her car by a garbage can falling on the car from a Garbage Truck, as recommended by the City Attorney and City Manager. The motion was seconded by Councilman Dellinger and unanimously carried.

252 FEET OF SOUTHSIDE DRIVE, WEST OF NATIONS FORD ROAD, TAKEN OVER FOR CITY MAINTENANCE.

Upon motion of Councilman Babcock, seconded by Councilman Albea, and unanimously carried, 252 feet of Southside Drive, west of Nations Ford Road, was taken over for city maintenance.

CONSTRUCTION OF SANITARY SEWER MAIN IN FURMAN AND ZEPHYR LANES AUTHORIZED.

Councilman Dellinger moved approval of the construction of 935 feet of sanitary sewer mains in Furman Lane and Zephyr Lane, at an estimated cost of \$4,100.00. All costs to be borne by the applicant whose deposit of the full amount is to be refunded as per terms of the contract. The motion was seconded by Councilman Whittington, and unanimously carried.

AGREEMENT AUTHORIZED WITH STATE HIGHWAY DEPARTMENT FOR INSTALLATION OF WATER LINE AND MAIN IN HOSKINS AVENUE.

Upon motion of Councilman Albea, seconded by Councilman Babcock, and unanimously carried, an Agreement was authorized with the State Highway Department for the installation of a 6-inch water service line and the extension of a 12-inch water main in Hoskins Avenue.

SPECIAL OFFICER PERMIT AUTHORIZED ISSUED TO ROBERT C. RICE.

Councilman Dellinger moved approval of the issuance of a Special Officer Permit to Mr. Robert C. Rice, 227 Fern Ave, for use on the premises of Charlottetown Mall. The motion was seconded by Councilman Whittington, and unanimously carried.

TRANSFER OF FUNDS FROM EMERGENCY FUND TO WORKMAN'S COMPENSATION ACCOUNT TO MEET EXPENDITURES FOR REMAINDER OF FISCAL YEAR.

Motion was made by Councilman Smith, seconded by Councilman Dellinger, and unanimously carried, authorizing the transfer of \$5,000.00 from the Emergency Fund (Code 110) to Workman's Compensation Account (Code 108-E-26) to meet expenditures for the remainder of the fiscal year.

TRANSFER OF CEMETERY LOTS.

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

- (a) Deed with Robert E. Gill for Graves #7 and #8, Lot 102, Section 3, Evergreen Cemetery, at \$80.00.
- (b) Deed with T. A. Little for Grave #8, Lot 104, Section 3, Evergreen Cemetery, at \$40.00.
- (c) Deed with Mr & Mrs F. E. Hashagen, Sr. for Lot 38, Section 4-A, Evergreen Cemetery, at \$189.00.
- (d) Deed with Mrs John T. Gallagher, for Southwest portion of Lot #166, Section Q, Elmwood Cemetery, transferred from Wm. M. Reece at \$1.00.
- (e) Deed with Wm. M. Reece for the North half and southeast portion of Lot 166, Section Q, Elmwood Cemetery, at \$1.00 for new deed.
- (f) Deed with E. R. Jones, for Graves #2, 3 and 4, Lot 84, Section 4-A, Evergreen Cemetery, transferred from Archie L. Klepper and wife, at \$1.00.
- (g) Deed with Archie Klepper, for Grave #1, Lot 84, Section 4-A, Evergreen Cemetery, at \$1.00 for new deed.

PORTION OF PARSON STREET CHANGED TO VILLA HEIGHTS DRIVE CHANGED BACK TO PARSON STREET.

Mr. Veeder advised that the Planning Board has checked the third petition from residents of Parson Street protesting the change of a portion of Parson Street to Villa Heights Drive, and they state that apparently the majority have changed their minds and do not want a different name; that out of a total of 59 properties on the street, 42 at first indicated they desired a new street name. That this third petition contains 41 signatures protesting the change; therefore, the Planning Board recommends that the recent action changing the name of the street, from Parkwood Avenue to Drummond Avenue, to Villa Heights Drive be rescinded and the name Parson Street be allowed to remain.

Upon motion of Councilman Whittington, seconded by Councilman Hitch, and unanimously carried, Council action was rescinded and the name Parson Street was restored.

RESOLUTION RELATIVE TO THE DEATH OF OFFICER JOHNNY REED ANNAS.

A resolution entitled: "Resolution Relative to the Death of Officer Johnny Reed Annas" was introduced and read, and upon motion of Councilman Babcock, seconded by Councilman Albea, and unanimously carried was adopted, and is recorded in full in Resolutions Book 4, at Page 14.

RESOLUTION RELATIVE TO THE DEATH OF J. B. CLARK, MEMBER OF PARK & RECREATION COMMISSION.

A resolution entitled: "Resolution Relative to the Death of J. B. Clark,

Member of Park & Recreation Commission" was introduced and read, and upon motion of Councilman Albea, seconded by Councilman Whittington, and un-animously carried, the resolution was adopted, and is recorded in full in Resolutions Book 4, at Page 13.

CONTRACT CONSOLIDATING CITY AND COUNTY TAX DEPARTMENTS ADOPTED.

Councilman Dellinger moved the adoption of the contract with the Board of Mecklenburg County Commissioners for the consolidation of the City and County Tax Departments, subject to the approval of the City Attorney. The motion was seconded by Councilman Whittington, and unanimously carried.

CHANGE ORDER NO. G-7 AUTHORIZED IN CONTRACT WITH R. H. WHEATLEY COMPANY FOR ADDITIONS TO AIRPORT TERMINAL BUILDING.

Upon motion of Councilman Whittington, seconded by Councilman Myers, and unanimously carried, Change Order No. G-7, in the contract with R. H. Wheatley Company for Additions to the Airport Terminal Building was authorized, for invoking the liquidated damage provision in the contract over the period March 1, 1960 to March 4, 1960, at \$75.00 per day, totaling \$150.00.

CHANGE ORDER NO. G-6 AUTHORIZED IN CONTRACT WITH R. H. WHEATLEY COMPANY FOR ADDITIONS TO AIRPORT TERMINAL BUILDING.

Upon motion of Councilman Whittington, seconded by Councilman Myers, and unanimously carried, Change Order No. G-6 in the contract with R. H. Wheatley Company for Additions to the Airport Terminal Building was authorized, for omission of the work required for restoration of the Baggage Claim Area, deduction of \$1,450.00, and for necessary Additions to the work not covered by contract, but required due to job conditions, addition of \$720.48, or a net credit to the owner of \$729.52.

U. S. INTERNAL REVENUE SERVICE URGED TO LOCATE ITS REGIONAL DATA PROCESSING SERVICE CENTER IN CHARLOTTE.

Upon motion of Councilman Hitch, seconded by Councilman Albea, and un-animously carried, the U. S. Internal Revenue Service was encouraged to locate its Regional Automatic Data Processing Service Center in Charlotte; and, further, the Council indicated a willingness to discuss the possibility of the location of this facility on what is now city owned property.

INCREASE IN SALARY OF DR ELIZABETH CORKEY RETROACTIVE TO JANUARY 1, 1960.

Motion was made by Councilman Hitch, seconded by Councilman Babcock, and unanimously carried, authorizing an increase of \$200.00 per month in the salary of Dr. Elizabeth Corkey, Acting Health Director, retroactive to January 1, 1960.

CITY MANAGER REQUESTED TO HAVE RUTH DRIVE OILED TO ALLAY THE DUSTY CONDITION.

Councilman Dellinger stated that Mr. Fred Martin, 5209 Ruth Drive, has requested that something be done about the dusty condition of the street, which has been sprinkled by the State Highway Department but was unsatisfactory. He requested the City Manager to have the street oiled.

CITY MANAGER REQUESTED TO ADVISE WHAT CAN BE DONE ABOUT RECONSTRUCTING BRIDGE ON LAKEVIEW STREET.

Councilman Dellinger requested the City Manager to make an investigation as to whether the City can reconstruct the bridge on Lakeview Street.

CITY MANAGER REQUESTED TO INVESTIGATE AND REPORT ON PETITION OF PROPERTY OWNERS ON WALLY ROAD REQUESTING STREET MARKERS, STREET LIGHTS AND SEWER FACILITIES.

Councilman Dellinger presented a petition from property owners on Wally Road, requesting the installation of street markers, street lights and sewer facilities, which have been installed only as far as Woodlawn Road. He requested the City Manager to make an investigation and advise when the facilities will be installed.

CITY MANAGER REQUESTED TO REMIND DEPARTMENT HEADS THAT RECOMMENDATIONS FROM THEM ARE IN ORDER FOR THE AWARD OF THE COUNCIL'S MEDALS FOR VALOR.

Councilman Smith requested the City Manager to remind Department Heads that recommendations to the Council are in order for the award of the Council's Medals for Valor. He called particular attention to the death of Officer Johnny R. Annas in the line of duty, and asked that Chief James be advised that he has the privilege of recommending that the Medal be awarded in this case.

PRIORITY LIST OF STREETS TO BE IMPROVED AND/OR CONSTRUCTED REQUESTED.

Councilman Smith requested the City Manager to submit a list of streets to be improved and/or constructed in order of their priority. He called attention that Roswell Avenue has been on the prior lists for two or three years and a portion of it has been widened and he feels the widening of the remainder of the street should be considered and asked that the City Engineer give Council his recommendation as to the completion of the project.

CLARIFICATION OF BURNING LEAVES AND DEBRIS ON PERSONAL PROPERTY.

At the request of Councilman Smith as to whether the law permits the burning of leaves and debris on one's personal property, Mr. Frost, Director of the Air Pollution Control Department cited Section 399, Chapter 7 of the City Code which prohibits the burning of materials causing offensive odors, and permits the burning of leaves and other specified objects in open fires when attended by persons over 18 years of age where the burning is not within 50 feet of any building and does not cause discomfort to others.

GARBAGE COLLECTION ORDINANCE PRESENTED COUNCIL FOR STUDY.

Councilman Whittington asked the Council to please study the proposed Garbage Collection Ordinance so that it may be put into effect immediately. He stated further that the provisions of the ordinance will provide a savings to the city and it should be adopted prior to the 1960-61 budget.

RECOMMENDATIONS TO BE PRESENTED AS TO ADOPTION OF PROPOSED SWIMMING POOL ORDINANCE.

Councilman Hitch asked that before the proposed Swimming Pool Ordinance is adopted, the City Manager check into the ordinance in effect in Greenville, S. C. Mr. Veeder stated he has had the proposed ordinance studied by the Inspection, Planning and Health Departments, and they have asked permission to withhold their recommendations until after the State Health Meeting in Raleigh this week.

CITY ATTORNEY DIRECTED TO ADVISE ALL PARTIES CONCERNED THAT ZONING BOARD OF ADJUSTMENT EXCEEDED AUTHORITY IN GRANTING PETITIONERS PERMISSION TO CONSTRUCT DRIVEWAY FROM QUEENS ROAD TO SERVE PROPERTY OF A. H. & AILEEN B. CASH FRONTING ON PROVIDENCE ROAD.

Councilman Myers asked the City Attorney for a decision on his study of the decision of the Zoning Board of Adjustment granting permission for the constructing of a driveway from Queens Road, in an R-2 zone, to serve business property fronting on Providence Road, in an O-I zone, after the Council had denied the petitioner the privilege of constructing the driveway. Mr. Shaw, City Attorney, stated he is of the opinion that the Zoning Board of Adjustment exceeded its authority. Councilman Myers moved that the City Attorney be authorized by the Council to advise all parties concerned that the Zoning Board of Adjustment exceeded its authority in granting the request. The motion was seconded by Councilman Whittington, and unanimously carried.

CITY ATTORNEY REQUESTED TO ADVISE IF CITY MAY DRAW SPECIFICATIONS RESTRICTED TO AMERICAN MADE PRODUCTS.

Councilman Babcock stated that local bidders have said the contract for Sheet Aluminum awarded April 25th must have been on imported aluminum because of the very low price submitted by the lowest bidder. He asked the City Attorney to advise the Council if the City may draw specifications restricted to American made products.

DISCUSSION OF EXECUTIVE SESSIONS.

Councilman Dellinger stated that many citizens are under the impression that the Executive Sessions in the Mayor's office are closed and the public cannot come in. Mayor Smith stated the meetings are certainly not closed sessions as the members of the press are present; however, he thinks it should be understood the Executive Sessions are for the discussion of city matters by the Council and with the City Manager, and if the public is allowed to take up the time with other matters, then the meetings will not serve the purpose for which they are intended.

MEETING WITH PLANNING BOARD ON JUNE 8TH TO RECEIVE GENERAL DEVELOPMENT PLAN FOR THE CHARLOTTE METROPOLITAN AREA.

The Mayor and Council accepted the invitation of the Planning Board to dinner at the City Club at 5:30 p.m., on Wednesday, June 8th, at which the General Development Plan for the Charlotte Metropolitan Area will be presented and discussed.

JOINT MEETING WITH COUNTY COMMISSIONERS ON JUNE 8TH TO ADOPT BUDGETS FOR JOINTLY OPERATED FACILITIES.

The annual joint meeting with the Board of County Commissioners to consider

and adopt the budgets for the jointly operated facilities was set for 3 o'clock p.m., on Wednesday, June 8th, in the Council Chamber.

ADJOURNMENT.

Upon motion of Councilman Hitch, seconded by Councilman Whittington, and unanimously carried, the meeting was adjourned.

Lillian R. Hoffman
Lillian R. Hoffman, City Clerk

REPORT OF SUBCOMMITTEE TO
"DEVELOP ORDERLINESS AT HIGHWAY APPROACHES WITH CURBING"

The Subcommittee of the City Appearance Committee has at several meetings considered the subject submitted to it and means by which the objects may be accomplished. We have had the advice of Mr. Herman Hoose, City Traffic Engineer and Mr. Leon Cheek, City Engineer.

We have concluded that curbing is badly needed not only on highway approaches but on many city streets and that curbing would not only improve appearance and orderliness but that it would contribute greatly to the safety of pedestrians and vehicular traffic and would retard deterioration of highways and streets.

We have learned that the State Highway Department and the City Traffic Department already have tentative plans which will include curbing along many of the highway approaches and that the recently submitted "Wilbur Smith Master Highway Transportation Plans" contemplates curbing in connection with many additional principal streets and highways. In view of these proposals and considering also the scarcity of funds with which to finance curbing, the recommendations of the committee are considerably more limited than would otherwise be the case.

We have discussed with Mr. Leon Cheek the possibility of requesting the City to earmark a portion of "Powell Bill" funds for the installation of curbing in the City and he has convinced us that these funds are more badly needed for other purposes such as ordinary maintenance and resurfacing of existing streets. He stated to us that the budget which his department is submitting for 1960-61 contains a request for the creation of a rotating fund of approximately \$150,000 to be used for street improvements upon petition of the required percentage of property owners. He stated to us that at the present time the City has no funds available to finance such request during the interval in which property owners would repay the City as provided by law and that in his opinion, if funds were available, a substantial amount of street improvements could be accomplished without any expense to the City. He has stated that in some cities in North Carolina such a fund exists and he is confident that this procedure would be widely used in Charlotte if made available.

The Committee recommends:

1. That curbing be installed at these intersections by the State Highway Department at the same time other needed improvements are made:

Norland Road & Independence Boulevard
Fugate Avenue & Independence Boulevard
Westchester Avenue & Independence Boulevard
Woodland Avenue & Independence Boulevard
Pierson Drive & Independence Boulevard
Lanier Avenue & Independence Boulevard
Charleston Drive & Independence Boulevard
Edgemont Avenue & Providence Road
Cavendish Court & Providence Road
Providence Road where no curb exists on radii at crossovers
U. S. 21 South
Pineville Road & Scaleybark Road

Wilkinson Boulevard & Morris Field Drive
Newland & Statesville Road
Craighead & Tryon Street
Sugar Creek & Tryon Street
Eastway & North Tryon Street
Old Concord Road & Tryon Street
Shamrock & Eastway Drive
Lawyers Road & Albemarle Road
Woodlawn & Old Pineville Road

2. That curbing be provided by the City of Charlotte and the State Highway Department at the following intersections which are jointly maintained:

Monroe Road & Sharon Amity Road
Randolph Road & Sharon Amity Road
Woodlawn Road & South Boulevard
Nations Ford & Woodlawn Road
Clanton Road & Tryon Street
Remount Road & Tryon Street
Tremont & Tryon Street
West Boulevard & Remount Road
36th Street, North Tryon & Atando Avenue
16th & Brevard Street

3. That the Chamber of Commerce endorse and the City Council approve the establishment of a rotating fund of approximately \$150,000 as requested by the City Engineer to be used for street improvements (including curbing) on streets in the City of Charlotte where such improvement is requested by the required percentage of the owners of the street frontage to be improved.
4. That if these recommendations be approved by the Executive Committee and the Board of Directors of the Chamber of Commerce, a copy be sent to the City Council and to the State Highway Commission.

Supplement to

REPORT OF SUBCOMMITTEE TO
"DEVELOP ORDERLINESS AT HIGHWAY APPROACHES WITH CURBING"

Below is a copy of letter from L. C. Cheek, Jr., dated May 3, 1960, to W. J. Veeder concerning revision of policies governing street maintenance:

"There are several factors which will exert a major influence upon street maintenance in the near future, and it seems proper to suggest that the City Administration take time to examine these factors and to evaluate their effect upon existing and future street maintenance policies.

The recent annexation has added some 250 miles to the street system within the City limits. This sudden increase of maintenance responsibility in itself is staggering, but the effect does not end here. Since no general fund revenue is presently budgeted for street maintenance materials, we must depend exclusively upon Powell Bill funds for this need. The allocation of these funds is based upon total mileage of municipal streets in the state, and consequently as the total mileage increases, the allocation per mile decreases. The point of real significance is the fact that an increase of more than 70% in street mileage in 1960 will yield only a relatively small increase in revenue from Powell Bill funds.

In 1951 there were 96 miles of dirt or gravel streets in Charlotte, constituting a sizeable problem of maintenance. Rather than encourage property owners to improve these sub-standard streets, the City, with Powell Bill funds, undertook to minimize complaints about dust by making minimum improvements to these streets without cost to the property owner. These improvements consisted of a thin surface application of stone and asphalt, often referred to as a "mat surface". During the past seven years, more than 120 miles of "mat surface" have been placed on sub-standard dirt streets at public expense. This low-type surface must be completely rebuilt every two to three years, and more often if weather conditions are abnormal. These sub-standard streets now constitute 35% of our total mileage, and their maintenance requires more than 65% of our available funds. It requires very little imagination to realize that the cost of maintaining low-type streets has already become prohibitive, and will become even worse if we permit the addition of sub-standard streets to our system. These key factors - i.e., 70% increase in total street mileage, prohibitive maintenance cost for low-type streets, and decreased Powell Bill refund per mile of street, when considered together, lead to some rather obvious conclusions:

1. Unless the level of maintenance is to be drastically reduced, we must make better use of our available funds, seeking ways to make each dollar go further.
2. Construction of high-type permanent streets will substantially reduce maintenance costs and consideration should be given to raising the minimum standards for such streets.
3. Since permanent improvements to minor residential or local streets constitute a direct benefit to the abutting property, the cost of such improvements should be borne by that property.
4. Property owners must be encouraged to participate in street improvement, and should be furnished a reasonable method of financing these improvements through assessment procedures.

In order to cope realistically with the problems which have been enumerated, several changes and modifications in street maintenance policies and financing are recommended for your consideration and approval as follows:

1. Property owners are invited and encouraged to seek improvement of sub-standard residential and local streets through assessment under provisions of G. S. 160 - 78-105. It is suggested that 51% petitions requesting assessment of the cost of the improvement be accepted for a minimum length of one block, with standard right of way provided by the petitioners.

Since it may not be financially possible to complete all improvements which might be petitioned during any one year, it is suggested that the City guarantee to provide limited maintenance for all sub-standard streets which have been petitioned for improvement through assessment, until such time as the improvement can be completed.

Minimum improvements to sub-standard streets should include standard curb and gutter, storm drainage facilities, and surface treatment at least 26 feet wide between curb faces.

2. A maximum of \$150,000 of Powell Bill funds to be allocated each year to a reserve or revolving fund for improvements to be financed through petition assessment."