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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber in the City Hall, on Tuesday, May 23, 1967 at 3:00 o'clock p.m., with Mayor Stan R. Brookshire presiding, and Councilmen Fred D. Alexander, Sandy R. Jordan, Milton Short, Gibson L. Smith, James B. Stegall, Jr., and Jerry Tuttle present.

ABSENT: Councilman James B. Whittington.

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#### INVOCATION.

The invocation was given by Reverend Zane Moore, Minister of Central Steele Creek Presbyterian Church.

#### MINUTES APPROVED.

Upon motion of Councilman Alexander, seconded by Councilman Short, and unanimously carried, the Minutes of the last meeting, on May 15th, were approved as submitted.

#### CITY ATTORNEY REQUESTED TO BRING RECOMMENDATIONS TO COUNCIL TO ALLEVIATE THE SITUATION ON KINGS DRIVE AND GREENWOOD CLIFF REGARDING THE PAWAY CORPORATION.

Mr. Payson Berry, President of the Harding Place - Greenwood Cliff Community Association, advised they have a problem which has been before them for almost a year. He stated their organization is approximately four years old - it was founded in 1963--and they have received official recognition from the City for their work in beautification in their neighborhood. That they are a transition neighborhood, changing from residential to business. In this period of transition they are attempting to keep it a nice place for those who wish to live there.

Their problem consists today of the building which was started on Kings Drive approximately one year ago by the Paway Corporation, in which an office building and a motel was to be erected. This corporation purchased some lots facing on Greenwood Cliff; those buildings were partially demolished last year and then the corporation ran into monetary difficulties and work ceased.

Mr. Berry stated since that time they have contacted various Departments of the City, and all members of Council personally within the past week, to see whether or not they could get the debris, tree limbs, bricks and the trash removed from the building site. That they realize it presents a legal problem and they do not know what the solution is, but it is an eyesore to their neighborhood. In addition, it is on a main thoroughfare from the downtown section to the residential section of the city. So it is also seen by the people passing through the neighborhood to other areas of the city. He stated they would appreciate it very much if some means were made so that the City could clean up the debris and rubble from the houses and assess the property owners for the cost.

Mr. Kiser, City Attorney, advised the matter came to his attention just this afternoon and he is not as familiar with the details of the problem as he

should be. That there are some ordinances on the books that relate to the demolition of unsafe structures and some ordinances on the books relating to junk and anti-litter. With respect to those and their application to the situation, he would have to look at the situation a little closer.

Councilman Jordan stated he has looked at this situation several times and it is deplorable. He asked if the City could not treat this the same as when we have a vacant lot and the owners let the grass and weeds grow up and the City goes in and cuts it and assesses them for it. This might be the way that this debris and trash could be removed from this lot.

Councilman Jordan moved that the City Attorney be requested to come back to Council next week with recommendations to alleviate this situation. The motion was seconded by Councilman Alexander.

Mr. Jamison, Superintendent of the Building Inspection Department, stated his department is familiar with the problem. That they have consulted with Paway Corporation on a number of occasions; they have written letters and have received nothing but promises from them. That it seems they have run out of money and the complete project has bogged down. That the Inspection Department is at the end of its ropes and has turned the situation over to the Legal Department to take whatever action they see fit.

Mayor Brookshire stated from the descriptions it seems that someone is in violation of some city ordinances. Mr. Jamison replied they definitely are. If this were a vacant lot with uncut grass or weeds, they could do just what Mr. Jordan was talking about; but for the demolition under the city ordinance, he thinks it would be on shaky grounds.

Councilman Smith stated it would seem to him when a permit is issued to build a facility that it should be in the form of a contractual relationship. That the City will give a permit provided they complete it in a certain way with the materials stored properly on the lot, and this would put teeth in the permit department.

Councilman Short asked if the permit does not already provide this, and Mr. Jamison replied that it does. It is in the ordinance to leave the land in a smooth, clean condition; but in a case such as this they have to resort to the Courts, and with a corporation such as Paway, who are you going to take into court?

Councilman Tuttle stated we now have a law that requires a contractor to post a \$1,000 permit bond which touches upon certain things but not the completion of a demolition. He asked Mr. Jamison if he would recommend and asked what the City Attorney thinks of changing the bond to include performance where demolition is involved. If this were a bonded job, regardless of whether Paway could ever complete this particular building or not, if bonded to the extent of performance, then the City could call on the bonding company to finish the demolition. He asked if this problem is enough to warrant going into this provision in a permit bond? Mr. Jamison replied he did not know the legality of doing this. Councilman Tuttle stated there is no legality in the requirement of a bond before you issue a permit. Mr. Jamison stated if they were doing work for the City of Charlotte they would be bonded for this type of thing, but they are doing work for other people and the City cannot step in. Councilman Tuttle stated he could hire a contractor

to build a house for him and he must have the \$1,000 permit bond and primarily what it involves is that he takes his dozer down and if he cuts through the city's pipes, then the bond guarantees that it is put back. What is the difference? The City is asking for the guarantee of a certain performance. That this is damaging the City when this kind of property is left for people to see.

Councilman Short asked if Mr. Jamison has been in contact personally with Mr. Hemmingway and Mr. Richard Howard, and if they would actually resist the city's effort to tidy the place? Mr. Jamison replied they promise to be there tomorrow and tomorrow never comes. Councilman Short asked what if the City went in and attempted to clean it up and put the cost on their tax bill, would they resist this? Mr. Jamison replied he did not know.

Councilman Alexander stated he wonders if we are not dealing with problems that have run out of solutions other than legal solutions now. He asked if the City Attorney could give Council some legal answers to the problems it is facing by next Monday.

Mayor Brookshire stated assuming this material from the removal of structures is in conflict with our anti-litter ordinance, the City can clean the lot off and enter a lien against the property.

The City Manager stated there is more than one potential question here. The immediate question of cleaning up the property is the one before Council now, but there is another question of how long is it going to be possible to permit the half-finished building to remain as a half-finished building. That somewhere along the line something is going to have to be done about that.

Councilman Short asked Mr. Berry if the situation is literally dangerous in the time period of a week; if it is an attractive nuisance to children? Mr. Berry replied he did not think that it would be within a period of a week since it has existed since last October. They have tried to be patient because they realized there were financial problems involved. But they feel they have been patient long enough. That it does present a danger for children and it is also a health hazard. There were five or six houses which originally faced Greenwood Cliff which were demolished and left, and the area was to be used as parking space for the building on Kings Drive. The houses having been demolished have left holes where the basements once stood and this is dangerous to children and also from a health standpoint because of rats, insects, rodents, etc.

Councilman Stegall stated he has observed the situation and it is bad. That he knows personally they have had a number of thefts which have run the records of the Police Department up in the theft of copper and building materials. The longer it stands, the more problems it creates for the City as a whole. That this is a good question we need to resolve - are they going to leave it standing for years where someone will eventually steal the whole place, or are they going to tear it down or complete the building or what are they going to do with it.

Mayor Brookshire requested the City Attorney to also look into what legal ends the City might employ to see that the building is either finished or torn down.

The vote was taken on the motion and carried unanimously.

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RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, CHARLOTTE, NORTH CAROLINA, APPROVING THE SALE OF LAND TO UNITED COMMUNITY SERVICES IN REDEVELOPMENT PROJECT NO. N. C. R-14.

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

The resolution is recorded in full in Resolutions Book 5, at Page 443.

DECISION ON PETITION NO. 67-10 BY L. E. JOHNSON, JR. FOR CHANGE IN ZONING FROM R-9MF TO I-1 OF PROPERTY ON THE NORTHWEST SIDE OF DELANE AVENUE, BEGINNING AT THE SEABOARD RAILROAD AND EXTENDING TOWARD CRAIG AVENUE, DEFERRED.

Upon motion of Councilman Short, seconded by Councilman Smith, and unanimously carried, the subject petition was deferred until seven members of Council are present.

RESOLUTION PROVIDING FOR PUBLIC HEARINGS ON MONDAY, JUNE 19 ON PETITIONS NO. 67-32 THROUGH 67-39 FOR ZONING CHANGES.

Motion was made by Councilman Tuttle adopting the subject resolution. The motion was seconded by Councilman Short, and carried unanimously.

The resolution is recorded in full in Resolutions Book 5, at Page 444.

SUPPLEMENTAL AGREEMENT WITH THE STATE HIGHWAY COMMISSION FOR WOODLAWN INTERCHANGE ON THE NORTH-SOUTH EXPRESSWAY RELATING TO UTILITY RELOCATION AND TRAFFIC CONTROLS, AUTHORIZED.

Councilman Jordan moved adoption of a Resolution Approving a Supplemental Municipal Agreement with the State Highway Commission for the Woodlawn Interchange on the North-South Expressway relating to utility relocation and traffic controls on the project, with the City to exercise whatever rights it may have to accomplish the relocation of utility lines; and the State to install the appropriate traffic control signals and signs; and the City to assume responsibility for maintenance of traffic control signals and signs. The motion was seconded by Councilman Alexander, and carried unanimously. The resolution is recorded in full in Resolutions Book 5, beginning at Page 445.

AGREEMENT WITH STATE HIGHWAY COMMISSION FOR RELOCATION OF SANITARY SEWER LINES IN THE NORTH-SOUTH EXPRESSWAY.

The City Manager stated the subject agreement relates to the Woodlawn Road interchange project. By this agreement, the State will pay the City for the cost of relocating sanitary sewer facilities in the interchange. That the State will pay the City something over \$45,000 in the cost of relocating some of the City's facilities in the interchange. Councilman Short moved approval of the agreement which was seconded by Councilman Alexander, and carried unanimously.

**AIRPORT LEASE AUTHORIZED WITH THE HIPAGE COMPANY, INC.**

Mr. Veeder, City Manager, advised The Hipage Company is a corporation that deals in import and export activities and would like to be located near the customs office at the airport. The subject lease is for approximately 395 square feet of property at \$3.50 per square foot.

Councilman Jordan moved that the airport lease with The Hipage Company, Inc. for Room 110 in the West Concourse at the Airport, at \$115.21 per month, be authorized. The motion was seconded by Councilman Alexander.

Councilman Smith stated the rate of \$3.50 is fast going to \$3.85 and \$4.00. Mr. Veeder stated he expects this is the reason for the one year lease. Councilman Smith stated this should be reviewed in comparison with the rents in some of the better office buildings, as it has a special attraction. That they call this "rabbit space", and you get more money for a small space than you would from larger spaces.

Councilman Tuttle stated his own lease for their space in the American Building is on his desk now. That it occurred to him that the City might have to go to what is now being put into leases, and what he has in his, and it is a cost of living index. This means if the cost of living index goes up and the taxes go up, then their rental is going up.

Councilman Smith stated what he wants is a review of the leases to be sure they are current and the City is not in competition with people downtown.

The vote was taken and carried unanimously.

**CONSTRUCTION OF SANITARY SEWER MAINS.**

Motion was made by Councilman Short, seconded by Councilman Tuttle, and unanimously carried, approving the construction of sanitary sewer mains, as follows:

- (a) Construction of 2,550 feet of main in a portion of Spring Valley Subdivision, inside the city, at the request of John Crosland Company, at an estimated cost of \$13,660.00. All cost of the construction will be borne by the applicant, whose deposit in the full amount has been received and will be refunded as per terms of the agreement;
- (b) Construction of 2,125 feet of trunk and 2,680 feet of main, to serve Stonehaven No. 10 Subdivision, inside the city, at the request of Alben Development Company, at an estimated cost of \$31,525.00. All cost of the construction will be borne by the applicant, whose deposit in the full amount has been received and will be refunded as per terms of the agreement.

**APPRAISAL CONTRACTS AUTHORIZED.**

Upon motion of Councilman Jordan, seconded by Councilman Short, and unanimously carried, the following appraisal contracts were authorized:

- (a) Contract with Lionel D. Bass, Sr. for appraisal of one parcel of land in connection with the Eastway Widening Project;
- (b) Contract with Leo H. Phelan, Jr. for appraisal of one parcel of land in connection with South Boulevard and Marsh Road Project.

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Mayor Brookshire stated he thought the City had already acquired the necessary rights-of-way on portions of Eastway now under construction. The City Manager replied no, that the City has the right-of-entry, but there are still some to be acquired.

**RIGHT OF WAY AGREEMENT BETWEEN THE CITY AND STATE HIGHWAY COMMISSION TO RELOCATE AND INSTALL WATER MAIN IN WOODLAWN ROAD AND SOUTH TRYON STREET TO MAKE ROOM FOR U. S. 21 SOUTH.**

Councilman Smith moved that the Mayor and City Clerk be authorized to execute a right of way agreement between the City and the State Highway Commission to relocate and install approximately 1,550 feet of 8 inch water main in Woodlawn Road, and relocate approximately 500 feet of 8 inch water main in South Tryon Street in connection with the relocation of Woodlawn Road and South Tryon Street to make room for U. S. 21 South. The motion was seconded by Councilman Short, and carried unanimously.

**STREETS TAKEN OVER FOR CONTINUOUS MAINTENANCE BY THE CITY.**

On motion made by Councilman Jordan, seconded by Councilman Alexander, and unanimously carried, the following streets were taken over for continuous maintenance by the City:

- (a) Bilmark Avenue, from 44' south of centerline of Springview Road 192' north of centerline of Springview Road;
- (b) Springview Road, from Bilmark Avenue to 366' south of centerline of Coates Court;
- (c) Lyles Court, from Springview Road to 230' east of centerline of Springview Road (end of cul-de-sac);
- (d) Coates Court, from Springview Road to 332' west of centerline of Springview Road (end of cul-de-sac);
- (e) Malta Place (cul-de-sac only).

**TRANSFER OF CEMETERY DEEDS.**

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

- (a) Deed with Mrs. J. Franklin Boyd for Grave No. 5, in Lot No. 157, Section 2, Evergreen Cemetery, at \$60.00;
- (b) Deed with Dr. Dan C. Hoover for Lots No. 424 and 425, in Section 6, Evergreen Cemetery, at \$480.00;
- (c) Deed with H. R. Olson for Graves No. 5 and 6, in Lot No. 181, Section 2, Evergreen Cemetery, at \$120.00;
- (d) Deed with Mrs. Helen R. Stassinis for Lot No. 109, Section 4-A, Evergreen Cemetery, at \$189.00;
- (e) Deed with Mr. and Mrs. T. A. Little for Lot No. 59, L Annex, transferred from T. W. Aldred and wife, Georgia, at \$3.00 for transfer deed.

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CONTRACT AWARDED T. A. SHERRILL CONSTRUCTION COMPANY FOR STREET IMPROVEMENTS.

Councilman Jordan moved award of contract to the low bidder, T. A. Sherrill Construction Company, in the amount of \$53,444.50 on a unit price basis for the construction of street improvements on Chesterfield Avenue and Shenandoah Avenue. The motion was seconded by Councilman Tuttle and carried unanimously.

The following bids were received:

T. A. Sherrill Construction Company	\$ 53,444.50
Crowder Construction Company	53,729.50
Blythe Bros. Company	56,513.25

CONTRACT AWARDED SOUTHEASTERN SAFETY SUPPLIES, INC. FOR TRAFFIC CONTROL EQUIPMENT.

Motion was made by Councilman Short awarding contract to the only bidder, Southeastern Safety Supplies, Inc., in the amount of \$7,643.78 for one three phase and one four phase density modular controller in ground mounted cabinet. The motion was seconded by Councilman Jordan.

The City Manager stated basically this is the only company that makes this equipment that the City can use best for this particular intersection. That we have tried continually to get competition on some of these items, and hopefully we will.

Councilman Tuttle asked if there is only one company that makes a three phase and one phase density modular controller, and only one company that can supply it? Mr. Veeder replied he does not think that is a fair statement; there is only one company that makes the controllers that will meet the specifications the Traffic Engineering Department has determined best for Charlotte. The City has had experience buying other equipment that did not turn out to be good experience. That our specifications have been justified, and perhaps the equipment of other suppliers have not been up to the City's standards todate, but hopefully they will.

Mayor Brookshire stated the City is not even getting a bid from the manufacturer, but from the supplier. He asked if there are other suppliers of this equipment.

Mr. Hoose, Traffic Engineer, stated the special equipment is actually to operate two different intersections. They feel the equipment they have purchased for this will tie in with the rest of the equipment all the way down the line, which happens to be the same manufacturer. This is a unit they hope to interconnect down South Boulevard as far as Scaleybark on a system.

Mayor Brookshire asked if there is not other manufacturer's equipment that will meet the same specifications? Mr. Hoose replied the other probably will not tie in with what the City already has.

Mayor Brookshire asked who competes with Automatic Signal, and Mr. Hoose replied Eagle, Econolite and Crouse Hinds.

Councilman Tuttle asked when buying original equipment, do we take into consideration the fact that we might have to add to, or delete or change

and if so, is the original equipment adaptable to material that might be supplied by other manufacturers, and not get ourselves in a position where the original equipment is such that we can only get one bidder? Mr. Hoose replied the equipment that is bought is bought with the idea of expansion. That units made to date are solid state where you actually plug in or add to extra features. They always buy this type of equipment and in most cases it is custom made. That they also shift equipment from intersection to intersection by traffic needs. In this particular case they are asking for "minor" movements, allowing traffic to turn left when the demand is in. They cannot do this now with this piece of equipment. That other manufacturers make some type of equipment but they have had some bad experience with other manufacturers. On their maintenance it is easier to maintain the three or four hundred traffic control signals they have if they stay to a few that his men are trained to do. If not, he has to send them to the factory to train them to maintain certain equipment.

Mayor Brookshire asked Mr. Brown, Purchasing Agent, who the other ten manufacturers are that specifications were submitted to and what kind of replies he received from them? Mr. Brown replied Marbelite Company sent their bid back and stated no bid as they were not interested at this particular time; Traffic Engineer Supply Company is a Crouse Hinds Dealer and they said they did not choose to bid. Some others are Bliss Signal, Westinghouse, Graybar Electric Company and G. E. (that Westinghouse and G. E. would be dealers for someone like Crouse and Hinds), Fisher Porter replied they were in the process of making this type of equipment but they do not have it to offer now. That it boils down to Automatic Signals judging from what the suppliers are saying about it; they do not seem to be too interested. That it could go back some years when they were all asked to make traffic signal equipment and some of them make it one way and some another, and they are not interchangeable. If you went to another manufacturer, you would have to buy two to have a standby in case something happened to the signal.

Councilman Stegall asked if this is the only company who handles this type of equipment; are there not two companies who handle this specific equipment and can bid against each other? Mr. Brown replied the other companies did not choose to bid; the company that actually bid the material are dealers for Automatic Signals. That he is sure there are other dealers in other areas but this one would be the closest dealer as far as we are concerned.

Councilman Smith asked how the price compares with equipment bought in the past? Mr. Brown replied it compares favorably; in this case, it is for one three phase and one four phase. They City has bought one phase before or two phase but not one exactly like this, so it is hard to compare.

Mr. Hoose stated if you buy a single phase and two phase operation - that is a red and green on each street - and as you need another movement which is another phase you just plug it in and it is a three phase. You could then add a minor movement which is a left turn or a right. That the nearest thing to this piece of equipment in operation today is at Morehead and Kings Drive where there is a three phase controller with three minor movements. That this is solid state, and some of the first the City has bought, and we are going to solid state. This equipment does away with a lot of maintenance problems.

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

**STREET LIGHT EXPANSION PLANS DISCUSSED.**

Councilman Smith asked what is being done in the Traffic Engineering Department about expanding street lights; and if any studies are being made for the Council's consideration on any particular areas? The City Manager replied Mr. Hoose has plans for street lighting only limited by the ability of the City to finance them. He has them for all sections of the community and the problem is not plans, but financing the installations.

**DISCUSSION OF PLAN "TOPIC" PROGRAM SPONSORED BY FEDERAL GOVERNMENT, STATE HIGHWAY AND CITY OF CHARLOTTE.**

Councilman Alexander stated he read in the paper where funds have been granted for traffic study improvements. He asked if the City already has the money and if so, does it mean relief for some of the work we hope to do for roads, and streets and improved uptown traffic problems.

Mr. Hoose replied the funds have not been allocated. The story was the total estimate of what they thought it would cost to do the survey work in order to come up with a plan. The plan is called "topic" and is a program sponsored by the Federal Government, the State Highway and the City of Charlotte. That on a visit to Raleigh, the City was asked if it was interested in a program as a pilot city. This would be one of the first cities that will go into this study. That on Wednesday and Thursday of this week, he is meeting with the Highway and the Bureau to write up the specifications which will start this going. The survey will take approximately six months and the City is participating on a percentage, using our engineering staff. It will encompass the central business district and any arterial streets and congested areas which they set up. This will be made up into a precise, not too detailed report, of improvements.

Mr. Veeder stated there will not be an appropriation required. Existing ongoing activities, plus staff time can be construed as the City's portion of the cost. All the additional money will come from the Federal Government Bureau of Public Roads and the State of North Carolina.

Councilman Alexander stated then there will be nothing to loosen up our budget.

**CITY MANAGER REQUESTED TO REPORT ON CRIME RATE IN FOURTH WARD AREA SINCE THE INSTALLATION OF MODERN STREET LIGHTS.**

Mayor Brookshire stated two or three years ago, City Council authorized the purchase of new lighting for a portion of Fourth Ward - around 6th, 5th, Pine and Poplar Streets - which was to be experimental. At the time the City thought it might cut down on the crime rate in the area.

He requested the City Manager to report on what has happened to the crime rate since the installation of the modern lighting system in the area. Mr. Veeder replied he would caution drawing any precise conclusions, but he can get comparative figures - before and after street lighting. Mayor Brookshire stated you can only compare what was happening in the way of crime a year or two before, and a year or two following.

DISCUSSION OF CONGESTION AT THE WOODLAWN ROAD AND SOUTH TRYON STREET INTERSECTION.

Councilman Stegall asked the Traffic Engineer if his department has checked the Woodlawn and South Tryon Street intersection recently? That several times he has been on the receiving end of the intersection between 4:30 and 6:00 o'clock in the evening and it takes 20 minutes to go from where the four lanes end on Woodlawn Road at Old Nations Road down to South Tryon Street to make a left turn and get on to South Tryon Street. The traffic is backed up two blocks, plus being backed up to the railroad on Woodlawn Road. That the signal light outside the city limits, across the railroad bridge is part of the problem. He asked if there is anything the City can do to alleviate this problem until this intersection is built.

Mr. Hoose replied he has worked out with the State that Woodlawn will be closed for not too long a period; they have already worked out the detour and some additional temporary connectors off 21 to 49. When that time comes, this will give some relief; and the intersection right outside the city at Yorkmont is included in the proposal. This is under the State and the City does not have anything to do with it other than to lend assistance.

The City Manager stated one of the problems is the extension of Woodlawn straight ahead at South Tryon to tie back into Yorkmont. This is a project we have been pushing for some time and to date unsuccessfully. This would give some real relief, and do away with the offset intersection.

Councilman Stegall stated he agrees but he is concerned with temporary relief right now as it takes 15 minutes to go through there.

Mr. Hoose replied the detour will take care of some of the problem but during the building of the cloverleaf it will be quite a mess. That it will not be pleasant through there for some time. Councilman Tuttle asked if there is a time element on the cloverleaf? Mr. Veeder replied bids are being taken today.

Councilman Short asked if the City Manager meant to imply that the Belt Road would actually have the off-set; that the area he spoke of at Woodlawn and Tryon is a part of the Belt Road? Mr. Veeder replied what he was talking about is the connection across South Tryon Street and the railroad bridge to tie into Yorkmont Road. Councilman Short asked if it is not a part of the Belt Road into the Airport, and Mr. Veeder replied that it is.

COUNCILMAN STEGALL REQUESTS MORE SIGNS PLACED ON SHUMAN AVENUE TRUCK ROUTE.

Councilman Stegall asked if consideration has been given to making Shuman Avenue, from South Tryon Street, a truck route right through to Wilkinson Boulevard or Morehead Street? The Traffic Engineer replied it is a truck route. Councilman Stegall asked if the load rate bridge has been corrected and Mr. Hoose replied it was put in a couple of years ago.

Councilman Stegall stated it seems there is a lot of truck traffic still going north on South Boulevard and South Tryon Street to the intersection of Summit Avenue, crossing Summit Avenue and the Railroad tracks and down to Independence Boulevard, back up to Walnut, back to

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Freedom Drive. He asked if it is feasible to sign the route better than it is and direct the trucks through over to Wilkinson Boulevard. That Summit Avenue is carrying a lot of traffic and it looks as though the people are being lead downtown and crossing the railroad intersection rather than going down Shuman Avenue and up Remount Road to Wilkinson Boulevard. That it seems to him it should be signed, or more signs put in to bring the traffic across up to Wilkinson Boulevard or Morehead Street, to Independence Boulevard down to Walnut Avenue back in. Once the interchange is built, the problem will be the same and traffic will have to cross the railroad if they come that way.

Mr. Hoose replied you will not have the problem later as the North-South Expressway will handle the truck traffic. Shuman will be closed down in the valley during the North-South construction and traffic will run up Toomey Avenue during that period; and West Boulevard will also be closed. They are building one at the time so they can route it back and keep it open.

The City Manager stated the point is can the city do a better job of signing? Mr. Hoose replied he would not like to bring any more traffic over Shuman Avenue as it is not as good a street as Summit Avenue. That Shuman was built through the landfill and is pretty narrow. The trucks bound down Shuman Avenue are bound down in the area to Freedom Drive and Clarkson and the terminal areas. They actually come down East Boulevard where they have a left turn slot then over to Tryon Street and up Tryon Street to Summit Avenue - this is a part of the truck route and is to keep so many trucks from running through the narrow part at the Park and the school area on Shuman Avenue.

Councilman Stegall replied but they do not have to cross the railroad intersection when they go that way, and this is the point he is making, take if off the railroad crossing. Mr. Hoose stated they can go up Remount, and Councilman Stegall stated this is where the City is not directing the people across.

#### CONTRACT AWARDED TOWN & COUNTRYFORD COMPANY FOR AUTOMOBILE.

Councilman Short moved award of contract to the low bidder, Town and CountryFord Company in the amount of \$1,697.86 for one four-door sedan, 8 cylinder automobile. The motion was seconded by Councilman Stegall and carried unanimously.

The following bids were received:

Town & Country Ford Company	\$ 1,697.86
LaPointe Chevrolet Company	2,023.86
Terry's Plymouth, Inc.	2,285.17
City Chrysler Plymouth	2,348.71

#### CONTRACT AWARDED DEWEY BROTHERS, INC. FOR CATCH BASIN FRAMES AND GRATES.

Upon motion of Councilman Tuttle, seconded by Councilman Jordan, and unanimously carried, contract was awarded the low bidder meeting specifications, Dewey Brothers, Inc. in the amount of \$7,046.16, on

a unit price basis for 200 cast iron catch basin frames and grates.

The following bids were received:

Dewey Brothers, Inc.	\$ 7,046.16
Sumter Machinery Company	7,446.90
Russell Pipe & Foundry Company	10,918.00

Bid received not on specifications:

Knoxville Foundry Company	\$ 6,313.90
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AUTOMATIC GATES AT SUMMIT AVENUE RAILROAD CROSSING APPROVED ON COST BASIS OF 90% BY THE CITY AND 10% BY THE RAILROAD WITH INSTALLATION AND PERPETUAL CARE BY THE RAILROAD.

Councilman Short moved the approval and adoption of the proposal to pay for the cost of the gates at the Summit Avenue railroad crossing on the basis of 90% for the City and 10% to be assumed by Southern Railroad with the further provision that perpetual maintenance as well as installation be by Southern Railroad and that it be quickly put in place by Southern Railroad. The motion was seconded by Councilman Smith, and carried unanimously.

Councilman Alexander asked where the city stands on its previous motion to require Southern Railroad to build the crossing gates with what Council has done today against the ordinance that was adopted? Mayor Brookshire replied action today is in keeping with the intention of the ordinance that was passed three or four weeks ago. Councilman Alexander asked if it would not be wise to rescind that action? That the ordinance required Southern Railroad to build these gates and by today's action, the city is going into a joint proposal to build the gates.

Mr. Kiser, City Attorney, replied Council previously approved an ordinance directing Southern Railway to install and maintain overhead railroad flashing signals and automatic gates at the place where its north-south mainline crosses West Summit Avenue.

Councilman Tuttle stated he is in accord with Councilman Alexander's thinking that the ordinance should be taken off the books, but stated let's leave the ordinance until the gates are installed.

Councilman Smith asked if the ordinance specified who is to pay for the gates? That the city is only agreeing today that it will pay for 90% of it which will implement the ordinance on the book.

Councilman Alexander requested the City Attorney to give Council a legal opinion as to how the Council should handle this, as he does not think it should remain on the books as it is. Mr. Kiser replied the ordinance which includes a provision for overhead lights would have to have some modification, if not rescission, if the gates are installed according to the agreement this afternoon, subsequently if that is all that is installed. At the present time, Mr. Tuttle's suggestion that we leave the ordinance on the books as it is is the appropriate solution.

Councilman Alexander moved that Council take up the matter after the gates are installed. The motion was seconded by Councilman Tuttle.

Mayor Brookshire stated he did not think it would require a motion if Mr. Kiser will give this matter some study and relate the ordinance which was passed to Council's action today and come back to Council with recommendations as to whether it needs to modify or amend or rescind the former action. Councilman Alexander stated he then withdraws his motion.

Councilman Short asked that the minutes include the comment by Mr. Jack Martin of Southern Railroad that the operation and maintenance of the gates at this intersection will approximate a cost of \$1,000 a year to Southern Railroad.

**CITY COUNCIL TO TAKE SPEED OF TRAINS THROUGH THE CITY UNDER ADVISEMENT.**

Councilman Jordan moved that the City take under advisement the matter of the increase in speed limit of the Southern Railway trains through the City of Charlotte. The motion was seconded by Councilman Alexander, and carried unanimously.

**CITY ATTORNEY REQUESTED TO PREPARE ORDINANCE FOR COUNCIL'S CONSIDERATION WIDENING THE LIABILITY BEYOND THE ENGINEER AND CONDUCTOR IN CASES OF SPEEDING TRAINS.**

Councilman Short requested the City Attorney to prepare an ordinance concerning the widening of the liability beyond just the engineer and conductor in cases of speeding of trains.

**PROPERTY TRANSACTIONS AUTHORIZED.**

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

- (a) Right of way easement 6' x 64' to State Highway Commission across city-owned property fronting Monroe Road, from East Fifth Street to Briar Creek;
- (b) Construction easement of 4,240 square feet at Commonwealth Bridge across Briar Creek, from Carl A. and Bonnie M. White, at \$100.00, for installation of new culvert under road;
- (c) Easement of 6,830.60 square feet at North Tryon at Sugar Creek, from Plaza Associates of Charlotte, Inc., at \$1.00 for relocation of sanitary sewer in North Tryon Street at Sugar Creek;
- (d) Acquisition of 1,026.99 square feet of property at 215 South Irwin Street, from Leathia Pullins, at \$550.00 for West Fourth Street Extension;
- (e) Acquisition of 6,436.96 square feet of property on the south side of Tuckaseegee Road (3rd house west of Wesbrook Avenue), at \$14,150.00, from L. R. Furr, for the West Fourth Street Extension;
- (f) Acquisition of 10,353 square feet of property on East Fifth Street, between College and Brevard Streets, from Belk Enterprises, Topocoma, Inc., and Alright Piedmont Parking, Inc., at \$52,225.00, for the East Fifth Street Widening;
- (g) Acquisition of 1,039 square feet of property at the corner of Sixth and Pine Streets (Western Union Building), from San Diego Stores Corporation, at \$5,000.00, for the Sixth Street Widening;

- (h) Acquisition of 1,348 square feet of property at 312-314 West Sixth Street, from Annie C. Jones (widow), at \$6,900.00, for the Sixth Street Widening;
- (i) Acquisition of 113 square feet of property at the northwest corner of Castlewood Road and Woodlawn Avenue, from L. O. Henry, at \$350.00, in connection with the Woodlawn Road Widening;
- (j) Acquisition of 12.739 acres of property in Berryhill Township, adjoining the new landfill site on York Road, from Henry L. Suggs, at \$16,200.00, for landfill site.

MOTION FOR BILL TO OUTLAW SINGLE SHOT VOTE LOST FOR LACK OF A SECOND.

Councilman Jordan stated following the recent city election in which there was evidence of the "single shot" practice, he expressed himself as opposed to the practice in principle. The single shot practice is not new in Charlotte, Mecklenburg County or even in state elections, nor is he the first one to object to it. Even the local newspapers have tried to discourage the practice. That it is for these reasons that he had the City Attorney to prepare an ordinance to correct this practice. The proposed ordinance specifies that the voter in a city election should vote for not more than seven or less than four candidates for Council. In asking that the voters support as a minimum a majority for the seven seats, he feels that this is a reasonable requirement and responsibility of the voter who goes to the polls to choose a mayor and seven councilmen.

The City Attorney advised this is not an ordinance; it is a suggested form of an amendment to the Charter which means that it would have to be approved by Council and submitted to the delegation for submission to the General Assembly.

Councilman Jordan moved approval of the suggested Bill by Council for submission to the General Assembly. The motion did not received a second.

CITY ATTORNEY REQUESTED TO PRESENT RECOMMENDATION ON SEPARATE BALLOTS FOR MAYOR AND COUNCIL ELECTIONS.

Councilman Smith stated there is one thing which he thinks is at the discretion of the Election Board and that is that there should be a ballot separate for the Mayor and separate for the Council. The City Attorney replied the Charter provides that the ballot shall be the same, listing the Mayor at the top and the councilmen at the bottom.

Councilman Smith stated he would like to see the mayor and councilmen listed on separate ballots. That the point is the whole election hinged on throwing out ballots the last time because too many councilmen were voted for and the mayor was involved, and they had to go back and rehash it. When someone goes out with the sample ballot and is plugging for one mayor and picks up two or three councilmen they are all pinned into the same ballot. Councilman Alexander stated this looks as though we are getting towards voting machines, and Councilman Smith replied this would solve it.

Councilman Smith stated he does not like these sample ballots where people take them into an election area and go up to the box and look at one and mark the other. Councilman Stegall stated perhaps we should outlaw the

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sample ballots. Councilman Tuttle remarked the sample ballots will be more effective with voting machines because the sample ballot for the person who has difficulty in reading, if you mark "x" in a certain spot on the sample ballot, then that "x" will be in the same spot on a voting machine. Under the present system where you have a stack of every 500 changing, the person who perhaps cannot read is going to have difficulty in finding the place on the ballot because the names move, but they stay in the same place on voting machines constantly, and this is his objection to the voting machines. You do not switch, it stays the same all day.

Councilman Smith stated if there is a separate ticket for the mayor and a separate ballot for the councilmen you do not get the crossfire where the mayor's people are working for the mayor and his people can pick up councilmen. He requested the City Attorney to bring in a simple recommendation for Council that will require two ballots on the City Council race.

Councilman Short stated the ease of recount is a point. That he still thinks it would be possible for situations to occur such as poll workers did arrange at the polls; that they could arrange this with two ballots just about as well as they could with one, but the ease of recounting would add some virtue to Mr. Smith's suggestion.

CITY MANAGER REQUESTED TO CONTACT MAYOR OF CHARLESTON, S. C. FOR INFORMATION ON COFFEE HOUSES FOR YOUNG PEOPLE.

Councilman Tuttle stated Charlotte has quite a problem with youth as far as places for them to go. That a number of organizations are going off in different directions trying to do something for them. The Youth Commission is trying to formulate a Coffee House. That one of the members of Myers Park Presbyterian Church said that Charleston, S. C. successfully operates a number of coffee houses for young people.

He requested the City Manager to write the Mayor of Charleston for some information on the program as to how they are operated and whether the city participates in any way.

CITY ATTORNEY TO REPORT TO COUNCIL SOON ON A POSSIBLE ORDINANCE REGULATING NUMBER OF PERSONS RESIDING IN A SINGLE FAMILY FACILITY.

Councilman Tuttle asked the City Attorney if he has any information on the request for an ordinance regulating the number of people who might be allowed in a single family facility? Mr. Kiser replied he has obtained certain information from the National Organization of Municipal Attorneys and hopes to have something to report to Council within the next week or so.

MR. JACK BAUGH, MEMBER OF THE LEGISLATURE THANKED FOR INFORMATION FURNISHED TO COUNCIL ON BILLS HE IS PRESENTING IN RALEIGH.

Councilman Tuttle stated he would like to thank Mr. Jack Baugh, a member of the Legislature, for so aptly informing Council on his Bills and what he is doing in Raleigh. This is the first real information he has received since he has been on the Council from Raleigh.

REPORT ON FIRE DEPARTMENT TO BE GIVEN AT LATER DATE.

Councilman Alexander asked the City Manager if he is in a position to give Council a report on the request made some four or five weeks ago for a study of the rumbles in the Fire Department? Mr. Veeder replied he would not be able to give the report today; that he will be happy to give it as soon as he can.

DISCUSSION OF LITTER ORDINANCE AND CITY ATTORNEY REQUESTED TO LOOK AT THE ORDINANCE AND MAKE RECOMMENDATIONS WHICH WOULD ENABLE CITY TO MOVE FASTER IN MOVING JUNKED CARS.

Councilman Alexander requested the City Attorney to look at the City's litter ordinance and see if he can come up with something that would enable the City to proceed faster on the enforcement in connection with junked automobiles. Mr. Kiser replied he is not cognizant of the problems Mr. Alexander is talking about, but with respect to the junked automobile ordinance, it is modeled after the state laws and the time requirements are taken from the permissive legislation in the state law. That he will be glad to take a look at it and talk with Mr. Frost to find out what time obstacles he is referring to and see what the city can do.

Councilman Short stated there are people calling constantly wanting to know why the city does not do more about litter, and some wanting to know why since we have had an anti-litter ordinance for about a year, there is still litter about. They are also writing letters to the editor and soforth. That he has dealt with some of these people on a personal basis and referred some to the Motor Transport. That he thinks it should be in the record that the city has not legislated good housekeeping all over the City of Charlotte. The City is interested in certain specified items, such as old automobiles, decaying fruit and old furniture and a few other things.

He stated the City does not have any comprehensive statement in its ordinance that would eliminate or make it illegal to have any litter around. That the State Statutes contain a provision that makes litter in general against the law - Section 14-134 of the State Statutes and it is possible under the state law for those who are opposed to litter to be a witness and a prosecution witness for anyone who does any littering.

DISCUSSION OF FIRE DEPARTMENT PROBLEMS.

Councilman Smith stated he is not entirely satisfied with Mr. Veeder's answer to Mr. Alexander regarding the Fire Department. He asked if there is some feeling that the Fire Department problem is a Council matter since under the Charter the Fire Chief's appointment is by the Council? Mr. Veeder replied there is no feeling in that direction whatsoever. That at the moment in the priority of things the budget has to come first, and until the budget is out of the woods and into Council's hands and considered it is not feasible to take on any additional activities of any kind.

Councilman Smith stated this has been smoldering long enough and if it requires some help from a group from the Council to sit with him in anyway that he might suggest to expedite this, he thinks it is in order to give it some thought.

Mr. Veeder advised he hopes to get the budget to Council by June 1st, and there is not much time to do anything else in the way of projects of any consequence other than the budget. Councilman Smith replied he understands this, but after June 1st assuming the budget is in order, then it will take "x" number of days or weeks to complete the fire department check. That this is on the minds of all the councilmen and they say we should do something. Mr. Veeder stated he is aware of this and certainly wants to do Council's wishes on it; that he would presume they would like to get the budget in their hands and in good shape first. In setting priorities, he set the Budget as the number one priority.

Councilman Smith asked if he does not think the budget is part of the problem in the Fire Department? Mr. Veeder replied that the budget each year is a major undertaking and has to stand on its own; that the budget of necessity has ramifications in any and every department, and Council would have to draw its own conclusions.

Councilman Smith stated this has been in the press and from a public standpoint it looks as if the Council is sitting back taking the position that they <sup>will</sup> get to it in time. He thinks the public has a right to demand that this situation be decided one way or the other. If Council is shirking its responsibility by leaving it all to Mr. Veeder, then he thinks Council should jump into it feet first, or if Mr. Veeder cannot do anything until June 15th, is Council willing to wait until June 15th to receive his report. That he does not think Council can hide behind the bushes any longer and should at least let them know some time schedule.

Mayor Brookshire stated he thinks this is right but we have to give Mr. Veeder the latitude of setting priorities because he cannot do everything at one time. Councilman Smith stated if this department is in such shape that it needs attention and Council feels it needs attention almost immediately then he thinks Council should get into it almost immediately. That he does not want the public to think they are just waiting and letting it smolder. That he is asking for suggestions from the Council and if they are satisfied to wait on the report, then he will be. But he thinks the people need some explanation of why Council waited.

Councilman Alexander stated he brought the subject up and he was concerned some time ago when he brought it up and suggested that this be done. That he feels it should be done and by his bringing it up to date will lead everyone to know that he shares concern that it be given consideration. That he is also aware of the fact that the budgetary consideration is a part of it. That he believes Mr. Veeder knows that he would be interested in an immediate answer and is sure the other council members would be and if budget requirements are such that he has not had time to get to it, he is willing to give him that time if it is apparent that it is not taking too long.

Mr. Veeder stated there is a relationship between other matters and the budget and Council's judgment in these areas have a bearing on each and every department. That in the logical, reasonable order of things the budget should come first. Councilman Smith replied this is one of the things he wants the public to know that the budget is one of the problems and this is the first step.

Councilman Tuttle stated the budget may be getting to the problem. Councilman Smith stated he wants to explain to people who are waiting

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to hear some answers that this is the orderly step that Council is taking. No one is sitting back dodging the issue.

Mayor Brookshire stated most of the complaints lodged by firemen have to do with hours and wages, and in talking about hours, you are actually talking about budget.

**COUNCILMAN SMITH SUGGESTS CONSOLIDATION OF WATER AND SEWER AND LAW ENFORCEMENT DEPARTMENTS BY CITY AND COUNTY.**

Councilman Smith stated in 1961 he served as Chairman of the Consolidation Committee to make a report on police consolidation. Since that time, we have worked towards getting our police facilities as the number one thing in order to get more efficient police service. That he understands the police facility will be ready for some kind of approval in the next 30 to 60 days. Mr. Veeder replied as soon as the Redevelopment Commission tells the City that it has obtained possession of the necessary land, the City is ready to go to bid on the project.

Councilman Smith stated he also understands one of the reasons for the delay in completing the plans has been working with the Chief and the County Chief on allocation of space in the building and making it so that it can easily be brought under one consolidated program if and when the county and the city want to do this. That we are faced with the fact when the County Police Department and the City Department are moved into one building that it will be even more apparent that these two departments should be consolidated.

He stated he has tried to determine how to best expedite this and it comes down to a practical political problem. That he had suggested that we give some study to the water and sewer on the basis that now the county has this as its number one problem and the city has crime and the correction of crime, and prevention of crime as the number one problem in our municipality. That he has suggested that some study be made of the water and sewer where the county can assume more authority over this, recognizing that the water and sewer is one of the big departments of the city government and also the fact that this department goes into other departments such as engineering. If, after study, this looks like the proper thing to do, that we are big enough and can see the big picture well enough that we can do this if we thought it would expedite water and sewer throughout the county, with everyone in the county sharing this expense rather than the city sharing it on a shell out to the county on a piece-meal water line.

Councilman Smith stated he has suggested these two things thinking they both had some merit, especially the consolidation of the police departments. That at this point he thinks it would be smart for the Council, along with the County Commission, to get permissive legislation while the Legislature is in session giving authority to consolidate, if and when both bodies wanted to consolidate. If Legislature adjourns without this authority, it will be two and one half years before any action could be given on this. That he thinks the first step is should we get permissive legislation on the books that we can consolidate - not only the police but other departments. That you do not have to do it unless the people and the governing body want to do it.

Mayor Brookshire stated he agrees on the advisability of the desirability of getting permissive legislation if required to consolidate the city and county police departments. He asked the City Attorney if we would

have to spell out terms and conditions in such permissive legislation, and if so we would have to wait until these things could be spelled out and agreed upon with the County Commissioners. Mr. Kiser stated he is satisfied there would be a need for some legislation to permit the consolidation of the two police departments. A quick example comes to mind the jurisdiction of the force that ultimately comes out of the consolidation. That there are probably some other elements that need to be considered and which would require some specific mention in the permissive legislation. That we would have to take a look at these and hopefully in the short period of time that is left in this session come up with the problems that would cover the special permissive legislation.

Mayor Brookshire asked if the City Attorney would give this some thought between now and next week, and tell Council whether or not we could seek permissive legislation carte blanche that would be broad enough to let us work out the conditions under such permissive legislation.

Councilman Smith asked if it is not a fact if you do not actually consolidate water and sewer but you make certain moves or change the present procedure if there are not areas that would require legislature approval? Mayor Brookshire replied there is nothing to consolidate as the county has no water and sewer system. The City does have and has the capacity for furnishing all the needs of the entire county in the areas under development or that may be developed and both the county and city have the authority under statutes for doing those things that are encompassed by the city's newest water and sewer policy.

Councilman Smith asked if the county has authority to issue bonds to establish water and sewer in the county? The City Attorney replied he understands they do have.

Councilman Smith stated he envisions within 10 years or so that we will be sitting as one body for Mecklenburg County and the greater metropolitan area. That he cannot see why it is our water and sewer anymore than it is the county's water and county's sewer. That it would disrupt the present status quo of the two governments and would put more emphasis in the county on the water and sewer and take away a lot of the city's personnel but they are employed and paid by practically the same people; it would be just 20% more of the people paying their payroll. If a move was made in this direction that the federal government would come in and we would probably get more federal grants in expediting these two movements. They would want to point out to other areas how much more efficient this would be. That the prime thing would be the savings with one system and one government to handle the same people. That this part of it has not even been touched on.

Councilman Short stated some councilmen from cities in North Carolina have adopted the same line of conversation about enabling legislation in the past, and on more than one occasion this has been brought to the attention of the legislature. That in more than one place, the legislature has provided in our State Code such a breath of enabling type of legislation that there is hardly anything else that could be written that would be any broader or desirable or needful. That local government districts can just agree to what they want to do and do it. That he believes it is in the law this way now and in more than one place and he does not know that further enabling is needed here.

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Councilman Short stated on the matter of consolidation locally, it would appear that recently the use of city water and sewer system has been given to the county on exactly the same basis as is available to the city dweller. That most of the larger towns in North Carolina do not have it this way, and he thinks this is a step in the right direction and is about all anyone could ask for or expect.

Councilman Smith replied this is true except they do not accept this as what they need for their expansion program. That he knows Mr. Short and the Mayor have worked hard to try to work out a solution. That he says it is over simplified, and often when it is over simplified, then you start working on it. First you have to get an idea and then you have to develop the idea, but we have water and sewer all over this city except in a few places so we have served the city. In a sense the city no longer has this problem as every citizen in the city has water and sewer who wants it and needs it, but the man ten miles out in the county has to work out something with the county government to get water to his plant, and this is no longer a city problem it is a county problem. They have to study this and work it out and get the funds to do this. That it seems they could get the funds on a total community basis rather than the city could for city people.

Mayor Brookshire stated the county can finance the extension of city lines a lot cheaper than they could own and operate a system of their own; whether they built one of their own or whether the city gave them its system. Councilman Smith stated it is not a question of giving the system to them, it is a question of looking at the county as one big metropolitan area.

Councilman Tuttle stated one point that he takes issue with and one that seems to be assumed by the county and the people and that is that the city people have all the water and sewer it needs and wants. That we have people in the city who have no water and no sewer unless they want to pay to get it. We do not supply sewer anywhere in the city. Councilman Smith stated they can get it on the basis that it is offered to the county. Mayor Brookshire stated the logic of that is that those who do not have water and sewer and need it and are willing to pay for it, they can get it whether in the city or outside.

Councilman Tuttle asked what would be the difference in the total overall tax setup if the city turned over the water system to the county, other than the fact that it would be taking the management from this building and putting it in another building. Councilman Smith replied that is what he is asking; you would have different management; then, why is it such a difficult thing to do?

Councilman Tuttle asked what would we tell the people of Charlotte the advantages of transferring the water to the county? Councilman Smith replied to build up the county in the most expeditious way, to bring industry in, to bring homes in, to bring people in and it would raise the tax base. That as he sees it, it is a management thing, and it would be a phase out and it would be phasing into the county with the County Commissioners assuming the responsibility for water and sewer for the entire county. It would mean the City of Charlotte would phase into the Police operation where the city would have to provide police protection for the entire metropolitan area - we would have one records, one chief, one set of automobiles, one uniform and it would be Charlotte-Metropolitan Police Force. That this is happening all over the country and we have a chance here where the Commission has expressed an interest in the proposition.

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Mayor Brookshire stated one of the papers referred to Mr. Smith's suggestion as swapping the water and sewer department for the county's police force department as a package of apples and oranges. That what he is suggesting in giving the county our water and sewer department, they would have to establish an engineering department. The City cannot give them all of ours, and that would mean two engineering departments, instead of one; and they have no maintenance department at the present time, no equipment for maintaining water and sewer lines nor any authority for maintaining the lines within the city. It would be driving towards a duplication of certain facilities and services in the community which we do not now have. Councilman Smith stated it is a swap and is something they want for something we want, but it is expediting this. As for the water department, Mr. Franklin can be the County water man the same as he can be the city water man with all his force and his maintenance crews. The engineering department should be separated from the street and sewer, as it has always been a conflict between whether the engineers were doing sewer or streets. Put them on streets for the city, and let the water and sewer go to the county. You do not duplicate, you really simplify. That you may have to hire others because it will be a bigger picture, but then you have 20% more people paying for it when the county taxpayers comes into the picture.

Councilman Jordan stated he thinks this is good and Council should take these things under consideration but he does not think we are going to resolve any of these things today and he requested Council to move on and take this matter under consideration and talk about it another time.

COUNCIL ADVISED BRIDGE ON ARCHDALE DRIVE WILL BE BUDGETARY CONSIDERATION.

Councilman Stegall asked the City Manager if there are any plans for the bridge on Archdale Drive between Sharon Road and South Boulevard, which is a one way bridge and carries a large amount of traffic? Mr. Veeder replied a new bridge is needed there; this is a budgetary problem that Council will have to wrestle with on the budget.

REPORT ON FIRE DEPARTMENT PROBLEMS REQUESTED BY JUNE 15.

Councilman Stegall stated he personally would like to see a report on the Fire Department problem in the hands of Council by the 15th of June, if possible.

STUDY OF RECORDER'S COURT JAYPEES REQUESTED PRIOR TO TIME COURT REFORMS BECOME EFFECTIVE.

Councilman Stegall stated the city now has some people appointed in the Clerk's office to sign warrants through the recent directions sent down by the Supreme Court. That the City is spending some \$24,000 a year under this program. That it seems to him duplication work is going on. The desk sergeants are doing what they have normally been doing in the police department and they take it over to these men and all they do is sign their name and attest to the fact that this is being done. Then they go back and serve the warrant on the man in jail.

He asked why the City could not hire men who are qualified and competent to do the typing, clerical end, etc. and sign their name and attest to the warrants and cut out the duplication of the Desk Sergeants? That the court reform bill is 18 months in the future but we will have to face it 18 months

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from now. Rather than spending the \$24,000 a year in duplication, why not do it now. That he recommends that a study be made and come back to Council to see what should be done at an earlier time than 18 months.

Mr. Veeder stated if there is any way to cut the cost of the additional requirements brought on by the Supreme Court decision, we should do it.

Councilman Stegall stated there also seems to be a lag of time between when the police officer comes in and the way they have to handle this now. The time element is such that we lose the effectiveness of the police officer. That the 40 minutes it takes him to perform this operation was done before in probably 10 or 15 minutes. If this is looked at on an overall basis, there is a danger of losing a lot of police officers.

#### STORAGE SPACE FOR JUNKED AUTOMOBILES TOWED IN DISCUSSED.

Councilman Stegall stated in connection with junk automobiles, that the prime problem is that the storage facilities that the city now has is not adequate. That he thinks the reason the police department does not bring in more cars into the pound is they do not have any place to put them. That the law prescribes they have to be advertised and sold under the state law. They have room for 30 cars and there are 30 cars over there all the time. They auction them off as quickly as they can. If the police department towed in every car on the streets of Charlotte today it would take a 40-acre field to do it.

The City Manager replied there is a newer ordinance that places some responsibility for this with the Building Inspection Department, and it has changed the procedure somewhat and has moved the police department out of it. Councilman Stegall replied he is not familiar with this, but if the owner refused to remove it what happens? Mr. Kiser, City Attorney, replied arrangements are made with private companies for the towing in of the vehicles which are abandoned, and they are stored and procedures are outlined governing the disposal of the vehicles similar to those the police department has to follow. These arrangements give more facilities. Councilman Alexander stated all of these are problems which Mr. Kiser will bring to Council in his report.

Councilman Tuttle stated if the city does not have space and as a result the police are not bringing in some cars that they can bring in, would it be possible to arrange with some junk yard to take them in and give them a percentage of the auction sale price? Mr. Veeder replied this should be considered in terms of all elements of the problem and we can take a look at the whole situation.

#### IDEMNIFICATION AGREEMENT WITH CHARLOTTE MOTOR SPEEDWAY APPROVED.

The City Manager requested approval of an agreement with the Charlotte Motor Speedway holding them harmless for any accidents that may arise by virtue of the city's use of their facilities for training purposes of the police department. That it is a free use by the City.

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Upon motion of Councilman Tuttle, seconded by Councilman Jordan, and unanimously carried, the agreement was approved as recommended by the City Manager.

ADJOURNMENT.

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

*Ruth Armstrong*

Ruth Armstrong, City Clerk