

A recessed meeting from May 23, 1961, of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, in the City Hall, on Monday, May 29, 1961, at 3 o'clock p.m., with Mayor Brookshire presiding, and Councilmen Albea, Bryant, Dellinger, Jordan, Smith, Thrower and Whittington present.

ABSENT: None.

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INVOCATION.

The invocation was given by Councilman Don G. Bryant.

MINUTES APPROVED.

Upon motion of Councilman Smith, seconded by Councilman Albea, and un-animously carried, the Minutes of the last meeting on May 23rd, were approved as corrected, changing the words "has a letter" to "had a communication", in the eighth line on Page 40, relative to the Mecklenburg Legislators.

RADIO STATION WWOK COMMENDED FOR CIVIC SERVICE IN BROADCASTING COUNCIL MEETINGS.

Mayor Brookshire expressed to the representative of Radio Station WWOK his appreciation for the civic service to the residents of Charlotte in their tape-recording and broadcasting daily from 7 p.m. to 7:15 p.m. the proceedings of the Council Meetings.

BELMONT-CORDELIA PARK IMPROVEMENT ASSOCIATION, AND URBAN RENEWAL COMMITTEE OF THE LEAGUE OF WOMEN VOTERS, SUPPORT STRONG HOUSING CODE FOR CHARLOTTE.

Mrs Addie Whitley, Chairman of the Belmont-Cordelia Park Improvement Association, speaking for the Association and the Urban Renewal Committee of the League of Women Voters, presented a petition signed by a large number of persons supporting the adoption of a strong housing code for Charlotte, and for such action as is needed to clean-up and improve the Belmont-Cordelia area. Mrs Whitley stated their association was formed in an effort to halt the blight creeping into the area and to prevent the cheapening of the neighborhood, and the cooperative efforts have gotten lots cleared, houses repainted and a general improvement realized. She asked the cooperation of Council in adopting a strong housing code, which will benefit them greatly, and invited Council members to attend their meetings.

Mayor Brookshire expressed his appreciation to Mrs Whitley for coming to the meeting, and commended the residents for setting the example in neighborhood improvements, which he stated he hopes will be emulated in other sections of the city.

GEORGE J. MILLER, RESIGNED, EXPRESSES APPRECIATION FOR COOPERATION OF COUNCIL DURING TERM AS SOLICITOR, CITY RECORDER'S COURT.

Mr. George J. Miller, who resigned as Solicitor of City Recorder's Court

effective July 1, 1961, expressed his sincere appreciation to Council for their kindness and cooperation during his term of office and stated he has enjoyed the association with the City.

Mayor Brookshire thanked him for coming over and stated he received his letter of resignation with regret and appreciates the service he has rendered to the City.

DECISION ON ORDINANCE NO. 29-X EXTENDING THE CORPORATE LIMITS OF THE CITY BY ANNEXING 80.529 ACRES OF PROPERTY LOCATED IN PAW CREEK TOWNSHIP, ON PETITION OF ERVIN CONSTRUCTION COMPANY, DEFERRED ONE WEEK.

The scheduled hearing was held on Ordinance No. 29-X Extending the corporate limits of the City by annexing 80.529 acres of property located in Paw Creek Township, on petition of Ervin Construction Company. Mr. Ben Horack, attorney for the petitioner, stated the property is, of course, contiguous to the corporate limits of Charlotte, that the property consists of a residential area developed by Mr Ervin, which will bring in additional taxes to the City.

No objections were expressed by the public to the proposed annexation.

The City Manager requested that decision be deferred one week, in order that the views of the Planning Board, Engineering Department and Water Department may be obtained, both pro and con.

Councilman Albea moved that Council decision be deferred one week. The motion was seconded by Councilman Dellinger, and unanimously carried.

DECISION ON ORDINANCE NO. 23-Z AMENDING CHAPTER 23, ARTICLE II, SECTION 23-43 OF THE CITY CODE, AMENDING THE BUILDING ZONE MAP OF THE PERIMETER AREA, DEFERRED ONE WEEK.

Councilman Smith moved that Council decision be deferred one week on Ordinance No. 23-Z Amending the Zoning Ordinance to amend the Building Zone Map by changing zoning from R-2 to B-1 on property at the southeast corner of Bradford Drive and Reliance Street. The motion was seconded by Councilman Jordan and unanimously carried.

ORDINANCE NO. 24-Z AMENDING CHAPTER 23, ARTICLE II, SECTION 23-43 OF THE CITY CODE, AMENDING THE BUILDING ZONE MAP OF THE PERIMETER AREA, ADOPTED.

Upon motion of Councilman Whittington, seconded by Councilman Bryant, and unanimously carried, Ordinance No. 24-Z Amending the Zoning Ordinance by amending the Building Zone Map of the perimeter area by changing zoning from R-2 to B-1 on property on both sides of Bradford Drive, on petition of Mr. Howard Counts, et al, was adopted as recommended by the Planning Board. The ordinance is recorded in full in Ordinance Book 13, at Page 70.

RESOLUTION WITH RESPECT TO EXTENSION OF SERVICE FOR PERIOD NOT TO EXCEED ONE YEAR WITH THE CITY OF CHARLOTTE, NORTH CAROLINA OF CERTAIN EMPLOYEES SIXTY FIVE YEARS OLD OR OLDER, ADOPTED.

The following resolution was introduced and read:

May 29, 1961

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"BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

That the City of Charlotte desires to retain the services of the following employees who attained age sixty-five, or employees whose service extension expired during the present fiscal year; and the City Manager of the City of Charlotte be, and he is hereby authorized and directed to so notify the Trustees of the North Carolina Local Governmental Employees' Retirement System, and to do any and all things required to retain said named employees in the service of the City up to the period of time as shown herein:

NAME	Active Register Number	Department	Age	Date of Expiration	Extension Not To Exceed
W.F. Cooke	761	Water	72	6-30-61	2 years
R.H. Haley	1103	Building Inspection	65	6-30-61	6 months
F.O. Reid	3597	Engineering	65	6-30-61	6 months
George Evans	10615	Engineering	65	6-30-61	5 years
R.W. Livingstone	4776	Health	66	6-30-61	1 year
L.L. Ledbetter	1084	Treasurer	70	6-30-61	2 years "

Councilman Smith stated he thinks it would clarify the situation if the entire list of persons over 65 years of age was reviewed each year, and all extensions made for one year periods, in that way the Council would know where it stands on the question of retirement eligibility.

The City Manager explained why each of the above named persons are desired retained by the department head.

The City Attorney explained that he understands the rule of the N. C. Local Governmental Retirement System is that an employee 65 years of age is relieved of his job unless he is approved by the Department Head and Council for extended service, and employees 65 to 70 years of age may be requested retained for a period of 5 years and employees over 70 years for a period of 2 years.

Councilman Dellinger moved approval of the extension of service as recommended for the six persons named. The motion was seconded by Councilman Albea.

A substitute motion was offered by Councilman Jordan that the extension of service of each of the six persons listed be for a maximum of one year, in order that the Council may study the question, secure a ruling as to the requirements of the Retirement System Board and review the entire list of persons over 65 years of age. The motion was seconded by Councilman Whittington, and carried by the following recorded vote:

YEAS: Councilmen Jordan, Whittington, Bryant, Thrower and Smith.

NAYS: Councilmen Albea and Dellinger.

RENEWAL OF LEASE WITH N.C. NATIONAL BANK, TRUSTEE OF WADE REYNOLDS TRUST, FOR FIRST FLOOR BUILDING AT 701 EAST TRADE STREET.

Councilman Whittington moved approval of the renewal of lease with the N.C. National Bank, Trustee of Wade Reynolds Trust, for the first floor of the brick building located at 701 East Trade Street, for a term of

two years from July 1, 1961, at monthly rental of \$250.00, used for the Police Department Garage. The motion was seconded by Councilman Jordan, and unanimously carried.

Councilman Albea suggested that it would be well to consider erecting a garage for the Police Department during the next two years in view of the high rental on this building.

PAYMENT AUTHORIZED TO CLERK OF MECKLENEBURG COUNTY SUPERIOR COURT FOR PROPERTY OF L. L. WALKER AND WIFE ACQUIRED THROUGH CONDEMNATION, FOR STREET RIGHT OF WAY FROM NATIONS FORD ROAD TO NEW LANDFILL PROPERTY.

Motion was made by Councilman Dellinger, seconded by Councilman Whittington, and unanimously carried, authorizing the payment of \$4,750.00 to Mr. J. Edward Stukes, Clerk of Mecklenburg County Superior Court, for property of Mr. L. L. Walker and wife, for street right of way from Nations Ford Road to the new Landfill property, said amount having been decided by appraisers through condemnation on April 17th, and payment of \$125.00 to Mr. Walker in final settlement as agreed upon with his attorney, Mr. Fred Hasty.

CONTRACTS AUTHORIZED FOR THE INSTALLATION OF WATER MAINS.

Upon motion of Councilman Albea, seconded by Councilman Thrower, and unanimously carried, the following contracts were authorized for the installation of water mains:

- (a) Contract with Freedom Drive Shopping Village, Inc., for the installation of 2,080 feet of water mains and 2 hydrants, at an estimated cost of \$7,200.00. The City to finance all costs and the applicant to guarantee an annual gross water revenue equal to 10% of the total cost.
- (b) Contract with Charlotte Country Club, for the installation of 1,010 feet of water mains, in Mecklenburg Avenue, at an estimated cost of \$4,200.00. The City to finance all costs and applicant to guarantee an annual gross water revenue equal to 10% of the total cost.
- (c) Supplementary Contract, to contract dated July 11, 1960, with Ervin Construction Company for the installation of 275 feet of additional water mains in Starmount No. 5 Subdivision, outside the city limits, at an estimated cost of \$440.00. All costs to be borne by the applicant, who will dedicate same to the City without cost upon the acceptance of the work by the city.
- (d) Supplementary Contract, to contract dated November 9, 1959, with J. A. Jones Construction Company, for the installation of 3,670 feet of water mains and 2 hydrants in Stonehaven No. 3 Subdivision, outside the city limits, at an estimated cost of \$11,550.00. The Company will pay the entire cost, including hydrants, and own same until such time as the area is incorporated into the City, at which time they will become the property of the City without cost.

REASSIGNMENT OF CONTRACT BETWEEN D. E. ALLEN DEVELOPMENT COMPANY AND THE CITY OF CHARLOTTE, TO EL CENTRO DEVELOPMENT COMPANY, DURHAM, N. C.

Councilman Albea moved approval of the reassignment of contract between D. E. Allen Development Company and the City of Charlotte, dated November 2, 1959, to El Centro Development Company, Durham, N. C. as requested by D. E. Allen Company. The motion was seconded by Councilman Whittington, and unanimously carried.

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TRANSFER OF CEMETERY LOTS.

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

- (a) Deed with Francis I. Parker and wife, for Lot 338, Section 2, Evergreen Cemetery, at \$480.00.
- (b) Deed with Bobby McManus, for Grave #4, Lot 103, Section 3, Evergreen Cemetery, at \$60.00.

RESIGNATION OF JESSE R. JAMES, CHIEF OF POLICE.

Councilman Dellinger moved the acceptance of the resignation of Chief Jesse R. James, Charlotte Police Department, effective today as requested by him, in lieu of June 16th, and that he be paid for the vacation to which he is entitled. The motion was seconded by Councilman Bryant, and unanimously carried.

CONSIDERATION OF REQUEST OF WRECKER COMPANIES FOR RATE INCREASE DEFERRED ONE WEEK.

Councilman Whittington moved that consideration of the requested rate increase by the Wrecker Companies be deferred one week and the petitioners for the increase be requested to be present next week. The motion was seconded by Councilman Dellinger, and unanimously carried.

OATH OF OFFICE ADMINISTERED TO JOHN S. HORD, CHIEF OF POLICE.

Mayor Brookshire administered the oath of office of Chief of Police to Assistant Chief John S. Hord to which he was appointed on May 23rd, and congratulated him on his appointment.

Chief Hord stated he sincerely appreciates the appointment as head of the Charlotte Police Department not only for himself but for the 300 officers in the department, because it indicates to them if they perform their duties well they too, may some day become Chief. He pledged to give his best service and stated he and the men realize if the department does not operate efficiently and progressively then the next chief may come from Timbuktu. He stated further if the Council will give them the tools, they will do a good job.

RESIGNATION OF HOWARD B. ARBUCKLE, CITY RECORDER ACCEPTED.

Councilman Smith moved the acceptance of the resignation of Mr. Howard B. Arbuckle, City Recorder, effective July 1st, with regrets. He asked that Council go on record commending him for the prestige and efficiency he has created in the Court and thanking him for putting the Court on a basis for which one can be proud. The motion was seconded by Councilman Thrower, and unanimously carried.

APPOINTMENT OF P.B. BEACHUM, JR. CHIEF RECORDER OF THE CITY RECORDER'S COURT.

Councilman Dellinger moved the appointment of Mr. P. B. Beachum, Jr. as Chief Recorder of the City Recorder's Court, at a salary of \$10,000 per

annum, effective July 1, 1961. The motion was seconded by Councilman Smith, and unanimously carried. Councilman Dellinger stated he thinks Mr. Beachum is most competent and qualified to fill the position and will uphold the dignity of the Court; that he will have no other business interest and will be a full-time Judge whatever the requirements are to this effect in the new Bill enacted by Legislature governing the laws of this court.

REAPPOINTMENT OF HAL L. ROGERS AS CLERK OF CITY RECORDER'S COURT.

Councilman Whittington moved the reappointment of Mr Hal L. Rogers as Clerk of City Recorder's Court, at his present salary, the term of office being at the pleasure of the Council. The motion was seconded by Councilman Albea.

Mayor Brookshire stated that Judge Arbuckle has had something to say on the subject of the Clerk and he strongly recommends that someone else be named to the position. Councilman Whittington stated this is a Council appointment and he thinks the Judge should have brought the matter up prior to the time for appointment. The vote was taken, and unanimously carried.

RESIGNATION OF GEORGE J. MILLER, CITY SOLICITOR, ACCEPTED.

Councilman Dellinger moved the acceptance with regret of the resignation of Mr. George J. Miller, City Solicitor, effective July 1, 1961, and that he be thanked for his services to the City. The motion was seconded by Councilman Smith, who stated Mr. Miller has done an outstanding job as Solicitor. The vote was taken on the motion and unanimously carried.

APPOINTMENT OF KENNETH A. GRIFFIN AS CITY SOLICITOR.

Councilman Jordan moved the appointment of Mr Kenneth A. Griffin as City Solicitor, effective July 1, 1961, at the same salary presently paid the Solicitor. The motion was seconded by Councilman Albea, and unanimously carried.

REAPPOINTMENT OF MRS STILWELL AND MR ELLINGTON AS ASSISTANT CLERKS IN THE CITY RECORDER'S COURT.

Upon motion of Councilman Whittington, seconded by Councilman Thrower, and unanimously carried, Mrs Eloise Stilwell and Mr. Donald M. Ellington, were reappointed Assistant Clerks of City Recorder's Court, at their present salaries, the term of office being at the pleasure of the Council.

RESIGNATIONS OF SYDNOR THOMPSON AND S. DEAN HAMRICK, VICE-RECORDERS, ACCEPTED.

Upon motion of Councilman Bryant, seconded by Councilman Whittington, and unanimously carried, the resignations of Mr Sydnor Thompson and Mr. S. Dean Hamrick, as Vice-Recorders in the City Recorder's Court, were accepted with regrets.

TRAFFIC ENGINEER REQUESTED TO DO WHATEVER NECESSARY TO RELIEVE TRAFFIC CONDITION AT TUCKASEEGEE ROAD AND WALNUT AVENUE.

Councilman Dellinger stated that for the past four or five years he has been endeavoring to have a traffic signal placed at Tuckaseege Road and

Walnut Avenue, and again he has had a traffic count made and the Traffic Engineer states the Signal is not justified; therefore, he requests that the Traffic Engineer do something immediately to alleviate the traffic congestion at this point.

REQUEST THAT STREET WORK BE EXPEDITED OR DONE UNDER CONTRACT.

Councilman Dellinger advised he has given the City Manager a list of streets in bad condition, which he has personally inspected. He stated he thinks such street work has been sadly neglected and if the Engineering Department is not able to do more of this work, then it should be done under contract, as we are getting too far behind with the street program.

The City Manager stated that is correct. That their plans are subject to the Council to let a second contract for resurfacing late this summer or early fall; that the base course needs to be done for sometime before the top is put on. He stated he thinks the City is making good progress with the street program; that two contracts were let two weeks ago, which will show results and then the referred to contract will be let for the early fall work.

Councilman Dellinger then asked if the work has started on Clanton Road, and the City Manager advised the shoulders must be let firm up because of utility installations that have been made, then the street can be resurfaced. Councilman Whittington called attention that Clanton Road needs to be widened, not just resurfaced.

Councilman Dellinger stated he thinks that Roswell Avenue and Radcliff Avenue should be widened and resurfaced, and he asked the City Manager to add them to his list; he asked further if there are not funds that can be used for this purpose. The City Manager stated he can have done, whatever the Council says.

Mr. Veeder, City Manager, advised further that in the capital improvements program, which is presently being prepared for submission to Council within two or three weeks, there is a great deal of street work, and he hopes Council will agree that the program is a balanced one.

BIDS REQUESTED RECEIVED ON CONVERTING SMALL PORTION OF CITY HALL REAR YARD FRONTING ON ALEXANDER STREET INTO PARKING AREA.

Councilman Smith requested the City Manager to obtain bids on converting a small portion of the City Hall rear yard bordering on Alexander Street into a parking area, in the same manner that a similar portion of the yard bordering on Davidson Street was converted about a year ago. He stated further this will provide a badly needed area for parking by the public coming to City Hall on business.

CITY MANAGER REQUESTED TO CONTACT STATE HIGHWAY DEPARTMENT RELATIVE TO WIDENING SOUTH BOULEVARD AND PINEVILLE ROAD.

Councilman Smith called attention to the bottleneck on South Boulevard and Pineville Road, and asked the City Manager to contact the State Highway Department and see if they will not widen this roadway, which bears much of the traffic from South Carolina coming to Charlotte to trade. Mayor Brookshire requested the City Manager to discuss this with the Highway Department when he goes to Raleigh this week.

CITY MANAGER REQUESTED TO IMPROVE COLLECTION OF TRASH BY INCREASING COLLECTIONS TO TWICE WEEKLY OR THAT COLLECTION BE MADE ALONG WITH GARBAGE PICKUPS.

Councilman Smith stated he has had numerous complaints regarding the lack of trash collections in the residential area and thinks it should be treated the same as garbage and not just once a week. Councilman Dellinger stated he recently counted 44 piles of trash at the curb, and understands the garbage collectors are not permitted to collect it along with the garbage. It was suggested that the garbage collectors report piles of trash and the trash trucks pick it up without delay. Mayor Brookshire requested the City Manager to check into the matter with the Superintendent to improve the service on trash collections.

Mr. Veeder, City Manager, stated a revised Garbage Collection Ordinance has been drafted and is on his desk for study and he thinks it will bring about improved conditions in the collections, as the present ordinance is not workable nor effective.

CITY ATTORNEY REQUESTED TO CHECK ON BILLS PRESENTED LEGISLATURE AND SECURE COPIES.

Councilman Whittington requested the City Attorney to check into the City's bills presented to the Legislature and secure copies of those passed, so that we will know where we stand. Mr. Shaw, City Attorney, stated he will do so and notify the City Clerk who will order certified copies.

STATUS OF PROPOSED HOUSING CODE REQUESTED.

Councilman Whittington asked the status of the new Housing Code, and the City Manager stated it is on his desk for review and he will get to it as soon as possible and present it to Council. Councilman Whittington stated he thinks it is most important that the Council have it at the earliest possible time and the citizens know that the City has a standard housing code and that it will be enforced.

INSTITUTE OF GOVERNMENT SCHOOL FOR MAYORS AND COUNCIL MEMBERS JUNE 25th-27TH.

The City Manager advised that the Institute of Government will hold a school for Mayors and Councilmen June 25th thru 27th, beginning at 4 o'clock on the 25th, which will be of great value to persons serving their municipalities for the first time, and he highly recommends it. Mayor Brookshire stated he intends attending and urged the Council to attend.

TELEGRAMS AUTHORIZED SENT TO GOVERNOR AND LEGISLATORS SUPPORTING THE COMPROMISE BILL RELATIVE TO REMOVAL OF SALES TAX EXEMPTION WITH PROVISION TO REBATE SAME AT END OF YEAR TO MUNICIPALITIES.

The City Manager advised that the Joint House and Senate Finance Committee last week acted to remove sales tax exemption of political subdivisions. That the sales tax will have to be paid but will be refunded at the end of the year to Counties, Cities and Towns. He advised that the telegrams sent protesting the removal of the exemption were effective and the N.C. League of Municipalities suggests concurring in this compromise action. Councilman Whittington moved that telegrams be sent to the Governor and Chairmen of the Senate and House Finance Committees and our Representatives at once supporting the compromise. The motion was seconded by Councilman Albea, and unanimously carried.

INCREASED TIME ON TRAFFIC SIGNAL FOR LEFT TURNS AT PARKWOOD AND THE PLAZA, AND TRAFFIC CHECK AT MECKLENBURG AVENUE AND THE PLAZA, REQUESTED.

Councilman Dellinger requested the City Manager to have the timing increased on the Traffic Signal at Parkwood Avenue and the Plaza to allow more time for left turns, and have a traffic count made at the intersection of Mecklenburg Avenue and The Plaza, with the view of having a traffic signal erected.

ADJOURNMENT.

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

Lillian R. Hoffman
Lillian R. Hoffman, City Clerk