

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber in the City Hall, on Monday, October 3, 1960, at 3 o'clock p.m., with Mayor pro tem Hitch presiding, and Councilmen Albea, Dellinger, Myers, Smith and Whittington being present.

ABSENT: Mayor Smith and Councilman Babcock.

* * * * *

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Smith, seconded by Councilman Whittington, and unanimously carried, the Minutes of the last meeting on September 26th were approved as corrected to show in the last paragraph on Page 76 the motion as having authorized negotiations with Whitehead & Zickel, Inc., for drawing plans, etc, instead of their having been employed to do so.

CERTIFICATE OF RECOGNITION FOR COMMENDABLE SERVICE TO THE CITY PRESENTED O. C. FOGUS, RETIRING SUPERINTENDENT OF THE MOTOR TRANSPORT DEPARTMENT.

Mayor pro tem Hitch presented the City's Certificate of Recognition for Commendable Service to Mr. O. C. Fogus, retiring Superintendent of the Motor Transport Department, and expressed the appreciation of the Council for the very fine service he has rendered the City during his employment from May 15, 1935 to October 1, 1960. Mr. Fogus expressed his thanks for the kindness shown him during the years and stated whatever success the department may have had was because of the lowly man in the overalls, who is doing a menial job but one that is very hard and very important to everyone in Charlotte.

PAYMENT AUTHORIZED TO GEORGE K. CUTTER FOR THREE-FOOT STRIP OF PROPERTY ALONG SOUTH TRYON STREET AND EAST FOURTH STREET.

In negotiating for the purchase of a three-foot strip of the property of Mr. George K. Cutter fronting on South Tryon Street and extending back along East Fourth Street, which will be used to widen East Fourth Street, Mr. Wallace Osborne, Attorney for Mr. Cutter, stated the appraised value of \$5,000.00 per front foot made by the City's Appraisers should furnish evidence of what should be paid, bearing in mind Mr. Cutter had no choice in retaining the property for his use, and secondly that the price of \$4,500.00 per front foot paid by Mr. Cutter for the inside property was a bargain price, at an auction sale, and from an estate wanting to sell; that the property across the street sold for \$12,000.00 per front foot and the value of the surrounding property should be considered.

Councilman Dellinger stated the City is not obligated to accept the appraisal figure.

Corrected
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not
Councilman Smith stated he understands appraising real estate is/an exacting science and his interpretation of an appraisal for the City is a guide to go by. He moved that the \$1,500.00 difference in the appraised price and the price per front foot paid by Mr. Cutter for the remainder of the property be cut in two and a total price of \$14,250.00 be offered. The motion was seconded by Councilman Whittington.

Mr. Osborne stated their main purpose in wanting to bring the matter to a conclusion now is to firm up the line of the new building. As a further proposal he suggested that they tender a deed to the City and the City pay \$1.00 now and formally accept the deed, and if further negotiations are successful the City pay Mr. Cutter the amount agreed upon plus interest. However, if there is no agreement reached then the City would by its action grant Mr. Cutter the right to sue just as if condemned. He stated they offer this as an alternative and in order to get the deal wrapped up today.

The City Attorney suggested that the Council let Mr. Cutter take or leave the proposal of \$5,000.00 for the corner and \$4,500.00 for the middle, plus \$750.00 or at total of \$14,250.00. Mr. Cutter stated he will accept the appraised value and nothing else.

Councilman Smith withdrew his motion, and moved that the City pay Mr. Cutter \$5,000.00 per front foot, in view of having three realtors saying the property is worth this amount. The motion was seconded by Councilman Whittington, and carried by the following recorded vote:

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

TEMPORARY SIDEWALKS AUTHORIZED CONSTRUCTED ON FERNCLIFF ROAD, RUNNEYMead ROAD, SHARON ROAD AND BARCLAY DOWNS ROAD, AND CROSSING GUARD PLACED AT RUNNYMEAD AND SHARON ROAD INTERSECTION.

Councilman Whittington reporting for the Special Committee, stated they met with the ladies of the Selwyn School District area last Thursday, and the Committee recommends that temporary sidewalks be constructed on Ferncliff Road, from Rothwood to Sharon Road, on Sharon Road to Harris Road, on Runnymead Road, from Sharon Road to Colony Road and on Barclay Downs Road for 1800 feet, and the City recommend to the State Highway Department that 25-M.P.H. school zones be established on Sharon Road, from Wendover Road to Ferncliff Road, on Ferncliff Road, from Rothwood to Sharon Road and on Runnymead Road, from Sharon Road to Colony Road, and he moved that the recommendations be adopted. The motion was seconded by Councilman Smith, and unanimously carried.

Upon the request of Mr. Sidney Butz, 2220 Ferncliff Road that the letter sent to the Council relative to the construction of the temporary sidewalks in the Ferncliff Road area be incorporated in the motion, Councilman Dellinger moved that it be copied in the Minutes, which was seconded by Councilman Albea, and unanimously carried:

"As property owners affected by a recent City Council act approving the installation of temporary sidewalks on the north side of Ferncliff Road from the 2200 block through the 2400 block, we would appreciate your consideration in requesting the engineering department, when laying out this temporary walk, to follow as closely as possible the contour of the land, and to refrain, as far as possible, from the destruction or removal of trees that might stand in the way, subject to the practicality of the engineering needs.

We agree to abide by the Council's decision that such a walk is needed for the safety of the children, and we only ask the above, which we feel is in order, and which undoubtedly the Council members themselves would request, were they placed in the same position.

Yours very truly,

Name	Address
Mr & Mrs Charles W. Tull	2200 Ferncliff Road
Mr & Mrs Charles S. Myerly	2212 Ferncliff Road
Mr & Mrs Sidney Butz	2220 Ferncliff Road
Mr & Mrs C. Gates Kimball	2236 Ferncliff Road
Lewis H. Meacham	2246 Ferncliff Road
Mr & Mrs Jack Shuman	3330 Foxcroft Road (Corner Ferncliff & Foxcroft Rd)
Mr & Mrs Ralph H. Proffitt	2324 Ferncliff Road
Mr & Mrs W. D. Chanter	2326 Ferncliff Road
Mr & Mrs W. E. Rixon	2400 Ferncliff Road
Mr & Mrs James G. Johnson	2410 Ferncliff Rd.
Mr & Mrs Archie Coffee, Jr.	3319 Sharon Road (corner Fern- cliff and Sharon Roads)
Mr. & Mrs Everett C. Stevenson	2228 Ferncliff Road

P.S. The above names represent the request of 100% of the property owners involved."

Councilman Dellinger requested the City Manager to confer with the Engineering Department about this construction, and also with the State Highway Department relative to lowering the speed limits in this school area and other school areas where it is needed to be done.

PETITION BY PROVIDENCE PARK RESIDENTS FOR THE CONSTRUCTION OF A SIDEWALK FROM THE INTERSECTION OF RUTLEDGE AVENUE AND RANDOLPH ROAD EAST ALONG RANDOLPH ROAD TO THE INTERSECTION OF GREENWICH ROAD AND RANDOLPH ROAD.

Mr. C. E. McCartha presented a petition signed by the residents of Providence Park that temporary sidewalks be constructed from the intersection of Rutledge Avenue and Randolph Road east along Randolph Road to the intersection of Greenwich Road and Randolph Road; that there are 79 families in Providence Park with approximately 121 children attending Cotswald School, located on Greenwich Road; that Randolph Road is a heavily traveled thoroughfare with business districts on both sides, making travel by foot on Randolph Road extremely hazardous and dangerous for children.

Councilman Dellinger moved that the City Manager have an estimated made of the cost of the requested sidewalks. The motion was seconded by Councilman Albea, and unanimously carried.

RESOLUTION PROVIDING FOR THE ISSUANCE OF \$985,000 SANITARY SEWER BOND ANTICIPATION NOTES, AND RESOLUTION PROVIDING FOR THE ISSUANCE OF \$25,000 CHARLOTTE MEMORIAL HOSPITAL BOND ANTICIPATION NOTES, AND RESOLUTION FIXING THE FORM AND MANNER OF EXECUTION OF \$1,010,000 BOND ANTICIPATION NOTES TO BE ISSUED UNDER DATE OF OCTOBER 20, 1960 AND RATIFYING APPLICATION TO LOCAL GOVERNMENT COMMISSION FOR APPROVAL, ADVERTISEMENT AND SALE OF SAID NOTES.

Councilman Smith introduced a resolution which was read, entitled: Resolution Providing for the Issuance of \$985,000 Sanitary Sewer Bond Anticipation Notes. Thereupon, upon motion of Councilman Smith, seconded by Councilman

Albea, and unanimously carried, the foregoing resolution was passed on the following vote:

YEAS: Councilmen Albea, Dellinger, Myers, Smith and Whittington
NAYS: None

Councilman Smith then introduced a resolution, which was read, entitled: Resolution Providing for the Issuance of \$25,000 Charlotte Memorial Hospital Bond Anticipation Notes. Thereupon, upon motion of Councilman Smith, seconded by Councilman Albea, and unanimously carried, the foregoing resolution was passed on the following vote:

YEAS: Councilmen Albea, Dellinger, Myers, Smith and Whittington
NAYS: None

Councilman Smith then introduced a resolution, which was read, entitled: Resolution Fixing the Form and Manner of Execution of \$1,010,000 Bond Anticipation Notes to be Issued Under Date of October 20, 1960, and Ratifying Application to Local Government Commission for the Approval, Advertisement and Sale of Said Notes. Thereupon, upon motion of Councilman Smith, seconded by Councilman Albea, and unanimously carried, the foregoing resolution was passed on the following vote:

YEAS: Councilmen Albea, Dellinger, Myers, Smith and Whittington.
NAYS: None

The foregoing resolutions are recorded in full in Resolutions Book 4, beginning at Page 48, and ending at Page 53.

RESOLUTION PROVIDING FOR PUBLICATION OF NOTICE OF HEARING ON OCTOBER 31, 1960 ON PETITION OF CHARLOTTE COMMUNITY COLLEGE FOR THE ANNEXATION TO THE CITY OF CHARLOTTE OF 50 ACRES OF PROPERTY IN PAW CREEK TOWNSHIP.

The City Manager advised a Petition has been filed by Charlotte Community College for the annexation to the City of Charlotte of 50 acres of property in Paw Creek Township.

A resolution entitled: Resolution Providing for the Publication of Notice of Hearing on October 31, 1960 on the Petition for the Annexation of the 50 Acres of Property in Paw Creek Township, was introduced and read, and upon motion of Councilman Albea, seconded by Councilman Myers was unanimously adopted. The resolution is recorded in full in Resolutions Book 4, at Page 54.

CONTRACT AWARDED SOUTHERN RUBBER COMPANY FOR RUBBER BOOTS.

Councilman Dellinger moved the award of contract to Southern Rubber Company, the low bidder, for 173 pairs of Rubber Boots, as specified, at a total sum of \$1,242.14, subject to cash discount of \$24.84, representing a net delivered price of \$1,217.30. The motion was seconded by Councilman Smith, and unanimously carried.

The following net delivered bids were received:

Southern Rubber Company	\$ 1,217.30
Goodall Rubber Company	\$ 1,269.85
E. P. Alexander & Sons	\$ 1,310.54
Carolina Auto Supply House	\$ 1,441.09
Matthews-Morse Sales Company	\$ 1,620.92
Belk Bros. Company	\$ 1,730.00
Shelby Supply Company	\$ 1,901.27

CONTRACT AUTHORIZED WITH MARSH BROADWAY CONSTRUCTION COMPANY FOR INSTALLATION OF WATER MAINS IN WINDEMERE LANE AND WRIGHT AVENUE.

Upon motion of Councilman Whittington, seconded by Councilman Smith, and unanimously carried, contract was authorized with Marsh Broadway Construction Company for the installation of 1,175 feet of water mains and one hydrant in Windemere Lane and Wright Avenue, at an estimated cost of \$2,800.00. The City to finance all construction costs and applicant to guarantee an annual gross water revenue equal to 10% of the total cost.

CONDEMNATION PROCEEDINGS AUTHORIZED AGAINST GREEN WAREHOUSES, INC. FOR SANITARY SEWER RIGHT-OF-WAY.

Councilman Dellinger moved that condemnation proceedings be authorized started against Green Warehouses, Inc., for right-of-way 286.79 feet by 15 feet across their property for the construction of the Atando Avenue sanitary sewer. The motion was seconded by Councilman Whittington, and unanimously carried.

TRANSFER OF CEMETERY LOT.

Upon motion of Councilman Albea, seconded by Councilman Whittington, and unanimously carried, the Mayor and City Clerk were authorized to execute a deed with Mr. Gus N. Entas for Lot #116, Section 4-A, Evergreen Cemetery, at \$126.00.

DISCUSSION OF EFFECTIVE PROGRAM FOR SOLVING THE CITY'S SIDEWALK PROBLEM.

Councilman Whittington stated the City now has 35 miles of temporary sidewalks that has to be maintained and redone every year if not more often, and he feels the Council is going to have to take some action on permanent sidewalks. He asked that the Council give thought to the matter as he is going to bring it up soon and ask that an amendment be passed to the Subdivision Ordinance requiring developers to provide permanent sidewalks.

Councilman Dellinger stated for the past six or seven years he has tried to talk the Council into setting up a revolving fund to meet this need. He suggested that the City Manager and City Attorney talk with the Legislators relative to the proper legislation for the city to establish a revolving fund whereby the property owners may pay for sidewalks by the year. He stated our sidewalks are in a deplorable condition, and are abused by the property owners and never fixed and some kind of enforcement policy should be adopted, and effective legislation passed. He called attention to the condition of the sidewalk at College and East 7th Street and requested the City Manager to see that it is fixed.

Mr. Veeder, City Manager, advised that the Engineering Department is considering the matter and trying to evolve an effective plan for amending the Charter for the Legislative Committee.

PROPERTY OWNERS TO BE NOTIFIED BY LETTER WHEN SIDEWALK CONSTRUCTION TO BE MADE.

Mayor pro Hitch stated he thinks it would be good public relations for

the City to notify property owners when sidewalks are to be laid, that the city will follow the contour of the land as much as possible and full consideration given trees that may be in the way, so they will know what to expect instead of becoming unduly upset. He suggested that a letter be sent each property owner after Council action is taken and before the work is done, and that this be done in the Ferncliff area where the temporary sidewalks are to be laid. The City Manager stated a letter is feasible but it will slow down the work but will probably be best in the long run.

Councilman Myers moved that the City Manager send an appropriately worded letter to the effected property owners in such cases. The motion was seconded by Councilman Whittington, and unanimously carried.

COST OF MAINTENANCE OF TEMPORARY SIDEWALKS LAST YEAR REQUESTED.

Councilman Dellinger requested the City Manager to advise the amount spent on maintenance of temporary sidewalks last year.

CITY MANAGER REQUESTED TO HAVE SURVEY MADE AS TO INSTALLATION OF STREET LIGHTS ON COUNTRY CLUB DRIVE.

Councilman Whittington stated there are no street lights on Country Club Drive from Matheson Avenue to Shamrock Drive, and requested the City Manager to have a survey made as to whether they should be installed.

CONTRACT AWARDED BOYD & GOFORTH, INC. FOR CONSTRUCTION OF SANITARY SEWERS IN RESIDENTIAL SUBDIVISION DEVELOPMENTS.

The City Manager advised that the following bids have been received for the construction of sanitary sewers in residential subdivision developments:

C. M. Allen & Company	\$42,439.05	200 days completion time
Boyd & Goforth, Inc.	\$43,560.05	150 days completion time
A. P. White & Associates	\$45,703.00	200 days completion time
Ray D. Lowder, Inc.	\$47,606.00	180 days completion time
Blythe Bros. Company	\$48,606.30	180 days completion time
A. H. Guion, Inc.	\$48,964.04	180 days completion time
T. A. Loving, Inc.	\$50,774.00	120 days completion time
C. W. Gallant, Inc.	\$51,185.90	220 days completion time

He advised that by virtue of the 50 days difference in the completion time and the penalty-bonus, clause of \$25.00 per day, in the two lowest bids, Boyd & Goforth, Inc., is the actual low bidder by \$129.00, and he recommended the award of contract to them. Councilman Albea moved that contract be awarded the low bidder, Boyd & Goforth, Inc., at a total bid price of \$43,460.05. The motion was seconded by Councilman Dellinger, and unanimously carried.

Councilman Smith called attention to the trouble with contractors in the past in getting them to put private property back in proper condition where similar construction work is done, and he asked the City Manager to keep check on this work as it is in residential areas.

CONTRACT AWARDED BOYD & GOFORTH, INC. FOR CONSTRUCTION OF SANITARY SEWER TRUNK ALONG INTERSTATE ROUTE 85.

The City Manager advised that bids have been received for the construction of sanitary sewer trunk along Interstate Route 85, as follows:

Boyd & Goforth, Inc.	\$ 87,169.75	150 days completion time
Blythe Bros. Company	\$ 96,507.50	180 days completion time
A. P. White & Associates	\$ 98,774.01	200 days completion time
A. H. Guion, Inc.	\$104,737.00	180 days completion time
C. W. Gallant, Inc.	\$113,016.40	220 days completion time
C. M. Allen & Company	\$114,405.50	200 days completion time
T. A. Loving Construction Co.	\$118,109.50	120 days completion time
Ray D. Lowder, Inc.	\$121,641.00	180 days completion time

He recommended the award of contract to the low bidder, and advised that due to requirements placed on the work by the U.S. Bureau of Roads, the project is costing twice the amount of the original estimate and funds are inadequate to cover the total cost, therefore, he recommends that the difference, estimated at \$25,000.00 be authorized charged to the new Sewer Bond Fund. Councilman Albea moved that contract be awarded the low bidder, Boyd & Goforth, Inc., at a total bid price of \$87,169.75 and the remaining portion of the cost, estimated at \$25,000.00, be charged to the new Sewer Bond Fund. The motion was seconded by Councilman Dellinger, and unanimously carried.

SPRINGWAY DRIVE, FROM SHAMROCK DRIVE TO FLAMINGO AVENUE, TAKEN OVER FOR MAINTENANCE.

Upon motion of Councilman Albea, seconded by Councilman Smith, and un-animously carried, Springway Drive, from Shamrock Drive to Flaningo Avenue, was taken over for city maintenance.

APPOINTMENT OF COLEMAN W. ROBERTS AS SPECIAL LICENSE CLERK TO HANDLE SALE OF 1961 CITY AUTO LICENSE TAGS.

Councilman Albea moved the appointment of Mr. Coleman W. Roberts as Special License Clerk to handle the sale of 1961 City Automobile License Tags for one year, at a fixed compensation of 10 cents per tag. The motion was seconded by Councilman Smith, and unanimously carried.

SCHOOL CROSSING GUARDS AUTHORIZED AT SHARON AND RUNNYMEAD ROADS, ASHLEY AND DUBLIN ROADS, AND EASTWAY DRIVE AND BURGIN STREET.

Motion was made by Councilman Dellinger, seconded by Councilman Whittington, and unanimously carried, authorizing School Crossing Guards at the inter-sections of Sharon & Runnymead Roads, Ashley & Dublin Roads and Eastway Drive & Burgin Street, and the transfer of \$1,506.00 from the Contingency Fund to the Police Department Budget for payment of salaries, as recommend-ed by the City Manager and Police Department.

PURCHASE OF 4.2 ACRES OF PROPERTY ON NEWLAND ROAD FROM R. F. DRAPER FOR RIGHT-OF-WAY FOR NORTH-SOUTH EXPRESSWAY.

Councilman Whittington moved that 4.2 acres of property on Newland Road be purchased from Mr. R. F. Draper for right-of-way for the proposed

north-south expressway at a price of \$10,500.00 for the property, plus \$700.00 for legal and engineering fees invested in the property by Mr. Draper in connection with its planned development, making a total price of \$11,200.00. The motion was seconded by Councilman Albaea, and unanimously carried.

PAYMENTS AUTHORIZED TO HENRY G. NEWSON FOR SERVICES IN CONNECTION WITH RIGHTS-OF-WAY.

Upon motion of Councilman Smith, seconded by Councilman Albaea, and unanimously carried, payment of \$430.00 from the Sewer Bond Fund was authorized to Mr. Henry G. Newson for obtaining right-of-way in connection with sanitary sewer extensions to Rolling Hills Drive, Abingdon Road, Statesville Avenue Terrace, Rozzells Ferry Road, York Road, Driftwood Drive and Campbell Drive, and the payment of \$24.00 from Account D-8 for appraisal of the Newland Terrace property.

Councilman Whittington called attention that he has requested that other persons be given an opportunity to participate in obtaining these rights-of-way, and Mr. Veeder stated he was under the impression that Councilman Whittington had referred only to the attorneys handling the legal work in connection with the rights-of-way, and he will, of course, be glad to give other realtors the same opportunity to participate in the work.

APPOINTMENT OF THEODORE H. NOE AS SUPERINTENDENT OF THE MOTOR TRANSPORT DEPARTMENT, EFFECTIVE NOVEMBER 1, 1960.

Mr. Veeder, City Manager, announced the appointment of Mr. Theodore H. Noe as Superintendent of the Motor Transport Department, effective November 1, 1960. He advised that Mr. Noe was born in Clinton, N. C., is 43 years old, was brought up in Wilmington, N. C., served as Superintendent of the Sanitary Department in Winston-Salem and more recently in the same capacity in Dade County, Florida, that he is a graduate of East Carolina College and received his masters degree in public health at the University of North Carolina. He stated that Mr. Noe made quite a fine record for himself in his work in Winston-Salem and also in Florida.

Councilman Dellinger asked that he be recorded as saying a local man should be given the job. That it is demoralizing to the personnel in a department when a man is not moved up in the department, and in a city of this size he is sure someone could be found fully capable of doing the work. He stated he disagrees in the selection and he is for the local person being given city jobs.

Councilman Whittington stated he thinks what Councilman Dellinger has said is true, however, he believes that Mr. Noe is the best prepared man the city could obtain for the job; that his record in Winston-Salem was very good indeed and he saved them \$63,000.00 the first six months he was there.

Councilman Dellinger stated he has had some reports on Mr. Noe and he still thinks a local man could have been found to fill the job.

ACTION ON PURCHASE OF DRAPE FOR RECORDER'S COURT ROOM DISAPPROVED FOR DEFERMENT.

Councilman Dellinger moved that the request of Judge Arbuckle to purchase

a drape for the Recorder's Court Room be disallowed. The motion was seconded by Councilman Whittington. Councilman Myers offered a substitute motion that the matter be deferred until the Council has had time to investigate the matter. The motion was seconded by Councilman Smith. The vote was taken on the substitute motion and lost, by the following recorded vote:

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

A vote was not taken on the main motion.

LONGEVITY ALLOWANCE FOR CITY EMPLOYEES DISCUSSED AND REQUESTED DOCKETED FOR CONSIDERATION AT NEXT COUNCIL MEETING.

Councilman Whittington stated he would like to see some plan worked out with regard to employees who have reached their maximum salaries under job classification, so that they may be given a bonus in the form of longevity or by some other method that may be devised. The City Manager stated he feels very strongly that some type of recognition for long service is very desirable, and consideration might also be given to an increase in Group Insurance and Pension Benefits, as well as Longevity. Councilman Dellinger asked if there is any good reason that employees are limited as to salary under the pay plan, as the cost of living increases affect them the same as employees receiving raises. He asked that the City Manager work out a plan where these employees can be given salary increases. Mr. Veeder stated he wishes something worked out but does not want to confuse job classification and length of service benefits. Councilman Myers called attention that a plan for longevity allowances was given the Council by the City Manager several weeks ago for study, and he moved that it be put on the Docket for the next meeting and the Council be prepared to vote on it. The motion was seconded by Councilman Smith, and unanimously carried.

ADJOURNMENT.

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



Lillian R. Hoffman, City Clerk