

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 9, 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 Gibson L. Smith.

MINUTES APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Bryant, and un-animously carried, the Minutes of the last regular meeting on October 2nd, were approved as submitted, with the following changes:

On Page 18, Line 13 from bottom of page, change the words in the statement by Councilman Smith from "on the subject" to "regarding alleged brutality", and on Page 25, Line 15 from top of page, change the words in the statement by Councilman Thrower from "getting rich or what" to "adequate income".

RESOLUTION RELATIVE TO THE DEATH OF PAUL J. MORRISEY.

A resolution entitled: "Resolution Relative to the Death of Paul J. Morrisey" was introduced and read by Councilman Bryant, who moved its adoption. The motion was seconded by Councilman Whittington, and un-animously carried. The resolution is recorded in full in Resolutions Book 4, at Page 149.

ORDINANCE AMENDING CHAPTER 9, ARTICLE I, SECTION 9-13 OF THE CITY CODE TO FURTHER REGULATE THE SALE OF ICE CREAM PRODUCTS FROM VEHICLES NEAR SCHOOL PROPERTY, DENIED.

Councilman Jordan moved the adoption of the ordinance, which was seconded by Councilman Thrower.

Councilmen Dellinger and Smith expressed the opinions that the idea of having the trucks operate is good, but it would be impossible for them to cover the city and be absolutely sure of staying away from school property, and they do not like to put an ordinance on the books that, therefore, could not be enforced.

Mr. Morrisey, City Attorney, pointed out that the restriction is only when school is in session from 8 to 4 o'clock, and within two blocks of school grounds.

Councilman Thrower called attention that there is a vast area in Charlotte the trucks can serve away from school property.

The vote was taken on the motion and lost by the following recorded vote:

- YEAS: Councilmen Jordan and Thrower.
- NAYS: Councilmen Albea, Bryant, Dellinger, Smith and Whittington.

Councilman Jordan then moved that the restriction as to the trucks operating within two blocks of school grounds be eliminated and let them sell ice cream any where they wish.

The City Attorney pointed out that the present ordinance restricts the sale within two blocks of a school during the days in which school is in session. That the amendment was merely to pin it down to the hours school is in session and to school grounds proper.

The motion did not receive a second.

Councilman Whittington stated he brought up the matter of the trucks being equipped with blinker lights but because of the conflict with ambulances, he dropped it.

ORDINANCE NO. 53-X DESIGNATING THE OFFICIAL DEPOSITORIES FOR THE CITY OF CHARLOTTE.

Councilman Smith moved the adoption of Ordinance No. 53-X Designating the Official Depositories for the City of Charlotte. The motion was seconded by Councilman Whittington, and unanimously carried.

The ordinance is recorded in full in Ordinance Book 13, at Page 107.

The City Manager advised the ordinance has no bearing on what accounts go into what banks. That the General Statutes require municipalities to designate depositories, and all banks are designated herein officially.

PAYMENT AUTHORIZED TO TRUSTEES OF THE ESTATE OF J.P. HACKNEY FOR BUILDINGS AND LAND ACQUIRED AS RIGHT OF WAY FOR EAST SIXTH STREET CONNECTOR.

Upon motion of Councilman Whittington, seconded by Councilman Smith, and unanimously carried, payment of \$15,000.00 was authorized to Mr. J. P. Hackney Jr. and Mr. Roy S. Smith, Trustees of the Estate of J. P. Hackney for three frame buildings located at 228-50 North Myers Street and 812-14 East Sixth Street, and 9,552 sq. ft. of land, acquired as right of way for the East Sixth Street Connector.

PAYMENT AUTHORIZED TO FRANK H. COTHRAN AND WIFE FOR SANITARY SEWER RIGHT-OF-WAY IN CONNECTION WITH SUGAW CREEK OUTFALL EXTENSION.

Councilman Albea moved that payment of \$2,100.00 be authorized to Mr. Frank H. Cothran and wife, for sanitary sewer right-of-way in connection with the Sugaw Creek Outfall Extension. The motion was seconded by Councilman Whittington, and unanimously carried.

PAYMENT AUTHORIZED TO DAVIS & DAVIS REALTY COMPANY FOR SERVICES IN CONNECTION WITH SANITARY SEWER RIGHTS OF WAY EXTENSIONS TO THE 1960 CITY LIMIT AREA.

Motion was made by Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, authorizing payment of \$150.00 to Davis & Davis Realty Company, for services in connection with sanitary sewer rights of way extensions to the 1960 city limit area.

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CONTRACT AWARDED NANCE-TROTTER REALTY, INC. FOR INSTALLATION OF WATER MAINS IN CRAIGHEAD ROAD.

Upon motion of Councilman Albea, seconded by Councilman Thrower, and un-animously carried, contract was awarded Nance-Trotter, Inc., for the installation of 400-ft. of water mains in Craighead Road, at an estimated cost of \$1,600.00. The City to finance all costs and applicant to guarantee an annual gross water revenue equal to 10% of the total cost.

CONSTRUCTION OF SANITARY SEWER LINES AUTHORIZED.

Motion was made by Councilman Thrower, seconded by Councilman Albea, and unanimously carried, authorizing the construction of sanitary sewer lines at the following locations; the applicants to pay all costs and deposit with the city the entire cost, which will be refunded as per terms of the contract:

- (a) Construction of 645-ft. of sewer main in Connecticut Avenue, at request of Evans Construction Co., at an estimated cost of \$1,995.00.
- (b) Construction of 170-ft. of sewer main in Brownstone Street, at request of Evans Construction Co., at an estimated cost of \$510.00.
- (c) Construction of 346-ft. of sewer main in Hawthorne Lane Extension, at request of Mr C. T. Brown, at an estimated cost of \$1,620.00.
- (d) Construction of 135-ft. of sewer main in Celia Street, at request of Helms Construction Co., at an estimated cost of \$695.00.
- (e) Construction of 800-ft. of sewer main in Terrybrook Subdivision, at request of W. S. Clanton Realty Company, at an estimated cost of \$2,480.00.
- (f) Construction of 192-ft. of sewer main in Rogers Street, at request of T. R. Burroughs Construction Company, at an estimated cost of \$480.00.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

Upon motion of Councilman Dellinger, seconded by Councilman Smith, and unanimously carried, the construction of driveway entrances was authorized at the following locations:

- (a) Two 35-ft. entrances on N. Tryon Street, and One 35-ft. entrance on Craighead Road, all for 3800 N. Tryon Street.
- (b) One 20-ft. entrance on Independence Boulevard for 448 Beaumont Avenue.
- (c) Two 10-ft. entrances at 1631 Providence Road.
- (d) Two 30-ft. and One 15-ft. entrance at 330 Rampart Street.
- (e) One 12-ft. entrance at 2620 South Boulevard.
- (f) One 12-ft. and One 11-ft. entrance at 1510 Elizabeth Avenue.
- (g) One 30-ft. entrance at 1417 Eastway Drive.
- (h) One 25-ft. entrance at 4500-22 North Sharon-Amity Road.
- (i) Three 35-ft. entrances at 2000 E. 7th Street.
- (j) Two 35-ft. entrances on Central Avenue and Two 35-ft. entrances on Morningside Drive, all for 2600 Central Avenue.

TRANSFER OF CEMETERY LOT.

Councilman Jordan moved that the Mayor and City Clerk be authorized to execute a deed with Mr Henry C. Dockery and wife, for Graves #5 and #6, in Section 3, Lot 22, Evergreen Cemetery, at \$120.00. The motion was seconded by Councilman Whittington, and unanimously carried.

CONTRACT AWARDED SOUTHERN RUBBER COMPANY FOR 10,000 FEET OF FIRE HOSE.

Upon motion of Councilman Whittington, seconded by Councilman Dellinger, and unanimously carried, contract was awarded Southern Rubber Company, the low bidder on the Alternate Bids for 4,000 feet of 1½ inch, 4,500 feet of 2½ inch and 1,500 feet of 3-inch dacron and cotton, double-jacket, rubber-lined Fire Hose, as specified, on a unit price basis, in the total amount of \$8,605.14.

The following bids were received:

Blaze Guard Manufacturing Co.	\$ 8,786.82
B. F. Goodrich Company	9,362.19
The Fyr-Fyter Company	12,223.83

Alternate Bid:

Southern Rubber Company	\$ 8,605.14
Blaze Guard Manufacturing Co.	8,973.56
The Henry Walke Company	9,064.41
Fabric Fire Hose Company	9,136.08
B. F. Goodrich Company	9,362.19
Goodyear Tire & Rubber Co.	9,715.48
General Fire Extinguisher Corp.	9,746.38
The Fyr-Fyter Company	11,214.43

CONTRACT AWARDED PARNELL-MARTIN SUPPLY COMPANY FOR 12-MONTHS SUPPLY OF PIPE FITTINGS.

Upon motion of Councilman Dellinger, seconded by Councilman Bryant, and unanimously carried, contract was awarded Parnell-Martin Supply Company, the low bidder, for 10,600, 3/4-inch galvanized genuine wrought iron Pipe Fittings, in the amount of \$2,457.78.

The following bids were received:

Parnell-Martin Supply Company	\$ 2,457.78
Crane Company	2,501.61
Hajoca Corporation	2,518.40
Grinnell Company, Inc.	2,518.82
Horne-Wilson, Inc.	2,671.75
Atlas Supply Company	2,672.40
Baker-Mitchell Company	2,731.85
Matthews-Morse Sales Company	2,734.69
Parnell Supply Company	2,770.95
McJunken Corporation	2,952.43
Dillon Supply Company	3,157.97

PROGRESS REPORT REQUESTED ON EAST 5TH AND EAST 6TH STREETS.

Councilman Whittington asked the City Manager for a progress report on East 5th and East 6th Streets, as he understood it was expected to open in 1961. Councilman Dellinger stated the time was 1962 instead of 1961. Mr Veeder, City Manager, advised we are ready to go ahead as soon as the right of way is obtained.

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CITY TO FURNISH PAPER FOR MAPS TO BE MADE BY COUNTY FOR USE BY LAND COMMITTEE.

Councilman Jordan advised the Land Committee has not had its meeting as Councilman Bryant has been out of the city. That he has had the Tax Department give him the list they have of city and county property and he has four copies. That they have asked the City to furnish the paper and they will make the maps, and he wondered if that is permissible?

Councilman Dellinger moved that the City furnish the paper for the maps, which was seconded by Councilman Thrower, and unanimously carried.

INEQUITIES IN PROPERTY VALUATIONS DISCUSSED.

Councilman Smith asked if the City has any authority under the Consolidated Tax Valuation Program handled by the County, and Mr. Veeder advised that as one of the Governing Bodies he is sure the County Commissioners would be receptive to suggestions. Councilman Smith stated that in his business he is in a position to see that the selling price and tax value on property in the city and county are far out of line, and more realistic values should be put on vacant rural properties. That because of the low tax value on vacant rural land, a hardship is being placed on heavily taxed downtown property owners. Mayor Brookshire observed that it would be an appropriate study for the new City-County-Chamber of Commerce Committee to make.

Mr. Morrissey, City Attorney, advised the 1959 General Assembly passed a law that before the County Commissioners may fix the valuation the Council must be given the opportunity to appear and be heard as to the adequacy of the ratio in relation to the tax base of the city.

Councilman Smith stated he is not putting the whole blame on the County but it seems that the policy between rural and downtown property should be brought in line. The City Manager stated that the fact the revaluation study is now being made, maybe this can be corrected.

REPORT REQUESTED ON SEWER LINE IN THRIFT ROAD AND FREEDOM DRIVE NOT SERVING LEFT SIDE OF STREET.

Councilman Dellinger asked the City Manager if he would report on his request of October 2nd as to why sewer lines being constructed in Thrift Road and Freedom Drive will service the right side of street and not the left. Mr. Bobo, Administrative Assistant, advised there is a deep ravine between the houses on the left side and sewer line. That the City Engineer is having a survey made of the area to see if it is feasible to provide this service. Councilman Dellinger asked if they could not go down 16 feet? He asked that a report be given him on this.

EMPLOYMENT OF J. N. PEASE & COMPANY AS CONSULTING ENGINEERS FOR CAPITAL IMPROVEMENT PROGRAM AT DOUGLAS MUNICIPAL AIRPORT, AUTHORIZED.

Councilman Bryant moved the employment of J. N. Pease & Company as Consulting Engineers for the Capital Improvement Program at Douglas Municipal Airport. The motion was seconded by Councilman Smith, and unanimously carried.

CONTRACT AUTHORIZED WITH CAROLINA MOTOR CLUB FOR SALE OF 1962 CITY
AUTO LICENSE TAGS.

Upon motion of Councilman Albea, seconded by Councilman Whittington, and unanimously carried, contract was authorized with Carolina Motor Club for the sale of the City's 1962 auto license tags, at a fee of 10¢ per tag.

CITY MANAGER REQUESTED TO CONFER WITH JUDGE BEACHAM AND BRING IN RECOMMENDATION AT NEXT MEETING ON ORGANIZATION OF TRAFFIC COURT.

Councilman Whittington urged that the Council move rapidly to find space for the Traffic Court, now that the offered space in the Court House will not be accepted. That as it will take some four months to provide space in the Old Health Building, and since Judge Beacham feels that two courts can be run temporarily in the City Recorder's Court Room, it should be worked out at once.

Councilman Thrower suggested that the City Manager bring in a proposal of some kind as to exactly what they want to do, so Council can go ahead and appoint a Judge and Solicitor.

Councilmen Smith and Bryant expressed the opinion that further study should be given the matter, and the court should be set up with all the dignity of a Court and not start off with half measures.

Councilman Albea agreed, stating there is no use doing something until you get a house to do it in.

Councilman Dellinger stated he thinks lots of it will be exploratory and more traffic officers will have to be employed, as they will be called off their beats to testify in traffic cases. He stated further he believes the Council should work in conjunction with the County and combine the two recorder's courts, so that one court could handle all civil cases and the other traffic for a while, then we would know exactly what we need. He called attention that the Tax and Health Departments have been consolidated when lots of persons said it could not be done, and he thinks the courts could also be combined.

Mayor Brookshire asked the City Manager to confer with Judge Beacham and give the Council their recommendations next week on the details of organizing the traffic court.

ADJOURNMENT.

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


Lillian R. Hoffman, City Clerk