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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 Monday, August 21, 1967, at 2:00 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, Jerry Tuttle and James B. Whittington present.

ABSENT: None.

The Charlotte-Mecklenburg Planning Commission sat with the City Council, and as a separate body, held its public hearings on Petitions for changes in zoning classifications concurrently with the City Council, with the following members present: Chairman Toy and Commissioners Albea, Gamble, Godley, Sibley, Stone, Tate, Turner and Wilmer.

ABSENT: Commissioner Ashcraft.

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INVOCATION.

The invocation was given by Reverend Dwight L. Barker, Minister of East Presbyterian Church.

MINUTES APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Tuttle, and unanimously carried, the Minutes of the last meeting of August 7th were approved as submitted.

HEARING ON PETITION NO. 67-45 BY CHARLOTTE TELEVISION CENTER, INC., FOR CHANGE IN ZONING FROM R-6MF TO B-2 OF TWO LOTS AT THE SOUTHEAST CORNER OF STEWART AVENUE AND ROZZELLS FERRY ROAD.

The public hearing was held on the subject petition.

Mr. William McIntyre, Planning Director, advised the subject property is on Rozzells Ferry Road in the vicinity of the Belvedere Homes and consists of two lots, one of which is occupied by a dwelling, and the other is vacant. Immediately to the west of the property is the existing television repair shop and to the west of that is a duplex; on the town side, it is adjoined by single family development with some vacant lots; directly across Rozzells Ferry Road is a single family development and some vacant land, but the area is predominately residential in the near vicinity; across Stewart Creek are two commercial establishments - Macke Vending Company and a candy manufacturing establishment.

He advised the property is zoned R-6MF and is adjoined on the west by light industrial; immediately to the rear is light industrial, and on the town side along Rozzells Ferry Road, it is R-6MF as is the zoning directly across from the subject property.

Mr. Bud Coira, Attorney for the petitioner, stated immediately to the rear of the subject property is light industrial, and it extends all the way from Stewart Avenue to one block toward town. Light industrial extends in a westerly direction along Rozzells Ferry Road, and although it is zoned R-6MF

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along Rozzells Ferry Road east of this point, it would make an excellent buffer - with industrial and on one side and the B-2 zoning on the other side which would provide an appropriate buffer between the industrial and the R-6MF. There is a building on the corner lot with the adjacent lot not being occupied and the petitioner has no immediate plans for erecting a building at that point. If this request is allowed, the business use will be on the corner with a vacant lot, and then the R-6MF will continue on that side of Rozzells Ferry Road towards the city.

No objections were expressed to the proposed change in zoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 67-46 BY MRS. LOUISE C. STEPHENS ET AL, FOR A CHANGE IN ZONING FROM R-6MF TO O-6 OF PROPERTY ON THE NORTHEAST SIDE OF LEXINGTON AVENUE EXTENDING FROM EUCLID AVENUE TO ORIOLE STREET.

The scheduled hearing was held on the subject petition.

The Planning Director advised the subject property extends from Oriole Avenue across Myrtle Avenue and up to Euclid Avenue along the northerly side of Lexington Avenue and is predominately occupied by single family residential structures with a couple of vacant properties within the area. The Lexington Avenue area is adjoined along the rear property line by businesses that have their frontage on Morehead Street, between Oriole Street and Euclid Avenue. That the block from Oriole Street to Myrtle Avenue is behind Shoney's.

Mr. McIntyre stated the property directly across Lexington Avenue from the two subject blocks is almost totally developed with single family residents with some duplexes and apartments in the near vicinity and one vacant lot. Coming up Lexington Avenue are several office structures that have been built on both sides of the street, between Euclid Avenue and Caldwell Street.

The property is zoned R-6MF; immediately behind this property toward Morehead Street the property is zoned B-1; the property across the street and extending on down Lexington Avenue to the east is R-6MF and the property to the west is zoned O-6 where the offices have recently been built.

Mr. Sam Williams, with Herbert, Jones and Williams, stated the petition is brought by his firm for the property owners in the two blocks, and they are asking for a continuation of office zoning down to the corner of Lexington Avenue and Euclid Avenue for fourteen lots - 10 or 12 of which are occupied by single family residences which are over 30 or 40 years old.

Councilman Short asked Mr. Williams if he is asking for some rezoning of property without the participation of the owner of the land? Mr. Williams replied without the written consent; all have been approached; he has fourteen properties with about 75 to 80 per cent signing of the petitions - some are actual owners and some did not express themselves one way or the other.

No opposition was expressed to the proposed rezoning.

Council decision was deferred for one week.

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HEARING ON PETITION NO. 67-47 BY PINEVILLE INVESTMENTS, INCORPORATED FOR A CHANGE IN ZONING FROM B-2 AND R-9MF TO I-2 OF A TRACT OF LAND AT THE SOUTHEAST CORNER OF PINEVILLE ROAD AND SHARON ROAD WEST, AND FROM R-9MF TO I-2 OF A TRACT OF LAND FRONTING ON SHARON ROAD WEST BEGINNING EAST OF PINEVILLE ROAD.

The public hearing was held on the subject petition.

Mr. McIntyre, Planning Director, stated the property is along the southerly side of Sharon Road West and extends back along the southerly side of the street from Pineville Road in an easterly direction. The property is on the edge of the perimeter and the area immediately south of the area covered by this petition is outside the city's perimeter and is in an unzoned area. The property is vacant and the proposal for rezoning is a broken proposal in terms of continuity along the southerly side of Sharon Road West. It extends back from Pineville Road some 500 feet and is interrupted by property that is not proposed to be rezoned in the middle of which is a single family house. The proposed rezoning picks up again on the other side of the single family house and extends over another 150 feet. At that point the property is adjoined by a single family house and additional single family housing and vacant land immediately to the west of the property along Sharon Road on both sides of the road. Directly across Sharon Road the land is vacant; coming up Pineville Road from Sharon Road West some few hundred feet is the Huntley Ford Company and some distance above that along Pineville Road towards the city is Larry Smith Chevrolet Company. Lance industrial establishment is diagonally to the north and west across Sharon Road and Pineville Road from the subject property. Immediately to the south of the property in question along Pineville Road, Terrill Machine Company has already initiated construction of a new establishment on a fairly large tract of land.

Councilman Whittington asked if the first house Mr. McIntyre mentioned on Sharon Road West is a part of the family that owns the corner property? Mr. McIntyre replied he understands that is the case.

Mr. McIntyre stated the present zoning of the property is B-2 extending from Pineville Road frontage in an easterly direction and then R-9MF. Directly across Sharon Road West the property near Pineville Road is zoned B-2 and the property extending from there back along Sharon Road West is R-9MF. The property immediately to the south of the area included in the petition is in unzoned territory.

Mr. Tom Creasy, Attorney for the petitioner, stated as pointed out the area south of the perimeter which is outside the perimeter area is being substantially redeveloped for industrial purposes, and the area is well qualified and well-equipped for industry, and is being so developed; also along the Pineville Road area it is being developed for industry. That it would be of great benefit to the industrial development south of the perimeter area to have access to the Sharon Road West streets. In order to give protection to the small house which Mr. McIntyre referred to, the petitioner has given an 85-foot buffer zone around the house extending out from Sharon Road all the way back 85 feet around. The granting of the petition would greatly improve the development of the industrial area by the access of I-2 into Sharon Road West giving a good buffer to the small house. They feel the area is suited and well-equipped for industrial development, and industrial development is prevalent within the area.

Councilman Tuttle asked what is planned for this development, and Mr. Creasy replied primarily it will be used for parking and a driveway entrance into the industrial development which is outside the perimeter. Commissioner Toy

asked what is planned for the lower section and Mr. Creasy replied there are no specific plans at this time for the corner area. Commissioner Turner asked if the property is all under one ownership, and Mr. Creasy replied the house is not under this ownership, but the buffer zone and the subject area is under one ownership.

Councilman Tuttle asked if the owner of the house is objecting, and Mr. Creasy replied he does not know.

No objections were expressed to the proposed change in zoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 67-48 BY SHOPPING CENTER DEVELOPERS, INCORPORATED FOR CHANGE IN ZONING FROM R-9MF AND B-1 TO B-1 SCD OF A TRACT OF LAND NORTHEAST OF THE INTERSECTION OF EASTWAY DRIVE AND THE PLAZA HAVING A FRONTAGE OF 622 FEET ON EASTWAY DRIVE AND 357 FEET ON THE PLAZA.

The scheduled hearing was held on the subject petition.

The Planning Director advised this is a large tract of land at the northeast corner of the Eastway-Plaza Road intersection, and the property does not actually come out to the corner; it is vacant property with one or two residential structures. A small shopping center has been established adjacent to the property in question between it and the corner of Eastway and Plaza Road, and has several stores and shops located in the center. The development around the Plaza-Eastway intersection is commercial over and above that which he has just mentioned. Extending north along Eastway Drive is a mixture of single family, duplex and business uses on the westerly side of Eastway across from the subject property; on the northerly side of the property the land is vacant and some short distance through that vacant property is the Southern Railroad line. To the northeast of the subject property the land is vacant; directly to the southeast is a duplex home development about 100 feet distance from the boundary line of the subject property. Directly across The Plaza is a church and a development of duplex homes on Blenwood and Camrose Drives; Eastway Golf Course occupies a very large area across The Plaza from the subject property.

Councilman Tuttle asked approximately how many feet down Eastway Drive from the subject property the present shopping center is? Mr. McIntyre replied about 600 feet. Councilman Tuttle stated this is 600 feet down Eastway Drive which Council has repeatedly said it would not turn into another Independence Boulevard? Mr. McIntyre replied the zoning of this area as established in 1962 zoned all the land from The Plaza along Eastway on the easterly side out to the railroad for business and put office zoning on the other side expecting fairly comprehensive commercial development in this section of Eastway Drive.

Councilman Smith asked if this has not already been approved but it elapsed before the shopping center was completed? Mr. McIntyre replied the petition was heard by Council more than two years ago and was favorably considered at that time but no plan was filed to serve as a guide for the development of the property so therefore the petition which had been favorably considered was voided.

Mr. McIntyre advised the Eastway side of the property is zoned B-1 and the rear of the property going back off of Eastway is R-9MF; directly across The Plaza is zoned R-6MF covering the duplex development in Blenwood-Camrose Drive area and office zoning on the frontage of the Eastway Golf Course and business zoning of property immediately adjacent to The Plaza-Eastway intersection with office zoning on the westerly side of Eastway going up to the railroad tracks.

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Mr. Roy McKnight, Attorney for the petitioner and landowner, Mr. L. L. Herrin, stated this petition was before Council in September 1963 at which time the Planning Commission recommended the requested change and Council agreed to but for some reason plans were not submitted. Mr. McKnight advised they have provided for a buffer zone consisting of approximately 100 feet on the south side of the property which backs into the existing residential area. That the remainder of the property is pretty well surrounded by business and business use. That this property was recommended by the general development plan of the City as a shopping center area. He called attention to a drawing which he had given to Council and stated the 150-foot lot fronting on The Plaza is excluded. That it had been their plan to petition the Council simultaneously for a rezoning of this 150-foot lot from its present R-9MF to B-1 zoning. Through a misunderstanding they thought the three residents next door to this property were also zoned residential and consequently they preferred to file a joint petition; and after further discovery they found those three houses were zoned for B-1. That there is a pending petition which should come up next month on the area which they have marked excluded which is also under the same lease as the subject property.

Councilman Short asked if there is any connection between the present shopping center operation at the corner and the new one which would wrap around it? Mr. McKnight replied none that he has any knowledge of. Councilman Short asked if they do not object to being wrapped around, and Mr. McKnight replied he does not know; that the three residents are not objecting to the request but he has not approached the existing shopping center.

Councilman Whittington asked if Mr. Herron owns the remainder of the property up to the railroad, and Mr. McKnight replied he owns all the land on the north and the east.

Councilman Whittington asked if the petitioners are required to bring a shopping center plan to Council, and Mr. McIntyre replied yes and there was no plan submitted in 1963 and that is why action never was accepted; that the plan presented at that time was not acceptable. That once they have made the necessary revisions in their plan and the ordinance is past, the plan will be filed as part of Council's action and the development of the property could proceed only in accordance with the plan.

No objections were expressed to the change in zoning.

Council decision was deferred for one week.

RESOLUTION CONFIRMING THE ASSESSMENT ROLL FOR IMPROVEMENTS COMPLETED ON SHERIDAN DRIVE, FROM CENTRAL AVENUE TO CENTRAL AVENUE, AND ON LANGHORNE DRIVE, FROM SHERIDAN DRIVE TO SHERIDAN DRIVE.

The public hearing was held on the preliminary assessment roll for improvements completed on Sheridan Drive and on Langhorne Drive, a total of 5,251.68 front feet by installing storm drainage facilities and constructing roll type curb and gutter, at a total project cost of \$79,253.79, of which the city's share is \$58,677.76 and the share to be assessed against abutting properties is \$20,576.03 at \$3.918 per front foot.

No one spoke for or against the assessment roll.

Councilman Smith asked what per cent of the property owners petitioned for the improvements, and Mr. Veeder replied 57.8% of the property owners representing 51.2% of the footage.

Upon motion of Councilman Whittington, seconded by Councilman Tuttle, and unanimously carried, the subject resolution was adopted at 2:38 o'clock p.m. confirming the preliminary assessment roll as the final assessment roll.

The resolution is recorded in full in Resolutions Book 5, at Pages 471 and 472.

MEETING RECESSED AT 2:45 P.M. AND RECONVENED AT 3:00 O'CLOCK P.M.

Mayor Brookshire called a 15-minute recess at 2:45 o'clock p.m., and reconvened at 3:00 o'clock p.m.

RESOLUTION CLOSING A PORTION OF SOUTH MYERS STREET IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA.

The scheduled hearing was held on the petition of the Redevelopment Commission to close certain portions of South Myers Street lying between East Trade Street and East Fourth Street, and East Fourth Street and East Third Street.

Mr. Vernon Sawyer, Director of the Redevelopment Commission, advised the Redevelopment Commission is the petitioner in this case and filed this petition in accordance with the Redevelopment Plan which in turn follows the governmental center plan for the ultimate development of this area.

He reviewed the history of the governmental center plan advising it has been in existence for some time. On April 13, 1966, the plan was first presented at a joint meeting of the City Council, County Board of Commissioners, Planning Commission, School Board and the Redevelopment Commission which was held in the County Commissioners Room in the Courthouse. That this was the first public presentation, and at that time a considerable number of the printed booklets containing the plan were presented to members of the Council, County Commissioners and every official member of every board represented there that day. There were a limited number of the booklets printed and J. N. Pease who was the contractor preparing the plan did make extra copies at its own expense and distributed them fairly liberally to members of the public upon request. There was quite a bit of publicity at that time and there has been since. Following this presentation, at the request of the City and County, the governmental center plan was incorporated as a part of the Redevelopment Plan for Project No. 3 which by amendment had the block abutting Myers Street added to it. Also on the basis of this plan, the County proceeded to prepare plans for the jail to be located as proposed by the governmental center plan.

Mr. Sawyer presented an illustration and pointed out Myers Street and the block bounded by Trade Street, South McDowell Street, Fourth Street and Myers Street which was added by amendment to this Project. That the portion of Myers Street as illustrated on the map was indicated that it would have to be closed because the jail building would sit astride this street. Upon completion of the Redevelopment Plan amendment, the Redevelopment Commission approved it following a public hearing and following the redevelopment approval, it was presented and recommended to the City Council which also approved it following another public hearing which was held on October 31, 1966. There were no objections raised at either of these hearings concerning the proposal to close the street.

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Following approval of the redevelopment plan, Council approved a contract with the Redevelopment Commission - referred to as a Cooperation Agreement - for the carrying out of the project. This agreement provides for the City to vacate the streets as shown in the Redevelopment Plan.

He presented two maps which were taken from the Redevelopment Plan which are official exhibits that go with the text of the Plan. The first is entitled the Project Area and Boundry Map and the second is the Land Use Plan. The first map shows the boundry that goes down Myers Street and shows a portion of it between the existing property line and that boundry. The second map shows that the initial block is designated for public use and the portion of the street to be closed is included in that public land use.

That it was on the basis of the provisions of the Redevelopment Plan which incorporated the governmental center plan and approved by Council and this cooperation agreement that the Redevelopment Commission has petitioned to have this portion of Myers Street closed - that portion lying between East Trade Street and East Third Street.

Mr. Sawyer stated this is only the cumulation of several actions that the Redevelopment Commission has taken - has been required to take in connection with carrying out the Redevelopment Plan approved by Council. There have been two formal advertised public hearings and at neither one of these public hearings has there been objections raised; therefore, they request that the petition be approved.

Mr. John Burnett, Manager of the East Trade Branch of North Carolina National Bank, stated they are not opposed to closing Myers Street; they do want the Council to give consideration to additional parking. There are approximately 80 parking spaces presently and with the new law enforcement building, there will be 37 spaces. That presently they have a lot from the Redevelopment Commission that parks 15 automobiles. If the plan goes through, there will be 37 spaces, 12 have been allocated to one of the buildings in the next block which leaves 25 parking spaces for the Law Building and for the customers of North Carolina National Bank. That he believes this will hurt the business of their Branch in the Law Building because about 25 per cent of their business uses the parking lot at the rear of the Law Building.

Mayor Brookshire advised on the subject of parking, the building that will straddle Myers Street is a county building; the City's Law Enforcement Center - the Police Building - will be just east of that so he believes it is the County Board of Commissioners with whom Mr. Burnett will want to discuss the subject of parking.

General Paul Younts, representing the Charlotte Law Building, stated his stockholders have directed him to oppose the closing of Myers Street. The Charlotte Law Building is the owner of approximately 25% of the frontage on Myers Street affected by this proposed closing; they are the only non-government owner of property on this particular street; the owner of all the improved property on the street; while privately owned, the Charlotte Law Building provides spaces for parking for a hundred or more lawyers and for offices of a branch of the North Carolina National Bank. It is used extensively by members of the public; anything adversely affecting the building affects the members of the public who come to use it daily. The Charlotte Law Building has recently completed an extensive program of renovatio spending a considerable amount of money to improve it and to bring it into keeping with the structures that the City contemplates putting in this area.

It is the rule of the appraisers normally to recognize that corner lots by reason of the extra access which two streets provide are more valuable than interior lots. The extra value assigned to corner lots is from 15 to 20 per cent of the market value that the Charlotte Law Building will be depreciated. By this amount it is at once apparent that the owners of this property object to the closing and they feel the members of the City Council will not, without their consent, take an action which will deprive them from their property rights. There is a side door to the Building opening on to Myers Street; this was planned so that the entrance to the building from automobiles could be affected by stopping on the opposite side of the street at the entrance. The entrance is also useful for delivery trucks because of the heavy traffic, including busses that stop right in front of the building on East Trade Street. That it is impractical and inconvenient for people and for deliveries to rely exclusively on the front entrance at the Trade Street side. As the traffic on Trade Street increases the usefulness of the side entrance on Myers Street becomes increasingly important. The Charlotte Law Building has an easement off Myers Street along the rear of its building which until recently was the means by which coal was delivered into the basement of the building. If Myers Street was closed and if the new jail constructed as proposed, this easement will be lost to vehicular traffic and this will constitute another deprivation of the legal rights of the Law Building which would be lost by the closing of Myers Street.

Mr. Younts stated he questioned the architect and the attorney about the rights the Law Building had when they saw these plans, and they stated that they had not read the rights the Law Building had and were not familiar with them. He cannot see how buildings of this nature can be constructed without finding out all the facts. Myers Street has been a city street and public thoroughfare since the City of Charlotte was laid out. The oldest maps shows Myers Street. While traffic on Myers Street is obviously not as heavy as on Trade and Fourth Streets, traffic is so substantial that at the present time the traffic department of the city has erected signs "no parking at anytime". It is well known to the members of the City Council that the movement of traffic in the downtown area is a major problem. The number one recommendation contained in the recently published City of Charlotte Central Area Plan is for improved vehicular circulation within the central area. Exhibit A of that report shows as a city street and as a part of that traffic plan, Myers between Fourth and Trade Streets. The land use Exhibit B shows Myers Street open between Fourth and Trade Streets. That Exhibit F of the governmental center does show the jail in a position which would obstruct a portion of Myers Street. That it does not appear that those responsible for traffic planning in respect to the greater Charlotte central area plan contemplated that this section of Myers Street should be closed to the public's use. The City of Charlotte at present is implementing the Wilbur Smith report - a master highway transportation plan for the Charlotte-Metropolitan area. An examination of the recommended expressway arterial streets and highway systems on Page 16 of that report indicates that it contemplates the use of Myers Street and Fourth Street along with Trade Street. That report states that when all of Charlotte grows, factors are combined and they add up to one big transportation planning problem. A problem whose solution is contingent upon comprehensive and a coordinating planning approach that embraces every means moving people and goods in and out of the urban area. That the closing of Myers Street between Fourth Street and Trade is contrary to the expectations of those who prepared the master plan for Charlotte traffic and those who prepared the plan for the traffic in respect to the greater Charlotte area in their particular report.

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The Charlotte Law Building was not consulted at the time these plans were made. They knew nothing about this until plans were completed although they had heard rumors from various sources to locate the new jail in a position which would occupy a portion of Myers Street and require its closing as public thoroughfare. The architect's plans indicated they were drawn in June of 1966. It was January of 1967 before a representative of the county contacted anyone representing the Charlotte Law Building in respect to the construction of the proposed jail and the closing of Myers Street.

The stockholders of the Law Building at their annual meeting some weeks later expressed grave concern about the closing of Myers Street, and this concern was immediately expressed to the officials of Mecklenburg County. Considering the very substantial interest that the Charlotte Law Building has in this street they should have been consulted before the plans for the closing of the street were made, and not thereafter. While they do not profess to be architects or planners, to them as laymen it would appear that the jail of the dimensions and of the size and proportion could be reoriented and be placed on the properties which the Redevelopment Commission has acquired on the east side of Myers Street. The jail building proper appears to be 150 x 120 feet or 18,000 square feet. It appears that the Redevelopment Commission has acquired from E. C. Griffith property, which would not be used in the Law Enforcement Building, approximately 25,000 square feet; and from the McRae property - an additional 25,000 square feet. It thus appears there is available on the east side of Myers Street for the jail construction in excess of 30,000 square feet of land not required for the Law Enforcement Building, and that should be sufficient to accommodate a building of 18,000 square feet.

They understand the reason the jail was put in this particular position was that some man by the name of "Hamor" made a statement that it should be between 300 and 400 feet from the County Court House. The jail is proposed for this location to accommodate the transfer of prisoners into courtrooms at the Courthouse. The proposal is for a tunnel extending from the Court House to the Jail building. Under the proposed plan, the tunnel appears to be approximately 100 feet long. There is no reason why the length of this tunnel could not be increased to pass beneath Myers Street with the jail building located entirely on the east side of the street. In addition to leaving Myers Street open, this would leave available land for the badly needed short-term parking for Mecklenburg County Courthouse, the Law Building and County Office Building. But of more importance, would leave the northwest corner of Myers Street and 4th Street available for the expansion of the court facilities.

Mr. Younts stated they have studied the jail plans and they believe if this building is put here, it could not be expanded in future years. All the buildings are being jammed into one particular area. In the City Hall complex there are 1154 people who work back and forth; in the block of the Courthouse are 184 people, not counting the jurors.

That plans prepared by the Charlotte-Mecklenburg Planning Commission several years ago designated this corner for the expansion of the Courthouse to provide additional courtrooms. To their knowledge representatives of the Bar Association have not been consulted about the plans for these new governmental buildings, and the need which will exist which can hardly be predicted at this particular time. Statements have been made that the Charlotte Law Building holds the key as to whether the jail can be constructed. That they are not this kind of people; they want to deal fairly and above board at all times; they did not bring this situation to a head; they have not been in the papers at all. There have been several comments

in the paper where they have agreed on certain situations; they tried to work out a solution; they did their best. They are asking now that they be allowed to let this street remain open and some of the City's outstanding lawyers are here to ask the Council the same thing. Mr. Younts stated they hate to oppose anything that is for the progress of the City of Charlotte but they do not believe this is for the progress of the City of Charlotte.

Mr. John Small stated he is speaking on behalf of the Civil Court facilities of Mecklenburg County and the whole area including especially the new Appellate Court, which he thinks should have an office in Charlotte, and in behalf of the district courts which are not here yet. He stated he must confess that these maps have been around for a long time and to that extent they have been on notice. But he is astonished that the Redevelopment Commission of the City of Charlotte should have come today and presented as the only argument why their request should be approved is the fact that there has been notice published at previous times. He stated there has been no public hearing of any kind on the merits of this matter in any degree whatever, and Council is now asked to pass on a question that is not really the City, but the County Commissioners, and they in turn are in a quandary because these plans were prepared before they were elected. It has been handed to them and they are handing it to the City Council. That he can see no reason why, until the matter has been properly presented to the public and all ideas considered, there should be any decision on the matter. That this is not the time for a decision.

Mr. Small stated for three years he was Chairman of a Planning Commission for the preparation of court facilities for the federal courts in this city and they made tremendous studies over a three year period of time. That the general services administration has a book published on what is needed for federal court facilities. He stated he wrote a memorandum to Mr. Younts on Friday and one paragraph from it is as follows: "Look at some of the lacks in our present civil court facilities. There is no court library with adjoining offices for the judges and law clerks which they ought to have. There are no conference rooms where attorneys and clients and witnesses can confer, work on trials and negotiate settlements; there are no hearing rooms for dispositions, adverse examinations and so forth. There is no main jury assembly room with refreshment facilities. The toilet situation generally is deplorable. There is one office now for two judges and we already have three, and there will be other district judges, and rooms for them and their secretaries are necessary. Facilities for court reporters are already inadequate, and I am sure this list is not complete. But especially I call attention to the fact that we of the capital of Piedmont, North Carolina that our new immediate court of appeals is bound to meet in other places than Raleigh and we should be forward looking in making arrangements to provide facilities which we can rent to the State and make ourselves a judicial center."

He stated in 1927 the County Commissioners made a mistake when they would not buy adequate land for the courthouse, would not buy the land where the law building now stands, would not buy the residences behind, which they had to buy at triple its price later on. Now they are asking the City's permission to be boxed in again by building a courthouse across the street, taking away facilities in the front which should be used for civil court facilities instead of being occupied by the jail and the law enforcement center.

Mr. John D. Shaw, former City Attorney, stated we are spending millions of dollars to increase the flow of traffic, and block one street which serves

a ten-story office building that is the connecting link of a part of the traffic plan of the City; it is one of the few streets in this section of town that goes north any distance at all. As more one-way streets are created, you will have to circle blocks and come out to accommodate yourself to the traffic plan of the city as referred to by General Younts.

That the question before Council is whether it is in the public interest that Myers Street be closed for the purposes for which it is being closed? They concede a new jail house is needed but as pointed out by moving it a few feet east it will not crowd the law enforcement building at all, this can be built with the street there. Then the question comes, how will you get the incarcerated over to the court house, if that is where the court building eventually will be located. That he was in Venice once and saw a little bridge that went from the palace over to the square building in the middle of the block - it was called the Bridge of Size. That he is sure the stockholders of the law building would have no protest if a bridge of size was put over Myers Street, or if you want to tunnel it, ditch a trench and put the tunnel in it and cover it back over.

Mr. Shaw stated he is opposed to closing this particular street at this time because he does not think it is in the public interest. The law building is there and other facilities are there and cannot be moved. Here is a building that is going to be built and it does not cost much to move it.

He asked if it is in the public interest that this street be closed at this time and in the manner and for the purpose for which it is being closed? They say it is not.

Mr. Frank Kennedy, Attorney, stated he helped build the law building about 40 years ago. The Law Building has paid to the city and county over those 40 years a tremendous amount of money in taxes. That he mentions this because here is an injustice about to be done to an important taxpayer by the city and county. That he does not think it should be done. That neither the Redevelopment Commission nor the County government had the right to close that street, but they went along with their plans. So far as public notice goes he got the impression that simply because the Redevelopment Commission had published some notices and nobody had objected that is the complete answer to it. He stated this is the first time that this matter has come up for consideration. That it seems to have originated because neither the Redevelopment Commission nor the county authorities can close this street. So after getting themselves in a situation they come to the city and ask that it be closed for them. He stated before such a strange request is granted, it seems it should be examined from two points of view - (1) The interest of the Law Building. Consideration is due the Law Building merely because of the injustice and damage that would be done the Law Building. It was built with a side entrance and that entrance is used a great deal. If the street is closed it will be a tremendous inconvenience to everybody that has an office in the building and to everybody that goes there. He stated he has the statute governing the right of a county to close a street, and the county does not have a right to close a street inside a municipality. The statute provides if it appears to the satisfaction of the County Commissioners that the closing of said road is not contrary to the public interest and that no individual owning property within the vicinity of the said street or subdivision will not be deprived of a reasonable means of access. Mr. Kennedy stated he is not saying if the street is closed the Law Building will be without an access as it still has the front door, but the street in front cannot be used for the purpose that the side entrance is mainly used.

This is an old street and is only six blocks from the square, and is much in use today and will continue to be so and even more so than it is now after the redevelopment plans go through. If it was in the public interest to close this street, why has it not been closed before now? He stated there is a church on the corner and he is sure the members of that church would not relish the closing. That he thinks it is more in the public interest to continue to use the property in back of the Law Building for the purpose which it is now used - for parking. The county should provide some parking for the many, many people that go to the county court house and the county buildings.

Mr. Fred Helms stated if the side entrance of J. B. Ivey and Company were being closed in the same way that this will effectively close the side entrance to the Law Building, it would be incredible. This is a building that represents on today's market at least a million dollars investment. The recent improvements to the building would cost over 3/4 of a million dollars. If it was contemplated all along that Myers Street was going to be closed along side this office building, good citizenship and good conscience would have dictated that somebody should have gone to the private owner of the building and said we are going to close Myers Street, and before you spend 3/4 of a million dollars in bringing the building up to date, you should take a second look. He stated it is the only substantial private development in the whole area. The only one that has been made in the whole area of a private nature in 40 years. To just move in and close the side of the building, which is the most important entrance to the building seems to be very unfair to say nothing of lack of consideration. That he understands there would be 12 feet left of Myers Street and one car could not go in and turn around in that 12 feet to say nothing of the wives and children of a half dozen younger lawyers coming in there to pick up the lawyer at the end of the day's work.

Coming in in the morning on Fourth Street, traffic for the Law Building can cut into Myers and get out of the way. You can imagine in heavy traffic in the morning a half dozen cars stopping - what a mess we would have with the police department trying to handle that traffic situation. You can imagine a half dozen cars stopping traffic on East Trade Street at the peak in the afternoon when the wives are trying to pick up their husbands and the whole line of traffic blocked up for two or three blocks.

He knows that in Redevelopment and in planning progress you can put down a lot of beautiful little blocks and make a very beautiful picture, but there are some practical needs in a situation, and one of those needs is accessibility to the Law Building by the hundred or so lawyers who are in there everyday to say nothing of the secretaries and the hundreds of people who go to the Law Building. To say you are going to close the only real access to it and take your chance, hit or miss, sink or swim, live or die on the traffic peaks on East Fourth Street and East Trade Street, it seems to him you are completely disregarding the public interest apart from any question of fairness to the Law Building.

Mr. Helms stated we are told to move this jail a few feet further east and put it in the block and leave Myers Street open will cost some money. He stated projected parking for the Governmental Center would cost \$380,000 for elevated walkway; and yet if we say spend \$100,000 to move the jail a few feet east it shocks the conscience and financial concern of the planners beyond repair. He stated it is projected that the parking building at the Court house will cost \$100,000; west parking building \$720,000; south parking building \$900,000; law enforcement parking \$180,000; jail facility parking \$270,000, and east parking area \$25,000; landscaping

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and walks \$100,000; lakes and ponds \$150,000; east parking building \$1,250,000; landscaping and walks \$50,000; district court house parking \$225,000; law enforcement additional parking \$130,000; landscaping and walks \$25,000; all adding up to \$4,505,000 for parking alone, and yet to keep one of the oldest streets in Charlotte, a very important traffic artery, open by just the additional grading and extension of the tunnel is simply beyond reason.

He stated it is not fair to the property owner to take a step like this; to depreciate not merely the value of the property but its usefulness. From the time the building was built 40 years ago when he moved in there, the side entrance is far more important than the front entrance to that building.

Mr. Erwin Jones, representing Hamilton C. Jones Estate - a substantial stockholder in the Charlotte Law Building Corporation, stated he is not a member of the board nor an attorney. That he would like to protest the closing of this street as it would gravely affect the value of the principle asset of the Law Building Corporation, mainly the building. That it is grossly unfair after so much has been put into the building. With so much talk about revitalizing the downtown part of Charlotte, here is a group that on its own has done something; they have put well over 3/4 million dollars into it, and the interior of the building is just as modern as tomorrow, and it will be there for a long time to come. That it is a tremendous asset to the building that you can come out of it and go in either direction you want to - north or south for a long distance. There will be much more traffic in the area as one whole part of Charlotte has been cleaned out and they presume it was cleaned out for some purpose, which mean more people and more traffic. You have to have more traffic coming from the other end of the street with the large housing development there as Myers Street runs right down to Earle Village.

Dr. J. Nathaniel Tross stated he has a vital and bonded interest in the welfare of the City and in that interest he has come this afternoon without consulting anyone. Already much access to institutions of vital interest are closed to a large number of people; it is hard for them to get access to the people and the institution between which their destiny hangs. That the pendulum of human destiny swings between the law and the church - the law and religion. Take your churches out of the cities and you have a wilderness, an oasis of nothing. Take a law institution that has established itself as the custodian and guardian on the destiny of the people of that area, and if you interfere with the right and the processes by which they regulate their business and maintain their business, he feels we do vital harm to the City and we should think twice before we make any effort or come to any conclusion to grant the request of the Redevelopment people. The citizens of this city, the people who hold the position of the City, who guard it and who will die for it and who are contributing so much to it - to preserve its dignity and its usefulness and its beauty, their voice should be of paramount importance. The unvoiced voice of the multitude of our people who are already cut off from this most vital interest and most vital relationship of the law and the church. That you are attempting to reduce crime, to control it, and there are only two agencies that can do that effectively - it is the law and the church. Dr. Tross stated he comes as the voice of the people whose voice is not heard at this time.

Mayor Brookshire stated he would like to direct a few comments to Mr. Younts as President of the Law Building Corporation Association. If the accuracy of the news media reporting is to be given any degree of confidence,

the crux of this matter seems to be a disagreement between the directors of the Law Building, Incorporated and the County Commissioners over parking. Some reference has been made to the plans for straddling Myers Street with the jail building which would call for the closing of it. That Mr. Helms even exhibited a copy of the Plan as adopted by Council in a public hearing as advertised on April 13, 1966. Mr. Sawyer told us there were two subsequent public hearings on the said Plan, both advertised. That he is sure the newspapers - one or both - printed a diagram of what was proposed for the law enforcement center and the jail with reference to the alignment of the Central Law Enforcement Center to the jail and to the court house. During the preliminary studies on the Governmental Center a brochure dated October 1958 shows the closing of Myers Street. This afternoon is the first time anyone has raised any objections to the closing of Myers Street, after the drawings were already completed and contracts about ready to be awarded on these governmental structures. A request at this eleventh and a half hour puts Council in a very difficult position in its efforts to proceed with the development of the Government Plaza and for supplying this community with the law enforcement center and the new jail. Again, the crux of the matter seems to be a disagreement between the members of the County Board of Commissioners and the Law Building Corporation over the amount of parking that should be provided or that the Law Building Corporation wants provided. Inasmuch as the Board of Commissioners were elected last fall on the platform of cooperation in the community, he would be hopeful that the disagreements can be worked out between them.

Mr. Joe Grier stated it seems to be entirely contrary to the facts to put the blame on those protesting this afternoon when in fact, if it is to be placed at all, it belongs not here, but elsewhere. To suggest that the plan of the Governmental Center has been firm and established and that they should have known so for a long time, completely ignores the fact. Three months ago there was a great spread on the editorial page of one paper that no one knew whether the plan had been adopted or not - some said it had and some said it had not. Mr. Younts made reference and he emphasizes that the plan for Downtown Charlotte that was used in the promotion of that plan last fall had a traffic plan in it that shows Myers Street open at this point and a part of that plan. There was a way by which the matter could have been officially brought to the attention of the people concerned and that was to have done sometime ago what they now do, and put the issue to the people who have the control of the street. Until that has come about there is no occasion for them to know for sure whether it is to be done or not, and no occasion for them to come here and protest something that may be changed and may not come about. Mr. Younts had made an effort to reconcile and work out a way by which the Law Building might not object to this. It is apparent from what he has been hearing this afternoon that it has not been possible to satisfy the stockholders of the Law Building or the County to do what was asked of them in a reasonable expectation of minimizing the damage that has been done. That we come to the point where the issue having been presented for the first time by someone with authority to deal with it instead of at the time the planning was begun as it should have been presented, that the Council must now make the decision as to whether it will recognize the legal rights the Law Building has in this, and the larger interest of keeping Myers Street open.

Mr. Grier stated the Law Building will suffer from the loss of the street and there is no reason why the jail cannot be built on the property east of Myers Street without closing that street.

Mayor Brookshire asked Mr. Grier if he has seen the brochure Mr. Helms had in his hands on which a public hearing was held April 13, 1966, showing the

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closing of Myers Street, and if he has seen the preliminary plan which was prepared in 1958 which shows the closing of the street? Mr. Grier replied he does not believe the brochure Mr. Helms had was prepared in 1966. April 1966 was when Mr. Sawyer said the Redevelopment Commission held a hearing on its plan and at that time this block of Myers Street was not even a part of the Redevelopment Plan, having been included as recently as late last fall. That certainly he saw the plans that went forward then. When it was first published, the corridor back of the Law Building and Court house was designated for court expansion. How that got out, he does not know. The point he makes is these plans were not firm in terms of legally closing Myers Street, and at the same time there were other plans circulated last fall that showed Myers Street open. Which should they believe?

Mayor Brookshire advised that Council has not held a public hearing on the Central City Development Plan. Mr. Grier stated that is right and Council is the only one with the authority to close the street, so until Council does have that authority, the matter is not an issue. Mr. Helms stated this is the first time anyone objecting to this has had any right to object and they are here at the very first opportunity.

Mayor Brookshire asked Mr. Sawyer to give the dates of the advertised hearings before Council that had to do with the location of the jail and law enforcement center, and the closing of Myers Street. Mr. Sawyer replied the date of April 13, 1966 was the date at which the so-called Pease Plan - the Governmental Center Plan - was presented to a joint meeting of the City Council, County Commission, School Board and Redevelopment Commission.

Councilman Whittington asked if this meeting was advertised? Mr. Sawyer replied it was not officially advertised, but did receive some publicity in the newspaper prior to it being held but they did not run an ad which they are required to do in an official notice of a public hearing. Councilman Stegall asked if this is the exact plan as shown today, and was it said at the time that Myers Street was to be closed? Mr. Sawyer replied it is an exhibit from the Plan; the plan was presented and he does not recall that it was specifically said that Myers Street would be closed; this is one of several streets that were to be closed under the Plan, and Myers Street and Alexander Street, between Third Street and Independence Boulevard, have already been closed. Councilman Stegall stated Mr. Sawyer answered his question when he said it was not specifically laid out that Myers Street was to be closed; the plan did not specifically say this; it was assumed that everyone knew this.

Mr. Sawyer stated further the first official public hearing was advertised in the newspaper once a week for three consecutive weeks prior to the date of the hearing held by the Redevelopment Commission, about a month prior to it being presented to the City Council. It was submitted to the City Council which also advertised and ran the proper number of advertisements in the newspaper and the hearing was held October 31, 1966.

Councilman Smith stated for practical purposes this is the first time the other side of the picture has been presented to Council, and he thinks it would behoove Council to take it under advisement and study what they have had to say rather than make a decision today.

Mr. Tom Ruff, County Attorney, stated the County has the legal responsibility of providing a jail. It is the direct responsibility of the county government and is a necessary expense. A bond issue has been voted to provide

the funds; a decision was made by the Board of County Commissioners who at the time had the authority to make a decision as to the site. The decision as to the location took into account a desirable organic relationship between the location of the court house and the interest of the city in their plans for the construction of the City Law Enforcement Center Building. Authorities, individuals, officials of various kind and standing recommended that the location selected be the site of the new jail. The location of the jail and the law enforcement building were in accord with the Governmental Plaza concept which had been adopted by the City of Charlotte, County of Mecklenburg and other governmental agencies.

Mr. Ruff stated he does not mean to say that everyone has done everything that should have been done; if everybody had anticipated some of the things that might have been done, we would not have this sharp and difficult problem before us. The initial plans called for the ramp down or entrance from Trade Street into the lower level of the jail. At the time plans for the jail came into his hands, within 24 hours or less a copy of those plans was delivered by him to representatives of the Law Building Corporation. At the time these plans were presented it became apparent that the Law Building interests objected to the ramp down which was planned in the path of Myers Street itself. Based upon a concern of this feeling, the ramp down was moved over so that its path would be entirely on property which would be owned by the County and which would not be in the portion of Myers Street which would go to the Law Building. It was moved a second time to be entirely beyond the path of Myers Street. This still left concern with the Law Building. Then they went back again for purposes of determining if it were possible to avoid or abandon the ramp down entirely. Therefore, they went to the owners of the Law Building and said if the County can get by and abandon the entrance from Trade Street, will you forbear? From that point on they have made some assurances that any damage to the building would be taken care of and they were requested to provide parking facilities equal to the amount of parking now available. This the County has not been able to do; for 60 or more days they have sought in every possible way to provide it. Mr. Ruff stated the horrible contemplations of one who appeared before Council in his anticipation of what would happen if this street were closed, did not happen when it was closed for a year or a half. These individuals - lawyers and laymen - who have appeared to oppose say this is not in the public interest. He would say it is up to Council to determine what is in the public interest. The law says the street may be closed provided there is reasonable means of ingress, egress and regress to the property concerned. It is up to Council to determine as a fact whether or not there is sufficient ingress, egress or regress to the Law Building. General Younts has suggested that the County has violated his interest. It may be insofar as the easement to the back or backside of the Law Building. That the instrument recorded in the Court house in Book 614, Page 78 gives a right-of-way easement 8 feet wide at the rear of the Law Building on condition that nobody construct any structure or structures over or on it. The County has no intention of violating this right. There might be a change in the elevation insofar as access to the Law Building side door is concerned. The petition before Council provides for the withdrawal of Myers Street which means that half of the titled property will become vested in the Charlotte Law Building Corporation. It would have more access than the sidewalk provides and adequate means of getting to and from it.

Mr. Ruff stated the County proposes to be good neighbors. That it is up to Council to decide what is in the public interest; that he feels as General Younts, Joe Grier or any other tenant that lives and practices law there the need for public parking in this area. These people who come

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there are attending to public business. These facilities are a matter of public concern and public necessity. He is sure the Council will seek some means of meeting this public requirement. However, it is unfortunate that the necessity for public parking at this time should be raised in opposition to the provision of a jail which is necessary to protect society, from those who need to be incarcerated. Bearing in mind that we got to this place by normal methods which have brought us to this point, he says that the hand of many individuals, agencies, governmental agencies, public servants is in the development of the Governmental concept, in the provision of the jail, in the anticipated provision in the court house itself for the implementation of the court reform program which is to begin in December 1968. The construction of the jail was keyed to the anticipated provision of these additional court room facilities.

Without reflecting on anyone who may have had a part in any decision that brought us to this place; without reflecting on anyone who may have informed someone else, the hard fact of the matter is that if the jail can be built here then the contract can be let and they can undertake to make the jail facilities available for public necessity and the courtroom reform as required by law and as necessary. If it cannot be built here then it must be built somewhere. If it must be built somewhere else, plans and specifications will have to be prepared at additional cost, at additional delay which means we will have to do without the jail and the court reform facilities until it can be built.

Mr. Ruff stated there have been omissions, perhaps there should have been better notice by the people at one time or another; it is not his place to point the finger of criticism towards anyone, and he sympathizes very deeply for those who are concerned with the public necessity for parking. He says they should weigh the matter of parking against the matter of the court room facilities which are necessary under the law, and the public demand for security as far as the jail foundations are concerned.

Mr. Paul Braswell, President of the Charlotte Section of North Carolina Chapter of the American Institute of Architects, stated on July 27th of this year he wrote a letter to the Board of County Commissioners, with copies to the Mayor and Mr. Veeder, concerning the Governmental Center and the County Jail, which is as follows:

"The Charlotte Section - North Carolina Chapter, The American Institute of Architects has observed through its Environmental Design Committee past and current developments concerning the Governmental Center and County Jail projects. In light of the present situation concerning site acquisition and location of the county jail, I refer to the Report to the City of Charlotte and Mecklenburg County (1966), prepared by J. N. Pease Associates in which IMPLEMENTATION, page 43, paragraph 2, states and I quote.

'Primarily, a Governmental Center Commission must be established. This should be a small group of men with the power to make recommendations and to see that they are carried out. This group must be augmented by a professional organization of planners, architects and engineers that would be responsible to the Commission for the overall planning, for the architectural continuity and for the engineering coordination on a continuing basis.'

Such a commission under the direction and control of the city and county should be established as expeditiously as possible. The existence and

functioning of such a group would have perhaps alleviated difficulties experienced in the location of the Education Center and could influence the current situation in regards to the county jail.

Regarding the jail and its relation to the Center the following points are emphasized.

- (1) Functionally, the site, north of Fourth Street, has the unique advantage of physically connecting the court house, the new jail and the new Law Enforcement Center. This central location is essential if the city and county are to have an efficient court, jail and law operation.
- (2) Moving the jail site south of Fourth Street would necessitate a major redesigning of the Governmental Center Plan. Such a move would be unfortunate as it would be expensive, time consuming, would probably result in an inferior plan functionally and aesthetically and would establish the undesirable precedent of unwarranted compromise of the Governmental Center Plan.
- (3) The owners of adjoining properties should be encouraged to respond favorably to the plan and construction in a public spirited manner. The architects for the project have conscientiously worked towards the end of beautifying the northern boundaries of the site adjacent to existing building in keeping with the standards of the Governmental Center Plan. The owners of adjacent properties, as in fact all of Charlotte, stand to benefit upon realization of this first phase of the Center Plan.
- (4) Movement of the jail would necessitate time consuming and costly redesign of the jail architectural plans. This expense and delay should be avoided.
- (5) Plans for locating the jail in its present site were initiated two years ago. The progress towards acquisition of the necessary property plus the closing of Myers Street has been painfully slow. No effort should be spared to expedite this process.
- (6) A realistic look should be taken at the time table for occupancy by the new courts of the present jail facilities. Because of delays already encountered, I suspect that it will be impossible to meet the December, 1968, deadline and that temporary courtrooms will have to be developed until construction is completed on the new jail and the renovation of present jail facilities into new courts.

These comments, while reiterating the obvious, are made with a very deep feeling of civic responsibility. And in this spirit I urge the County Commissioners in the absence of the Governmental Center Commission referred to above, to doggedly persist with its efforts to comply with the Center Plan so that the citizens of this county may realize the benefits of well planned public facilities to which they are entitled."

Councilman Tuttle stated public interest has been the big point made today by the opposition to the closing of Myers Street. That it is in the public interest that construction of the new jail begin immediately and it is therefore in the public interest that he moves the adoption of the subject Resolution closing portions of Myers Street. The motion was seconded by Councilman Whittington.

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Councilman Stegall made a substitute motion to postpone the adoption of the resolution until the next Council Meeting as we have heard a lot of things today that we were not aware of before; that this group of men who have been against the petition to close the street are some of the finest people in Charlotte, and he does not think they want to stand in the way of anything that is going to be progressive to this city; also those who spoke for it have been sincere in their opinion. But he believes that several things have been said which to him makes good common sense. One is what will be the depreciation to the Law Building so far as dollars and cents in closing this street. Another is what would be the actual cost of moving this building over a few feet to leave Myers Street as it is? No one has actually said. That he feels too many things have been said, and Mr. Ruff himself admits all has not been done that should have been done or could have been done to enlighten this group of people. If this is not the case, then he thinks Council owes it to these men not because they own the Law Building but because they are good, honest, forthright citizens of this community and they feel the Council would be depriving them of their rights; plus the fact he does not like the idea of Council being put on the spot of having to be the ones to make this decision when this should have been done back in the days when this plan originated. Councilman Smith seconded the substitute motion and stated he sees no reason ~~not~~ to delay this for two weeks and get the benefits of the remarks that have been made.

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

YEAS: Councilmen Stegall and Smith.

NAYS: Councilmen Alexander, Jordan, Short, Tuttle and Whittington.

The vote was taken on the original motion to adopt the resolution closing the portion of Myers Street as outlined, and carried unanimously.

The resolution is recorded in full in Resolutions Book 5, beginning on Page 473.

ADMINISTRATION OF REDEVELOPMENT COMMISSION REQUESTED TO NOTIFY PERSONALLY ALL ABUTTING PROPERTY OWNERS AND OCCUPANTS OF LOCATIONS WHERE STREETS ARE TO BE CLOSED PRIOR TO TIME OF PUBLIC NOTICE.

Councilman Short stated in the Governmental Center Plan there were originally eight blocks to be closed- 4 in Alexander Street and 4 in Myers Street. The previous petition closed two of them and one block in Alexander has already been closed, but apparently there are several other blocks that will come up for closing. He stated he believes that all of those involved along these blocks should be notified personally by the administration of the Redevelopment Commission - the owners and occupants - that this possibility exists and there may be a public hearing in the offering to close more blocks. That we would not want another situation where it would be possible for gentlemen to come here and say they did not get the type of actual notice in time that they should have received, regardless of the legal notice.

Mr. Kiser, City Attorney, advised on November 7, 1966, the Council voted to close South Myers Street, from East Third Street to Independence; South Alexander, from East Third Street to Independence; East Second Street, from Davidson Street to South McDowell Street, and East First Street, from South Davidson Street to South McDowell Street.

Mr. Sawyer, Director of the Redevelopment Commission, stated normally they do not petition to close a street until they own all of the property on either side of the street to be closed.

Councilman Short stated regardless of what is normal, he thinks anyone involved in this situation should be notified specifically and definitely regardless of any advertisement that might occur.

ORDINANCE NO. 676-X ORDERING THE DEMOLITION AND REMOVAL OF A BUILDING LOCATED AT 1107 EAST FOURTH STREET PURSUANT TO THE BUILDING CODE OF THE CITY OF CHARLOTTE, AND SECTION 6.61, ARTICLE IV, CHAPTER 6 OF THE CHARTER OF THE CITY OF CHARLOTTE.

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

The ordinance is recorded in full in Ordinance Book 15, at page 81.

ORDINANCE NO. 677-X ORDERING THE REMOVAL OF AN ABANDONED MOTOR VEHICLE LOCATED ON EUCLID AVENUE EXTENSION, PURSUANT TO ARTICLE 13-1.2 OF THE CODE AND CHAPTER 160-200 (43) OF THE GENERAL STATUTES OF NORTH CAROLINA.

Motion was made by Councilman Tuttle, seconded by Councilman Whittington, and unanimously carried, adopting the subject ordinance.

The ordinance is recorded in full in Ordinance Book 15, at Page 82.

ORDINANCE NO. 678-X ORDERING THE REMOVAL OF AN ABANDONED MOTOR VEHICLE LOCATED AT 1517 EASTCREST DRIVE PURSUANT TO ARTICLE 13-1.2 OF THE CODE AND CHAPTER 160-200 (43) OF THE GENERAL STATUTES OF NORTH CAROLINA.

Motion was made by Councilman Jordan, seconded by Councilman Tuttle, and unanimously carried, adopting the subject ordinance. The ordinance is recorded in full in Ordinance Book 15, at page 83.

RESOLUTION PROVIDING FOR PUBLIC HEARINGS ON SEPTEMBER 18 ON PETITIONS NO. 67-49 THROUGH 67-54 AND 67-57 THROUGH 67-61 FOR ZONING CHANGES.

Upon motion of Councilman Tuttle, seconded by Councilman Alexander, and unanimously carried, the subject resolution was adopted and is recorded in full in Resolutions Book 5, at Page 475.

RESOLUTION PROVIDING FOR PUBLIC HEARINGS ON SEPTEMBER 25 ON PETITIONS NO. 67-54 THROUGH 67-56 FOR ZONING CHANGES.

Councilman Whittington moved 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 476.

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CONTRACTS FOR INSTALLATION OF WATER MAINS AUTHORIZED.

Upon motion of Councilman Short, seconded by Councilman Stegall, and unanimously carried, contracts were authorized for the installation of water mains, as follows:

- (a) Contract with Ervin Industries, Inc. for the installation of 830 feet of main and one fire hydrant in Northwood Estates Subdivision No. 3, inside the city, at an estimated cost of \$2,900.00. The city will finance all construction costs and the applicant will guarantee an annual gross water revenue equal to 10% of the total construction cost;
- (b) Supplementary contract to contract dated July 15, 1963 with the American Investment Company for the installation of 1,880 feet of main and one hydrant, in Olde Providence Subdivision No. 6, outside the city, at an estimated cost of \$8,100.00. The applicant will pay the entire cost of the mains and hydrant and will own same until such time as the area is incorporated into the city at which time the mains will become the property of the city without further agreement in connection therewith.

SUPPLEMENTARY CONTRACT WITH SHARON UTILITIES FOR WATER MAIN INSTALLATION TO SERVE MONTCLAIRE SUBDIVISION NO. 5 AUTHORIZED.

Motion was made by Councilman Jordan, seconded by Councilman Whittington, and unanimously carried approving a supplementary contract to contract dated August 8, 1966 with Sharon Utilities for the installation of 605 feet of main and one hydrant to serve Montclair Subdivision No. 5, outside the city, at an estimated cost of \$3,500.00, with the applicant to finance all pipe lines and system and will own, operate and maintain same and retain all revenues derived from their customers until such time as any part or all of the system will become the property of the city without cost or further agreements and the city will then operate that part of the system under the city's rules and regulations.

SANITARY SEWER MAINS AUTHORIZED.

Upon motion of Councilman Alexander, seconded by Councilman Tuttle, and unanimously carried, construction of sanitary sewer mains were authorized, as follows:

- (a) Construction of 1,580 feet of 8-inch main to serve Green Meadows Subdivision, inside the city, at the request of Evans Construction Company, at an estimated cost of \$7,385.00. 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 250 feet of 8-inch main in DeWolfe Street, inside the city, at the request of W. D. Holland, at an estimated cost of \$1,290.00. 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;

- (c) Construction of 895 feet of 8-inch trunk and 1,340 feet of 8-inch main, to serve Lincolnshire Subdivision, inside the city, at an estimated cost of \$11,573.00. 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;
- (d) Construction of 320 feet of 8-inch trunk and 1,240 feet of 8-inch main, to serve a portion of Robinhood Woods No. 5, inside the city, at the request of Marsh-Broadway Construction, at an estimated cost of \$8,055.00. 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.

Motion was made by Councilman Jordan, seconded by Councilman Short, and unanimously carried, approving the following appraisal contracts:

- (a) Contract with Lionel D. Bass, Sr. for appraisal of one parcel of property for the Eastway Drive Widening Project;
- (b) Contract with Harry G. Brown for appraisal of nine parcels of property for the South Boulevard Intersections;
- (c) Contract with Henry E. Bryant for appraisal of two parcels of property for the Airport Clear Zone;
- (d) Contracts with Stuart W. Elliott for appraisal of nine parcels of property for the South Boulevard Intersections and two parcels of property for the East Third Street Project;
- (e) Contract with Leo H. Phelan, Jr. for appraisal of two parcels of property for the South Boulevard Intersections;
- (f) Contracts with Alfred E. Smith for appraisal of one parcel of property for the East Third Street Connector and four parcels of property for the South Boulevard Intersections.

LEASE WITH CIVIL AIR PATROL FOR BUILDING NO. 284 AT AIRPORT AUTHORIZED.

Councilman Whittington moved approval of a lease with The Civil Air Patrol for Airport Building No. 284 containing approximately 3,400 square feet at \$0.53 per square foot per year, to be effective July 1, 1967, at \$150.00 per month. The motion was seconded by Councilman Stegall and carried unanimously.

CLAIM OF WILLIAM L. BROOME FOR LOSS OF MOTOR SCOOTER APPROVED.

Claim of Mr. William L. Broome, 1633 Browns Avenue, in the amount of \$150.00 for the loss of motor scooter was recommended denied by the City Attorney.

Mr. Broome stated this motor bike was a Christmas gift to his son; he worked part of the summer and saved half the money and he gave him the

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other half to purchase the scooter for a gift. Mr. Broome stated he made two attempts to recover the bike from the Police Department after it had been recovered when stolen on March 23, 1967. He was first told it was being held for evidence, and on the second attempt to get the bike from the police garage he was told that he would have to see the arresting officer and he was not on duty on that particular day; on the third attempt to recover the vehicle from the police, they informed him it had been stolen from them. He stated the City is due him some reimbursement since he had made an effort to recover the vehicle from them after they had recovered it. This appeared in the Charlotte Observer on Saturday and much to his surprise he found the Attorney was recommending the claim not be paid. At no time in talking with this office have they told him they were going to recommend the claim be denied. That the article in the paper stated he was suing the City of Charlotte for \$150 and he has not sued the City. On the advice of Chief Goodman, he wrote a letter to Mr. Veeder making a claim for the vehicle. He stated he made a claim for \$136.00, depreciating the vehicle even though only a couple of months old. It originally cost \$151.00.

Councilman Short asked if Council would run a risk of being personally liable if this money were paid to Mr. Broome? Mr. Kiser, City Attorney, replied the City is not authorized to pay any claims for which it has no liability in the eyes of the law; the moral aspects do not enter the picture; in their opinion the City is not liable for this claim; there is no evidence of negligence on the part of the City. That is the basis for the recommendation.

Councilman Stegall asked if Mr. Broome came twice to recover his motor scooter and (one) they were holding it for evidence and (two) the arresting officer was not there? If so, the slip is over there and he could sign in front of the record's clerk to repossess it. If he did come for it and was denied it, he thinks it should be paid.

Councilman Tuttle stated the fact that the City took this man's property and held it for its own use after it was recovered to be used as evidence in court and the fact the City was holding the property and the City subsequently could not deliver it, he thinks the City is liable for it and moved that the claim in the amount of \$136.00 be paid. The motion was seconded by Councilman Stegal

Councilman Short made a substitute motion that the claim be denied as recommended. The motion did not receive a second.

Councilman Smith asked if the motor scooter is recovered after the city pays the claim will the city have to take it and sell it? That Mr. Broome bought the vehicle new for \$151.00, what about depreciation? The city does not want to lose money on it. Mayor Brookshire replied Mr. Broome has stated that he has depreciated it and is asking \$136.00 and not \$151.00. Mr. Kiser stated a report from the Police Department indicated that a check with the Boat and Motor Center revealed that the purchase price was originally \$149.50 and that the fair market price at this time is approximately \$115 to \$125. If Council decides to vote to pay the claim, then it becomes important that the fair market value be determined. That Mr. Broome indicates in his opinion it is \$136 and the Boat and Motor Center indicates that it is \$115 to \$125.

Councilman Tuttle stated all the Boat and Motor Center does is take an average they get. Apparently Mr. Broome has taken depreciation into consideration and he thinks he has been fair and he thinks the City should be fair and if he is asking for \$136 that is what he moves be paid. Mr. Kiser replied he has never seen the motor scooter and has no way of determining the value of the motor scooter as it is not here.

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Mr. Broome advised he talked with the Boat and Motor Center and they gave him the price of \$136.00.

Councilman Alexander stated he understood Mr. Broome to say that on one visit to the Police Department they could not find the slip, and by them not being able to find the slip if it means he could not recover the vehicle? Councilman Stegall replied if they did not have the tow-in slip for it he could not have gotten it even if it had been there; he would have to sign a release tow-in slip before they would allow him to have it. Mr. Kiser advised this was a motor bike that was stolen and subsequently recovered by the Police Department which was being held for evidence. Councilman Stegall stated it does not make any difference, there would be a tow-in slip. Councilman Alexander stated whatever type of slip is required to release it and the Police Department could not find the slip, is there any liability there that he could not recover his vehicle because of some negligence on the part of the City? Mr. Kiser replied at that point there was no negligence sufficient to allow the individual to recover from the City if the motor scooter was still in the area; that does not make negligence sufficient to make the city liable for the value of the motor scooter. Councilman Alexander stated if the slip had been there for Mr. Broome to sign, then he could have carried it on away and it would not have been left to be stolen.

The vote was taken on the motion to pay the claim in the amount of \$136.00 and carried by the following vote:

YEAS: Councilmen Tuttle, Stegall, Alexander, Jordan, Smith and Whittington.
NAYS: Councilman Short.

CLAIM OF MRS. JEAN ELLIOTT FOR LOSS OF RUGS DENIED.

Councilman Jordan moved that claim of Mrs. Jean Elliott, 617 Ideal Way, in the amount of \$21.42 for the loss of ten rugs on May 17, 1967 when rugs were placed on top of the garbage can and Motor Transport personnel picked up the refuse and the rugs and carried them to the landfill site and dumped the be denied, as recommended by the City Attorney. The motion was seconded by Councilman Tuttle, and carried unanimously.

CLAIM OF W. J. STEVENS DENIED.

Upon motion of Councilman Tuttle, seconded by Councilman Whittington, and unanimously carried, claim of Mr. W. J. Stevens, 2823 Selwyn Avenue in the amount of \$7.10 for damage to restroom door lock was denied as recommended by the City Attorney.

CLAIM OF JAMES STITT DENIED.

Motion was made by Councilman Tuttle that claim filed by Mr. James Stitt, 619 Seigle Avenue, in the amount of \$335.00 for personal injuries and property damage sustained March 25, 1967 on North Harrill Street, be denied as recommended by the City Attorney. The motion was seconded by Councilman Short and carried unanimously.

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SUBROGATION CLAIM OF TRAVELERS INSURANCE COMPANY FOR JAMES LOFTIN DENIED.

Councilman Whittington moved that subrogation claim filed by Travelers Insurance Company in the amount of \$156.06 in behalf of Mr. James Loftin, an employee of The Heart of Charlotte Motor Inn who stepped on side of water meter box lid causing it to slip and Mr. Loftin to fall, be denied as recommended by the City Attorney. The motion was seconded by Councilman Stegall and carried unanimously.

CLAIM OF MR. RANDOLPH NEAL AUTHORIZED.

Councilman Jordan moved that claim be paid as recommended by the City Attorney which was filed by Mr. Randolph Neal, 3100 Cricketeer Drive, in the amount of \$428.42 for damages to his house and furnishings on March 28, 1967 when city forces were installing a sewer line in front of the claimant's house and dynamite was used to blast which threw rocks from the ditch which went through claimant's picture window. The motion was seconded by Councilman Short, and carried unanimously.

CLAIM OF MRS. ROBERT W. CUFF AUTHORIZED PAID.

Upon motion of Councilman Tuttle, seconded by Councilman Whittington, and unanimously carried, claim of Mrs. Robert W. Cuff, 3000 Finley Place, in the amount of \$1.50 for flat tire caused when she ran across a spike used to install traffic counter, was authorized paid as recommended by City Attorney.

CLAIM OF MR. B. R. TAYLOR AUTHORIZED PAID.

Motion was made by Councilman Jordan authorizing payment of claim as recommended by the City Attorney to Mr. B. R. Taylor, 1905 Anderson Street, in the amount of \$58.25 for damages to sewer drain. The motion was seconded by Councilman Short, and carried unanimously.

Councilman Tuttle stated the claim paid Mr. Broome substantiates his argument against a high limit which Council would authorize the City Manager to settle. Not questioning the City Manager but the City Manager would be inclined to abide by the decision of his legal department. This case accentuates the fact that on a fairly substantial sum he thinks it should be the obligation of the Council to pass on them. Councilman Smith stated if the City Manager had denied it, Mr. Broome would have been down here anyway and talked to Council and this would have been an opportunity to reverse the decision.

PRIVATE DETECTIVE LICENSES APPROVED.

Councilman Jordan moved approval of license applications for Mr. Earnest M. Howell, State License No. 174, and Henry F. Maness, Jr., State License No. 125, covering the classification of "Private Detective". The motion was seconded by Councilman Whittington, and carried unanimously.

ORDINANCE NO. 679-X AMENDING ORDINANCE NO. 655-X, THE 1967-68 BUDGET ORDINANCE AUTHORIZING THE TRANSFER OF A PORTION OF THE AIRPORT FUND UNENCUMBERED BALANCE.

Councilman Tuttle moved the adoption of the subject ordinance transferring \$2,347.01 to Airport Fund-Non-Departmental Expense-Legal Services CAB to be used for payment to James Verner for legal services rendered before the CAB. The motion was seconded by Councilman Short, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 15, at Page 84.

CHANGE ORDER NO. M-1 IN CONTRACT WITH A. Z. PRICE AND ASSOCIATES, INC. FOR HOSKINS FILTER PLAN ADDITION APPROVED.

Motion was made by Councilman Jordan approving Change Order No. M-1 in contract with A. Z. Price and Associates, Inc. for Hoskins Filter Plant addition for installation of mechanical equipment reducing the total amount of the contract by \$51.45. The motion was seconded by Councilman Alexander, and carried unanimously.

CHANGE ORDER NO. P-1 IN CONTRACT WITH SHANKLIN AIR CONDITIONING COMPANY FOR MINT MUSEUM ADDITION APPROVED.

Councilman Stegall moved approval of Change Order No. P-1 in contract with Shanklin Air Conditioning Company for Mint Museum Addition for relocating floor drain in equipment room to accommodate air conditioning unit adding \$49.54 to the contract price. The motion was seconded by Councilman Short, and carried unanimously.

SPECIAL OFFICER PERMITS AUTHORIZED.

Upon motion of Councilman Tuttle, seconded by Councilman Stegall, and unanimously carried, the following Special Officer Permits, were approved:

- (a) Renewal of permit to Mr. Walter C. Thomas, for use on the premises of Sharon Memorial Park;
- (b) Renewal of permit to Mr. Paul E. Halberstadt, for use on the premises of Sharon Memorial Park;
- (c) Renewal of permit to Mr. Leonard W. Hedrick, for use on the premises of Sharon Memorial Park;
- (d) Renewal of permit to Mr. Howard W. Halberstadt, for use on the premises of Sharon Memorial Park;
- (e) Issuance of permit for one year to Charlie King, for use on the premises of Johnson C. Smith University Campus.

TRANSFER OF CEMETERY LOTS AUTHORIZED.

Motion was made by Councilman Jordan, seconded by Councilman Short, and unanimously carried, authorizing the Mayor and City Clerk to execute deeds for the transfer of the following cemetery lots:

- (a) Deed with Mrs. Grace Mann Neithardt, for Graves No. 4, 5 and 6, in Lot No. 176, Section 2, Evergreen Cemetery, at \$180.00;

continued

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- (b) Deed with Earle F. Spaugh for Lot No. 8, Section 2, Evergreen Cemetery, at \$676.50;
- (c) Deed with F. S. Henderson and Edna L. Henderson, for Lot No. 466, Section 6, Evergreen Cemetery, at \$240.00;
- (d) Deed with W. L. Capps and Ethel B. Capps for Lot No. 440, Section 6, Evergreen Cemetery, at \$240.00;
- (e) Deed with James N. Grant and wife, LaRose W. Grant, for Lot No. 238, Section 4-A, Evergreen Cemetery, at \$189.00.

CONTRACT AWARDED JOINT & CLUTCH SERVICE, INC. FOR AUTOMOTIVE BATTERIES.

Motion was made by Councilman Whittington awarding contract to the low bidder, Joint & Clutch Service, Inc., in the amount of \$5,307.69 on a unit price basis for 364 automotive batteries. The motion was seconded by Councilman Short, and carried unanimously.

The following bids were received:

Joint & Clutch Service, Inc.	\$ 5,307.69
B & H Battery Company	\$ 5,587.56
Dayton Tire Sales Company	\$ 7,007.54
Southern Bearings & Parts Co.	\$ 8,125.48

CONTRACT AWARDED BURNER PARTS, INC. FOR ONE FOUR-WHEEL DRIVE TOWING VEHICLE.

Councilman Whittington moved award of contract to the only bidder, Burner Parts, Inc., in the amount of \$2,611.28, on a unit price basis for one 4-wheel drive towing vehicle. The motion was seconded by Councilman Stegall and carried unanimously.

CONTRACT AWARDED BLYTHE BROTHERS COMPANY FOR CONSTRUCTION OF DIAMETER DISTRIBUTION SYSTEM WATER MAIN IN PRESSLEY ROAD.

Upon motion of Councilman Jordan, seconded by Councilman Short, and unanimously carried, contract was awarded the low bidder, Blythe Brothers Company in the amount of \$32,516.00, on a unit price basis for the construction of a 16 inch and 6 inch diameter distribution system water main in Pressley Road, crossing the proposed relocation of U. S. 21 South.

The following bids were received:

Blythe Brothers Company	\$32,516.00
Boyd & Goforth, Inc.	\$33,604.60
C. W. Gallant	\$38,491.50
Noll Construction Co.	\$41,445.00
Saunders Brothers	\$41,945.00

CONTRACT AWARDED PRISMO SAFETY CORPORATION FOR HIGH VISCOSITY PAVEMENT MARKING COMPOUND.

Motion was made by Councilman Whittington awarding contract to the only bidder meeting specifications, Prismo Safety Corporation in the amount of \$30,900 on a unit price basis for 6,000 gallons of high viscosity non-tracking, fast-drying, pavement marking compound. The motion was seconded by Councilman Jordan.

Councilman Tuttle stated he believes Council was told this new method was so popular that other manufacturers would be getting into this, and he questions the one bid. The Purchasing Agent stated as indicated in the beginning other people would probably be getting into this business. This is not a paint, it is a special compound, made to go into the piece of equipment we have now. That he has done a good bit of checking with numerous other cities and other users and there are two other companies who are getting into this manufacturing. From the information he has received they cannot tell him whether it is good or bad, and suggested that tests be made. Mr. Brown stated this is what the City proposes to do; they want to get some of the other material and during the course of the year test it and by next year will have the information needed.

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

Bids received not meeting specifications:

William Armstrong Smith Co.	\$29,787.60
Baltimore Paint & Chemical Corp.	\$25,079.60

CONTRACT AWARDED COOPER TIRE & RUBBER COMPANY FOR TIRES AND TUBES.

Councilman Tuttle moved award of contract to the low bidder, Cooper Tire and Rubber Company, in the amount of \$24,795.64 on a unit price basis for 1,334 tires and 1,192 tubes. The motion was seconded by Councilman Whittington.

Councilman Stegall asked if these are 100 level tires, and Mr. Brown replied they are 110. Councilman Stegall stated he does not understand the differences in the bids; there are some \$2,000 to \$3,000 difference in the first four bids. Mr. Veeder stated some of the unit prices are - 775 by 14.4 - \$10.67; 775 x 15.4 - \$10.32.

Councilman Stegall asked who the local dealer is for Cooper Tire & Rubber Company, and Mr. Brown replied they do not have a dealer in Charlotte; it comes direct from the factory. They ship out of Richmond; you put in an order today and it comes out by truck. Councilman Stegall stated a Michelin tire is the highest price tire you can buy and they are guaranteed on automobiles for 40,000 miles. You can buy a tire for \$10.67 that tire may only run for 4,000 miles, the same tire and same size for \$12.50 might run 8,000 miles. Mr. Brown stated there is quite a bit of discussion by the Government, and the specifications used for tires are hard to understand. Written into the contract is that these tires can be sent to a testing laboratory. Mr. Veeder stated we sometime buy tires based on performance rather than any other standard. Councilman Stegall said if you have a testing laboratory and you took four tires of each one of the perspective bidders and sent them to a testing laboratory to see what kind of mileage you get, the third tire may be the highest price tire but it could give you twice as much tire wear; therefore, you cut down the cost considerably. Mr. Brown stated the records he has is put on a cost per mile basis.

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The vote was taken on the motion and carried unanimously.

The following bids were received:

Cooper Tire & Rubber Co.	\$ 24,795.64
Griffin Bros. Tire Service	\$ 26,634.22
L & N Royal Tire Co. Bid#2	\$ 27,480.19
Miller Tire Service	\$ 30,494.28
Delta Tire Service	\$ 31,159.49
General Tire Service	\$ 31,279.90
Goodyear Service Stores	\$ 33,229.21
Firestone Stores	\$ 33,617.04
Gordy Tire Company	\$ 35,765.50
B. F. Goodrich Company	\$ 36,443.16

PROPOSED GOVERNMENTAL CENTER ADVISORY COMMITTEE APPROVED.

Mayor Brookshire advised Mr. McIntyre, Planning Director, has recommended a governmental center advisory committee in a report dated July 11, 1967 with the following membership:

Chairman, Board of County Commissioners
Vice Chairman, Board of County Commissioners
Mayor, City of Charlotte
Mayor Pro tem, City of Charlotte
Chairman, Board of Education
Chairman, Planning Commission
President, Chamber of Commerce
Members-at-large (four)

Councilman Short moved approval of the recommendation, which was seconded by Councilman Stegall.

Mayor Brookshire stated the County Commissioners in adopting the recommendation this morning indicated this advisory commission to be named would not have any responsibility or authority over the government buildings already approved and located. Councilman Tuttle stated he hopes his recommendation will be considered to include the Chairman of the Beautification Commission as a member of this committee.

The vote was taken on the motion and carried unanimously.

Councilman Short stated Mr. McIntyre did not include in the responsibilities for the Committee to set some sort of order for the priority of the building of various things, and he hopes they will take it upon themselves when they are activated.

Mayor Brookshire stated in the final analysis it would recommend to the city, county, school board or other governmental agency, but the elected authority would still have the authority to make decisions.

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Attach. 1

CITY OF CHARLOTTE
INTER-OFFICE COMMUNICATION

DATE: July 11, 1967

TO: Mayor Stanford R. Brookshire
Chairman James G. Martin

FROM: *W. E. McIntyre*
W. E. McIntyre, *W.E.*
Planning Director

SUBJECT: Organization of Governmental Center Advisory Commission

Pursuant to your request there is attached hereto recommendations concerning the establishment of a Governmental Center Advisory Committee.

In the course of developing these recommendations I contacted several cities and the American Society of Planning Officials extensive reference files to learn of experience elsewhere on this type of matter that might be helpful to us. I was unable to locate any such experience so the attached recommendations are developed entirely out of what appear to be the needs and requirements of our own situation.

If further elaboration or discussion of the matter would be helpful please let me know.

WEMc:mc

PROPOSED GOVERNMENTAL CENTER ADVISORY COMMITTEE

Proposed Authority and Responsibility of the Committee

1. As occasion requires to review the Governmental Center Plan and to make any necessary modifications to it so that there will exist at all times a current, coordinated plan to guide the long range development of the Governmental Center.
2. Prior to the development of plans for any major buildings or structures, in the Governmental Center to recommend to the appropriate governmental authority criteria for the buildings or structures to assure development that will conform to the approved Governmental Center Plan and contribute to the coordinated, functional and esthetic development of the Center.
3. To review and make recommendations on plans for all new major buildings or structures in the Governmental Center to assure that they will contribute to the coordinated, functional and esthetic development of the Center and to assure that they will conform to the approved Governmental Center Plan.
4. As needed to recommend that professional advice and assistance be secured on matters involving the modification of the Governmental Center Plan and the establishment of criteria to guide the development of major facilities in the Center, and to work with the professional advisers in the development of recommendations to the governmental authorities on such matters.
5. To review and make recommendations on all facilities and improvements proposed to be installed in the Center, such as parking lots, landscape plantings, street improvements, utilities, sidewalks, exterior lighting, etc.

6. To make recommendations on the use, financing, administration and maintenance of common facilities such as parking, building space, parks, etc.
7. To meet at least once a year, in March, to assess the status of development and the needs of the Center as they may relate to budget appropriations for the next fiscal year and to make recommendations that will further the Center's proper development, maintenance and use.
8. To administer and stimulate the use of appropriate parts of the Governmental Center for civic, fraternal, cultural, educational or other public and quasi public activities.
9. To make recommendations to the City government, County government or School Board on any matters it judges to be in the interest of the best development, use or maintenance of the Governmental Center.
10. To require agencies of the City or County governments or the School Board to provide it with any information they may have available which would assist the Committee in discharging its responsibilities.
11. To adopt rules and procedures for its organization and the conduct of its business.

Membership

At the present time it is expected that the Committee will have the following membership:

Chairman, Board of County Commissioners
Vice Chairman, Board of County Commissioners
Mayor, City of Charlotte
Mayor Pro tem, City of Charlotte
Chairman, Board of Education
Chairman, Planning Commission
President, Chamber of Commerce
Members-at-large (two)

It appears that this membership may be functionally weak in one respect. At times there might be a lack of continuity in a Commission comprised predominantly of members who are elected to office every year or two. Continuity in the Committee would be very important since the Governmental Center will be developing slowly over a period of many years. To overcome this potential deficiency it is recommended that the members-at-large be increased from two to four, that the Chairman be elected from the at-large members and that the at-large members be appointed for four years staggered terms.

William E. McIntyre
July 11, 1967

GOVERNMENTAL CENTER ADVISORY COMMISSION

Mr. Charles Lowe, Chairman
Board of County Commissioners

Mr. Charles Myers, Vice-Chairman
Board of County Commissioners

Mayor Stan R. Brookshire
City of Charlotte

James B. Whittington, Mayor Pro Tem
City of Charlotte

Mr. William E. Poe, Chairman
Board of Education

Mr. Walter Toy, Chairman
Charlotte-Mecklenburg Planning Commission

Mr. Ed Latimer, President
Charlotte Chamber of Commerce

Mrs. Oliver Rowe

Mr. Graeme Keith,
First Union National Bank

Dr. William E. Bluford,
Johnson C. Smith University

Mr. Hugh Edward White,
Freeman White Associates

FIRE DEPARTMENT PROMOTIONAL POLICY APPROVED AS AMENDED.

Councilman Whittington stated regarding the fire department promotional policy he had told the City Manager earlier that he did not understand the guidelines because Council was not furnished with a memorandum that all the personnel of the Fire Department would have received. Council was given this information on Friday of last week and he is now ready to vote for the promotional system as recommended with the following exceptions: On the promotion by rank, beginning with Captain and going through the Assistant Chief, the promotion guidelines stated a man would serve one year in rank.

He moved approval of the promotional system as recommended with the following amendments: a man must serve two years in rank for a Captain, Deputy Chief and Assistant Chief. The motion was seconded by Councilman Tuttle.

Councilman Alexander made a substitute motion to postpone any action until the next Council meeting as he would like to make some comments on the promotional system and the fire activity. The motion did not receive a second.

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

WALTER J. BLACK REAPPOINTED AS CHIEF OF THE CHARLOTTE FIRE DEPARTMENT.

Councilman Tuttle moved the reappointment of Walter J. Black as Chief of the Fire Department to serve at the pleasure of this Council. The motion was seconded by Councilman Stegall.

Councilman Alexander stated when he was first elected to the Council he asked a question about the fire problem as he had heard it - first as a citizen, and then since being on the Council. He was told at that time it was of little import as this is what you expect from fire departments. That he has never seen where this matter had quieted down any. It has grown by leaps and bounds over the past few years and up to now. He is not against an action to rename the fire chief. He is against using an action of this type to cover any failure of Council to recognize the problems that lead up to what we see of fire department problems. He feels we have certain responsibility to the citizens of Charlotte to give this matter as much consideration as we can to determine whether or not there are any facts involved in all the charges we have heard from all these sources. This he does not think Council has done. It is owed to the firemen, to the citizens of Charlotte and to our administrative officials to do something that would show that we have faced the facts that are before us, and have arrived at some conclusion. Any action to name any official - if he must be named again - is premature against our failure to recognize all the problems before us now. That he does not feel he can justly vote at this time to give consideration to this type of motion when we have not given consideration to all the facts involved that grow therefrom. The promotional plan adoption does not solve the fire problems. They are as big as ever; maybe bigger. That until the issues are faced as they are, the same problems are before Council. The naming of the Chief puts him at a disadvantage before Council has given just consideration to these matters. If that is the case, we are not doing anything but throwing the fire chief in a pot of oil and saying "boil all you please and we will see what happens to the ashes".

That he does not feel he can be honest to an official in public capacity or the men of the fire department by passing over this matter as lightly as

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Attach 2

MEMORANDUM

To: Mayor and City Council

Date: July 28, 1967

From: W. J. Veeder, City Manager

Subject: Fire Department Promotional Policy

Attached for your information is a revised promotional policy as submitted by Chief Walter Black.

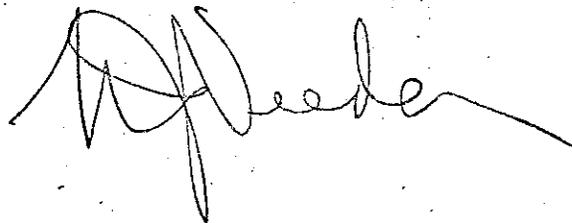
In his memorandum to me, Chief Black points out that the policy was prepared after consideration of many viewpoints and opinions. Yesterday it was reviewed at length by the chief officers in the department.

I too have reviewed the proposed policy and am of the opinion that it is a distinct improvement over the current policy. It provides a framework for promotions that emphasizes merit, ability and fairness and is basically sound. If use of the policy points up any areas that need to be changed, amendments can be considered.

I recommend that you approve the policy.

WJV:aa

Attachment



CITY OF CHARLOTTE
INTER-OFFICE COMMUNICATION

DATE: July 25, 1967

TO: Mr. W. J. Veeder, City Manager

FROM: *Walter J. Black*
Walter J. Black, Chief
Charlotte Fire Department

SUBJECT: REVISED FIRE DEPARTMENT PROMOTIONAL POLICY AS REQUESTED BY CITY COUNCIL
ON 7-17-67.

The Chief Officers and Administrative Staff of the Fire Department have done considerable research and given much time and discussion to revising our promotional system.

On request, I received written opinions and recommendations from twelve Charlotte Chief Officers.

This procedure represents the best thinking of the Institute of Government at Chapel Hill, League of Municipalities at Raleigh, Charlotte City Personnel Director, other fire departments and from the manual on Municipal Fire Administration published by the International City Managers Association.

A sound promotional policy that will satisfy everyone and maintain an efficient fire department is difficult to devise.

In some systems, the difficulty has been that in some cases seniority credits have been so excessive that they guaranteed promotions to less qualified persons and discouraged able young men from seeking a career where opportunity for advancement is chiefly on age rather than competence. It is obvious that this tends to have a deadening effect on employees who have a capacity for more rapid advancement than their seniority warrants.

Competitive promotional tests, in contrast to the type of examinations recommended for firefighter recruits, the subject matter of promotional tests for officers may be related directly to the technical and administrative elements of fire protection work.

The City Personnel Department will prepare, administer and rate written tests with the exception of tests for assignment to the position of engineer which will be conducted by the Training Division of the Fire Department.

The new promotional system will be effective upon Council approval.

I respectfully submit the revised promotional policy attached, believing it to be fair and impartial in every way, based on merit, ability and fitness.

WJB:lkt

Att.

MEMORANDUM

To: All Personnel
Charlotte Fire Department

Subject: Revised Promotional System

The attached promotional procedure has been recommended:

The promotional procedure will be administered as follows:

Application:

Notification will be made later when application forms are available for those who care to compete.

Written Test:

Written test will be prepared, administered and rated by the Office of the City Personnel Department. The competitors with the highest grades will form the eligible lists in the various categories as follows:

Lieutenant	15	Highest Grades
Captain	15	Highest Grades
Deputy Chief	10	Highest Grades
Assistant Chief	5	Highest Grades

Oral Interviews:

Interviews will be conducted with all competitors on the eligible list. The interview board will consist of appropriate Fire Officials and qualified civilian members,

Weights Assigned to Categories of Testing Procedure:

Written Test	50%
Oral Interview (a rating of 20% will be the minimum requirement for eligibility.)	30%
Supervisors Rating (a rating of 15% will be the minimum requirement for eligibility)	20%
Seniority ($\frac{1}{2}$ point per full year of employment as a member of the Charlotte Fire Department, for a maximum of ten points)	10%

The written test, oral interview, performance tests, mental test, training and experience and supervisors ratings are included in the promotional process to allow proper selection of material and process for the position to be filled. For instance, if an officer vacancy occurred in Training, Fire Prevention, Fire Alarm or Mechanical Divisions, it would be necessary to gear the promotional process somewhat different than the one offered for a vacancy in the combat division. In other words, areas of testing would be announced prior to examination so those taking test would have pre-notice of the areas to be used in promotional process and the subject matter to be covered in testing. (This is an explanation of the phrase "when required" as outlined in the promotional process.)

PROMOTIONS

1. Promotion Policy. Vacancies in positions above the lowest rank in any category in the uniformed fire service shall be filled by the promotion of employees in the service.

2. Promotional Examinations. The term "promotional examinations" signifies fitness tests to determine the relative standing of applicants for positions in the specific class. Promotional examinations are open only to employees in the uniformed fire service who are serving in other specified classes for such a period as prescribed below:

A. Lieutenant - In order to be eligible to compete for promotion to the position of Lieutenant, a firefighter must have served in the department for a period of at least three years by 12:01 A. M. the date of the promotional tests.

B. Captain - In order to be eligible to compete for promotion to the position of captain, a lieutenant must have served in that rank for a period of at least one year by 12:01 A. M. the date of the promotional tests.

C. Deputy Chief - In order to be eligible to compete for promotion to the rank of deputy chief, a captain must have served in that rank for a period of at least one year by 12:01 A. M. the date of the promotional tests.

D. Assistant Chief - In order to be eligible to compete for promotion to the rank of Assistant Chief, a deputy chief must have served in that rank for a period of at least one year by 12:01 A. M. the date of the promotional tests.

3. Notification. Whenever a promotional examination is to be held, notice of such examination shall be published and posted in the department. It shall be the duty of the officer in charge at each station where eligibles are employed to see that each eligible is notified of the examination or has access to such notice.

4. Application. Each eligible who cares to compete for promotion must fill out an application blank as prescribed in the notice of examination and present this application on or before a specified date.

5. Type of Examination. The fitness tests used to establish a list of eligibles for promotion to any class shall consist of one or more of the following:

a. Written Test. This part, when required, shall include a written demonstration designed to show the familiarity of competitors with the knowledge involved in the class of positions to which they seek appointments, their ability in the use of English, the range of their general information, or their general educational attainments.

Where a written test is included as one part of the examination competitors may, during the seven days immediately following the date of examination and before test papers are rated, inspect a copy of the examination along with the answer key. Errors or inaccuracies revealed as a result of such inspection shall be corrected and the corrected answer key shall be used to rate test papers.

b. Oral Interview. This part, when required, shall include a personal interview for classes of positions where ability to deal with others, to meet the public, or other personal qualifications are to be determined.

c. Performance Tests. This part, when required, shall include such tests of performance or trade as would determine the ability and manual skills of competitors to perform the work involved.

d. Mental Test. This part, when required, shall include any test to determine mental alertness, general capacity of applicants to adjust their thinking to new problems, or to ascertain special traits and aptitudes.

e. Training and Experience. This part, when required, shall be marked from the statements of the education and experience contained in the application form or from such supplementary data as may be required.

f. Supervisors' Ratings. Supervisor's ratings, when required, shall be for the purpose of determining promotional potential and shall be derived as a composite of the independent ratings of each applicant's two most immediate supervisors.

The immediate supervisors to rate a lieutenant will be the applicant's lieutenant and captain.

The immediate supervisors to rate a captain will be the applicant's captain and deputy chief.

The immediate supervisors to rate a deputy chief will be the applicant's deputy chief and assistant chief.

The immediate supervisors to rate an assistant chief will be the applicant's assistant chiefs and Chief of Department.

6. Rating Examinations. Sound measurement techniques and procedures shall be used in rating the results of tests and determining the relative ranking of the candidates. In all examinations the minimum rating by which eligibility may be achieved shall be established prior to the date of the examination and announced in the notice of the examination. Such minimum rating shall apply also to the ratings of any part of the examination. Candidates may be required to attain at least a minimum rating on each portion of an examination in order to receive a passing grade or to be rated on the remaining parts of the examination. Seniority credit to a maximum of ten points will be added to the final earned rating of a competitor at the rate of $\frac{1}{2}$ point for each full year of service as a uniformed member of the department.

7. Notification of Examination Results. Each person who takes an examination shall be notified in writing of his standing and rating on the eligible list or of his failure to obtain a place on the list. Each person in an examination shall be entitled to inspect his rating and the examination papers within ten days of notification of the results, but examination papers shall not be open to the general public. Clerical errors revealed as the result of such inspection shall be corrected insofar as final earned rating may be affected.

8. Promotion without Examination. In the event three or less than three eligible candidates make application to compete for promotion, the Fire Chief may promote from among the eligible applicants without further examination.

9. Posting Eligible Lists. The Fire Chief shall establish and maintain such eligible lists of various classes of positions as are necessary to meet the needs of the service. Candidates shall be placed upon the eligible list in the relative order of their grades as determined by promotional examinations. Ties in grades shall be resolved on the basis of seniority.

10. Duration of List. Eligibility lists and the names appearing thereon shall remain in force not less than one year nor longer than two years. Any list that has been in effect for longer than one year or has fewer than three names may be abolished and a new examination held.

11. Appointments. When a vacancy is to be filled by promotion, appointment shall be from the three names highest on the appropriate eligible list. In the case of multiple vacancies, the number of names to be considered for appointment shall be two more than the number of vacancies to be filled.

12. Assignment of Engineers. In order to be eligible to compete for assignment to the position of engineer, a firefighter

- A. Must have served in the department for a period of at least two years.
- B. Must have satisfactorily completed the check-out procedure by the Training Division.
- C. Check-out must have been recommended by his company officer.
 - a. Company officer will train prospective engineer in areas of operation of pump, fire streams, driving, etc.
 - b. Company officer will fill out request for "Check-Out" (Form No. C.F.D. - T.D. 202) and forward same to Training Division.
 - c. After being adjudged proficient in all facets of operation on a piece of equipment by Training Division personnel, the examinee is then eligible to take written test on material correlated with the position.
 - d. Applicants with the highest 25 scores on the written test will receive ratings from their lieutenant and captain. Each officer's rating will carry up to 10 points which will be combined with written test scores to determine standings on eligible list.

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Council is passing it over by trying to say there is no furor; that there is nothing on which to act; that we just have a little bear by the tail and forgetting when the bear has already grown so big that we cannot hold him by the tail.

Councilman Alexander stated he is going to vote "no" to the motion, not against the fire chief, but against the manner in which Council is shoving the whole issue of the fire department under the rug.

Councilman Tuttle stated he does not understand Mr. Alexander's remarks. This Council has slept with this problem for several months; it has met privately, has discussed it pro and con many times for many hours. Mr. Alexander says we have not met the problem. He stated the problem has been met with the pay raise, with this new promotional system and certain guidelines that are being laid down. This Council has done everything it could for the fire department. Whether the decisions here are wise or not, time only will tell; he thinks they are. That he does resent the fact that inference is made that this Council has acted without taking this problem into consideration or considered it seriously.

Councilman Stegall stated he knows of no official charges placed against anyone. The only charge he knows about has been aired in the newspaper and television. If we have anyone on trial or any charges made, he is not aware of it. That we have more than slept with it, we have worried with it for three whole months just by innuendos and what we have heard in round about ways, and all the letters that have been mailed to Council with no return addresses.

Councilman Short stated there were about four items Council had asked the Chief and his administration to attend to. The first one was the promotion plan which is now adopted. That he assumes the Chief understands there are still three to go.

The vote was taken on the motion and carried by the following vote:

YEAS: Councilmen Tuttle, Stegall, Jordan, Short, Smith and Whittington.
NAYS: Councilman Alexander.

PROPERTY TRANSACTIONS AUTHORIZED.

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

- (a) Acquisition of 618 square feet of property at the northeast corner of Third and Torrence Streets, from Central Investment Company, at \$5,500 for the East Third Street Connector;
- (b) Acquisition of 4,848 square feet of property at 1328 East Fourth Street from Katherine Potts Asbury (Life Estate), at \$8,500, for the East Third Street Connector;
- (c) Acquisition of 2,989 square feet of property at the northeast corner of Third Street and Independence Boulevard, from Calvin D. Mitchell, at \$25,000, for the East Third Street Connector;
- (d) Acquisition of 2,555.31 square feet of property at 307-09 East Sixth Street, from Mrs. C. E. Lambeth, widow, at \$6,500.00, for the Sixth Street Project;

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- (e) Resolution authorizing condemnation proceedings for the acquisition of property of Mrs. Raye Rivers Thompson (widow), located at 125 Kings Drive South, for East Third Street Extension Project, at a condemnation price of \$4,500.00;
- (f) Resolution authorizing condemnation proceedings for the acquisition of property of Mrs. Mamie (H. G.) McAuley, located on East Fourth Street, for East Third Street Extension Project, at a condemnation price of \$1,500.00;
- (g) Resolution authorizing condemnation proceedings for the acquisition of property of C & D Realty Company, Inc., located at 1316 East Fourth Street, for the East Third Street Extension Project, at a condemnation price of \$1,400.00;
- (h) Resolution authorizing condemnation proceedings for the acquisition of property of Katherine Lynch Moser et al, located at 301-03 North Poplar Street, for the Sixth Street Widening Project, at a condemnation price of \$19,000.00;
- (i) Resolution authorizing condemnation proceedings for the acquisition of property of Lawrence E. Alexander and wife, Elizabeth M., located at 422-30 East Sixth Street, for the Sixth Street Widening Project, at a condemnation price of \$3,850.00;
- (j) Resolution authorizing condemnation proceedings for the acquisition of property of Blumenthal Properties, Inc., located at 301-07 N. Brevard Street, and 311-13 East Sixth Street, for the Sixth Street Widening Project, at a condemnation price of \$24,500.00;
- (k) Resolution authorizing condemnation proceedings for the acquisition of property of J. P. Hackney, Jr., et al, located at 427-31 East Sixth Street for the Sixth Street Widening Project, at a condemnation price of \$6,850.00;
- (l) Payment of one permanent right of way easement (1,494.82 sq. ft.) in the amount of \$3,500.00, to Lloyd G. Mumaw and wife, Anne C. Mumaw, at the corner of Providence Road and Sharon Lane, for Providence Road sidewalk improvement.

The resolutions are recorded in full in Resolutions Book 5, beginning at Page 477.

COUNCIL MEETING SET FOR MONDAY, AUGUST 28, AT 3:00 O'CLOCK.

Mayor Brookshire asked Council to consider when the next Council Meeting will be held as two weeks from today is Labor Day, and three weeks from today there will not be a quorum in the City because of plans some have to be out of the city.

Councilman Whittington moved that the next Council Meeting be held on next Monday, August 28, at 3:00 o'clock p.m. The motion was seconded by Councilman Short, and carried unanimously.

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CITY MANAGER REQUESTED TO CHECK TRAFFIC CONDITIONS ON STATESVILLE AVENUE IN VICINITY OF SCHOOL, AND SPEED LIMITS ON BURTON STREET.

Councilman Alexander requested the City Manager to check to see what has been done about the traffic on Statesville Avenue as school begins in the next couple of weeks, and the Traffic Engineer has the request.

Councilman Alexander stated on Burton Street between Seaboard and Oaklawn Avenue there is a speed limit of 35 MPH, and this is too fast, and requested the City Manager to investigate having it dropped down to 25 MPH.

COUNCIL ADVISED BUS SERVICE COULD SERVE STARMOUNT AREA WITH BRIDGE CONSTRUCTED OVER ARCHDALE DRIVE.

Councilman Tuttle stated in connection with request of residents of Starmount Area for bus service and various things, it develops that a bus line would serve them well with a bridge over Archdale. He asked if the City Manager could give an estimate of what the cost of the bridge would be. Mr. Veeder replied there was an exact cost in the budget which was cut out, and it was about \$45,000.00.

WALTER B. MALLONEE NOMINATED TO AIRPORT ADVISORY COMMITTEE FOR FIVE YEAR TERM.

Councilman Jordan placed in nomination the name of Mr. Walter B. Mallonee for reappointment to the Airport Advisory Committee for a five year term, said nomination to remain open until the next Council Meeting.

CONTRACT WITH ED GRIFFIN DEVELOPMENT COMPANY FOR WATER EXTENSION OUTSIDE THE CITY OFF NATIONS FORD ROAD, AUTHORIZED.

Mr. Kiser, City Attorney, stated he has an item which involves the approval of a water extension contract with Ed Griffin Development Company, outside the city limits, for a development called Whispering Pines, located off Nations Ford Road; it involves the installation of approximately 4,885 feet of six inch water main and 250 feet of 21 inch main and four fire hydrants at an estimated cost of \$20,825 and it is under the new rebate policy.

Upon motion of Councilman Short, seconded by Councilman Stegall, and unanimously carried, the contract was approved as requested.

CONTRACT AWARDED THOMAS STRUCTURE COMPANY FOR RELOCATION OF SANITARY SEWER FACILITIES IN NORTH-SOUTH EXPRESSWAY.

Councilman Alexander moved award of contract to the low bidder, Thomas Structure Company, in the amount of \$61,858.80 for relocating sanitary sewers in connection with the North South Expressway. The motion was seconded by Councilman Smith.

The City Manager advised this is required because of expressway work, between Clanton Road and Woodlawn Road. The major portion of the

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work will be paid for by the State; there are two sections on it with the low bid on Section I being \$33,152.50, the portion that will come back to the City from the State; and the low bid on Section II being \$28,706.30, making a total low bid of \$61,858.80, with Thomas Structure Company, the low bidder.

The vote was taken on the motion and carried unanimously.

The following bids were received:

Thomas Structure Company	Section I	\$ 33,152.50
	Section II	\$ 28,706.30
		<u>\$ 61,858.80</u>
Howie Crane Service, Inc.	Section I	\$ 40,716.75
	Section II	\$ 31,137.75
		<u>\$ 71,854.50</u>
Boyd & Goforth, Inc.	Section I	\$ 35,907.25
	Section II	\$ 39,639.75
		<u>\$ 75,547.00</u>
L. O. Chapman Co.	Section I	\$ 41,745.25
	Section II	\$ 38,580.00
		<u>\$ 80,325.25</u>
Blythe Bros. Company	Section I	\$ 44,340.50
	Section II	\$ 40,931.00
		<u>\$ 85,271.50</u>

ADJOURNMENT.

Upon motion of Councilman Alexander, seconded by Councilman Short, and unanimously carried, the meeting was adjourned.

Ruth Armstrong
Ruth Armstrong, City Clerk