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An adjourned meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, in Joint Session with the Board of Commissioners of Mecklenburg County, on Wednesday, August 4, 1954, at 3 o'clock p.m.

Mayor Van Every presided and Councilmen Albea, Baxter, Boyd, Brown, Smith and Wilkinson were present representing the City of Charlotte.

Absent: Councilman Dellinger.

Commissioners S. Y. McAden, Chairman, Ernest K. Brown, Craig Lawing and John P. White were present representing Mecklenburg County.

Absent: Commissioner S. C. McNinch.

Mr. Wallace W. Hanks, Chairman and Mr. Geo. L. Sibley of the Charlotte Planning Board, and Mr. Spencer Bell, Chairman of Mecklenburg County Planning Board were also present.

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

PURPOSE OF MEETING.

Mayor Van Every stated that the meeting was called in accordance with a resolution adopted by the City Council on the 28th day of July, 1954, that a Joint meeting of the City and County representatives be held to consider the advisability and necessity for establishing a joint City-County Planning Board and to work out the details with respect thereto.

ORDINANCE AND RESOLUTION ESTABLISHING A JOINT PLANNING BOARD FOR MECKLENBURG COUNTY AND THE CITY OF CHARLOTTE PRESENTED AND EXPLAINED BY COUNCILMAN BAXTER, AND ACTION POSTPONED FOR TWO WEEKS.

Mayor Van Every asked Councilman Baxter to start the discussion on the proposed establishment of the Joint Board.

Councilman Baxter stated that today business is spending more and more money for research and study of conditions than ever before, and the Governing Bodies of the City and County can well be guided by the practice of private business. That Charlotte and Mecklenburg County are growing so fast that this growth should be planned. For that reason he has been pushing the idea of a Joint Planning Board in order to coordinate the efforts of the City and County. That the proposal has been approved by both the City and County Planning Boards and the County Commissioners also approved it at their meeting on last Monday. He advised that at his request the City Attorney has drawn an ordinance relative to the establishment of a Joint Board.

At the request of the assembly, Councilman Baxter introduced the following ordinance:

ORDINANCE AND RESOLUTION ESTABLISHING A JOINT PLANNING BOARD FOR MECKLENBURG COUNTY AND THE CITY OF CHARLOTTE

BE IT ORDAINED AND RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE AND THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY:

Section 1. FINDING AND DECLARATION OF NECESSITY.

The City Council of the City of Charlotte and Board of County Commissioners of Mecklenburg County, herein called "Governing Bodies", hereby find and declare that, it is a governmental necessity that a planning board be established and maintained in Mecklenburg County, including the City of Charlotte, pursuant to the provisions of General Statutes, Section 160-22 through 160-24, and that the expense

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of same will be necessary expenses. Without limiting the generality of the foregoing it is especially declared and found that plans, investigations, surveys and recommendations by such a board are necessary in order that the officers, agents, employees, and governing bodies may competently perform their duties and in order that the voters of the City of Charlotte and/or Mecklenburg County, when called on to exercise their franchise in elections relating to the affairs of the City of Charlotte and/or Mecklenburg County may do so with an intelligent understanding of the questions presented for their decisions.

Section 2. ESTABLISHMENT OF PLANNING BOARD, DUTIES.

There is hereby established a board to be known as the Mecklenburg-Charlotte Planning Board. Its duties shall be to make careful study of the resources, possibilities and needs of the city, particularly with respect to conditions which may be injurious to the public welfare or otherwise injurious and to make plans for the development of Mecklenburg County, including the City of Charlotte. In connection with the performance of its duties the board shall make or cause to be made such surveys, investigations and compilations of facts as it may deem useful or necessary. Among other things it shall from time to time consider the desirability of the extension of the limits of the City of Charlotte, and if it finds such extension to be desirable, it shall prepare and present to the City Council a program of extension with a statement of the reasons for the same. The City Council shall not, nor shall any official of the city, approve any subdivision development which is subject to the jurisdiction of the City without first presenting the same to the Board and receiving its recommendations with respect thereto. From time to time and at least once each year, the Board shall report to the governing bodies, giving information regarding the condition of Mecklenburg County, including the City of Charlotte, and present any plans or proposals for the development of Mecklenburg County, including the City of Charlotte, which it desires to submit together with estimates of the cost of the same.

Section 3. QUALIFICATIONS FOR MEMBERSHIP, TERMS OF OFFICE.

The Board shall consist of ten (10) members, all of whom shall be residents of Mecklenburg County, North Carolina and in addition thereto, two ex officio members who shall be the City Manager of the City of Charlotte and the Chairman of the Board of County Commissioners of Mecklenburg County. The ex officio members shall serve in an advisory capacity only and shall not have a vote and shall only attend such meetings to which they are especially invited. Five (5) members of such Board shall be appointed by the City Council of the City of Charlotte, and the other five members of such Board shall be appointed by the Board of County Commissioners of Mecklenburg County. For the first board each governing body shall appoint one member whose term will end June 30, 1955, two members whose term will end June 30, 1956, and two members whose term will end June 30, 1957. Thereafter the terms of all members appointed by each governing body shall be three years except that in case of a vacancy occurring during a term the same shall be filled by the governing body having authority to make such appointment for the unexpired portion of such term.

Any appointed member of the Board may be removed at any time with or without cause by a two-third vote of the governing body having authority to appoint such member's successor.

The members of such Board shall serve without pay.

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Section 4. ORGANIZATION, OFFICERS, RULES, MEETINGS.

The first board shall meet for the purpose of organization as soon as reasonably possible after its creation on joint call from the Mayor of the City of Charlotte and Chairman of the Board of County Commissioners. The board shall elect its own officers and shall adopt such rules as it shall see fit for the transaction of its business, a copy of such rules shall be filed with the City Clerk of the City of Charlotte and with the Auditor of Mecklenburg County for inspection by interested parties and shall constitute public records. The board shall hold regular meetings and the same shall be open to the public, but this shall not prevent the board when it sees fit from the holding of executive sessions. The board shall invite and receive suggestions from the public concerning any and all matters within the scope of its duties. It shall keep minutes of its meetings, in which shall be recorded all action taken by it on all matters that it considers. Such minutes shall be public records.

Section 5. BUDGETS.

As soon as reasonably possible after its organization, the first board shall prepare and present to each governing body an estimate of its monetary requirements until the end of the current fiscal year of each governing body, showing in detail the various purposes for which the money will be needed. The governing bodies, after making such modifications as they see fit, shall approve the budget for the board until the end of the current fiscal year and shall from funds currently appropriated for planning purposes as shall be approved at joint meeting of the governing bodies, appropriate funds sufficient to meet such budget. Thereafter the board shall annually file with the City Manager and the Chairman of the County Board of Commissioners, an estimate of its requirements for the ensuing fiscal year and such other information as such officials, or either of them, may need in connection with their presentation to the governing bodies of the budget estimate required by law.

Money appropriated to the board shall not be paid to it in a lump sum, but shall be disbursed as are other joint City-County funds and in accordance with the regular course and practice of the City of Charlotte and Mecklenburg County.

APPROVED AS TO FORM:

City Attorney

Following the reading thereof, Councilman Baxter moved the adoption of the ordinance. The motion was seconded by Commissioner White.

Councilman Boyd asked if by the adoption of the Ordinance would the present City Planning Board be abolished?

Mr. John Shaw, City Attorney, stated it would abolish the present Board. That the Council would have to pass an ordinance repealing the present ordinance establishing the Charlotte Planning Board, and transfer the authority of the Board relating to subdivisions, to the Joint Board.

Councilman Brown asked where the new Board of ten members would be housed?

Mr. Yancey, City Manager, advised there is no space in the City Hall; that the office now occupied by the Charlotte Planning Board is much too small.

Mr. Spencer Bell, Chairman of the County Planning Board, stated that in the study made a year ago, it was contemplated that provisions would be made for the rental of space since even then the space occupied by the City Planning Board was insufficient.

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Mayor Van Every pointed out that the resolution adopted by the Council last week requesting today's meeting, stated that the function of the Joint Planning Board would include only the fringe area around Charlotte, whereas the ordinance presented today encompasses all of Mecklenburg County. That he believes that every member of the two governing bodies wants to do the best possible job of planning, but he wonders if the citizens of Charlotte could go down to Matthews and other towns in the County and say, in effect, "we have a plan for your town", and likewise if residents of Cornelius or some other town in the County could tell us in Charlotte how to plan our business. That he realizes there is a problem in the fringe area of Charlotte and believes the City and County could join hands and do a good job in that respect, but there is an element of doubt in his mind about taking over the planning of the entire County. He stated further that he recognizes that a Planning Board crystallizes public thinking and has no power to act; however, he would like the Council to be able to say twenty years from now that their action was good and worthwhile.

Councilman Baxter stated he was sorry that the Mayor saw fit to throw cold water on the proposal. That there is no question of Cornelius or Matthews or any other town telling us what to do or us telling them the same thing - that the purpose of the Board would be planning and planning only - that it would be a promotional function entirely, with their ideas of such planning brought back to the Council and Commissioners for their approval.

Mr. Spencer Bell stated that planning in North Carolina goes back to the 1800s when there were established Drainage Districts, Soil Conservation Districts, Sanitary Districts, et cetera. That planning is not new but it must be done in a broad manner to be effective and worthwhile. That the State of North Carolina has a Planning Board and feels that planning is necessary. That if the perimeter area only is planned, by the time the plans are perfected the area will have been incorporated into Charlotte. That planning geographically to one point is foolish. He advised that Memphis, Tenn. has a Joint Board and its planning is for a five mile area around the city.

Councilman Brown asked what a Joint Board could do that the present two boards cannot do?

Mr. Bell stated that for a Planning Board to work efficiently and effectively it must have an engineer who knows how to plan. That by consolidating the Boards and the funds, a competent engineer could be employed who knows the planning business. That a ten-man board will provide a broader representation. That the present Boards have five members each who know nothing about the art of planning.

The City Attorney pointed out that this is the logical time to establish a Joint Board if it is to be done, as the City Planning Board has an appropriation of \$20,000.00 in the 1954-55 budget with which an Engineer may be employed and the County Planning Board has \$7,500.00 and the funds can be combined and an engineer employed at about \$8,000.00, and it should be done before either of these Funds are obligated otherwise.

Councilman Brown stated he is against the proposal as it would take the emphasis off the City of Charlotte in dissolving the City Planning Board.

Mr. Shaw, City Attorney, stated that big business coming to Charlotte is building outside the city limits and if the Joint Board could plan for and bring in such business with a million dollar payroll, Charlotte would certainly benefit.

Councilman Baxter asked the Mayor if he would like to change the proposal in any way? Mayor Van Every replied that he would - to include the fringe area only.

Mr. Wallace Hanks, Chairman of the City Planning Board stated that the Board sees the need for overall planning more and more. That the perimeter area cannot be defined in the terms of the City's growth within the next few years. That the difficulty of the two boards working together is that the members are so scattered, and with one Joint Board and a good technical staff, the benefit would be realized by everyone. That in principal overall planning is good.

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Councilman Boyd stated he feels that time should be given to study the resolution; that to him it seems too extensive.

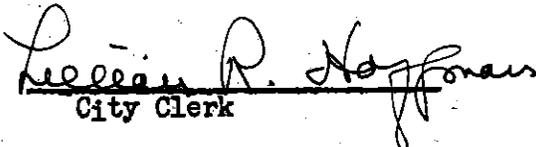
Councilman Baxter stated that the Council has surely been reading much on the subject in the papers recently; that it is not a new idea; however, he is not pushing it, as he suggested it last November and it has only gotten this far.

Councilman Smith asked if anyone had a rough idea of the cost of operating a Joint Board? Councilman Baxter replied that he did not, but as other City and County Departments must do, the Board would have to operate within its budget. Mr. Bell stated that he believes the cost would not be \$250,00 more to operate than the two present boards. That he believes that \$20 or \$25,000,00 would be sufficient based on a study of other cities. Mr. Hanks stated that Winston-Salem, Durham and possibly Raleigh are working as Joint Boards.

Councilman Brown moved that the proposal be postponed for two weeks and each member of the City Council and Board of County Commissioners be furnished copies of the ordinance for study, and that it be published. The motion was seconded by Commissioner McAden, and unanimously carried.

ADJOURNMENT.

Upon motion of Councilman Smith, seconded by Commissioner McAden, the meeting was adjourned.


City Clerk