

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, January 18, 1960, at 3 o'clock p.m., with Mayor Smith presiding, and Councilmen Albea, Babcock, Dellinger, Hitch, Myers, Smith and Whittington being present.

ABSENT: None

Planning Board members Sibley, Chairman, Craig, Ervin, Hanks, Marsh, Schwartz, Toy and Wilkinson being present during the hearings on petitions for zoning changes.

ABSENT: Commissioners Hook and McClure.

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INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Dellinger, seconded by Councilman Whittington, and unanimously carried, the Minutes of the last meeting on January 11th were approved as submitted.

HEARING ON ORDINANCE NO. 641 TO AMEND ZONING ORDINANCE BY AMENDING BUILDING ZONE MAP OF CHARLOTTE.

The scheduled hearing was held on Ordinance No. 641 Amending the Zoning Ordinance to amend the Building Zone Map of Charlotte by changing zoning on property on both sides of Parker Drive, east of Remount Road, from R-2 to Industrial, on petition of Edna Corporation, et al.

Mr. McIntyre, Planning Director, stated the property lies south of the Southern Railway, is mostly undeveloped, with some industrial use within the boundaries of the tract; that to the east the area is developed residentially along Skyland Drive and Bethel Road; to the south the area is undeveloped and to the north zoned Industrial.

Mrs. Mary Audrey, 1403 Parker Drive, stated she owns adjoining property and resides on it, and does not wish the property in question zoned for industrial use.

Council decision was deferred for one week.

HEARING ON ORDINANCE NO. 642 TO AMEND THE ZONING ORDINANCE BY AMENDING THE BUILDING ZONE MAP OF CHARLOTTE.

The public hearing was held on Ordinance No. 642 Amending the Zoning Ordinance to amend the Building Zone Map of Charlotte by changing zoning on property located adjacent to the Library at Providence and Queens Roads, from R-2 to Office-Institution, on petition of A. H. and Aileen B. Cash.

A map of the property and surrounding area was presented by the Planning Director, who stated the property in question extends through from Providence Road to Queens Road, with a frontage on both streets of 100 feet and it has a depth of 300 feet. That it is adjoined on the north by residences along Providence Road, while it is vacant along Queens Road, being mainly the rear lots of the residences fronting on Providence Road. That across the street on Queens Road, the tract of land is now being developed for an apartment house; that diagonally across Providence Road there is a business area.

Mr. William Webb, representing Mr. and Mrs. Efird, stated they own the adjoining land. That there now exists a firm line of very fine residences on only this one side of Providence Road and they are opposed to the encroachment of business on this side of the street; that once the crack is made in the dike, it is the beginning of wide-spread business in this valuable residential area. He stated it is true there is a dilapidated house on the property in question, but it was so when the property was purchased by the petitioner. He stated further if the property in question is rezoned for business, then the entire block should be similarly zoned and turned into business.

Council decision was deferred for one week.

REQUEST THAT PLUMBERS BE GRANTED PERMISSION TO MAKE TAPS TO CITY SEWER LINES IN ANNEXED AREA AT FEE LESS THAN FIXED BY THE CITY CODE REFERRED TO CITY MANAGER FOR RECOMMENDATION.

Mr. C. W. Coppala, Plumber, stated the fee charged by the City for tapping onto the City's sewer lines is \$100.00, and he and other plumbers can do the work for from \$10 to \$25 according to the length of the line, and they feel it is unfair for persons of low income to have to pay the excessive amount. That prior to the annexation of the perimeter area on January 1st, they made these connections at the lower fee, but now that the area has come into the corporate limits, they are no longer allowed to do so by the Engineering Department.

Councilman Smith moved that the City Manager confer with the City Engineer on the matter and make a recommendation to Council. The motion was seconded by Councilman Dellinger, and unanimously carried.

REQUEST THAT 35 M.P.H. SPEED SIGNS BE REPLACED ON SHARON-AMITY ROAD REFERRED TO CITY MANAGER FOR RECOMMENDATION.

Mr. Wm. McKinnell, 401 Sharon-Amity Road, stated the traffic situation became so bad on Sharon-Amity Road that the State Highway Department made a survey and erected signs limiting the speed to 35 M.P.H. That about two weeks ago, after the area became a part of the City, the signs were changed to 45 M.P.H., and he requested that they be changed back to 35 M.P.H. as there are no sidewalks in the area, and the traffic hazards are great. Councilman Dellinger stated this same trouble was realized a few years ago, and he feels that the speed laws inside the city limits should be made uniform. Councilman Alba moved that the request be referred to the City Manager and that he confer with the Traffic Engineer and make a report to Council. The motion was seconded by Councilman Whittington, and unanimously carried.

REQUEST THAT NAME OF ONE OF THE TWO STREETS NAMED SUNNYSIDE AVENUE BE CHANGED REFERRED TO CITY MANAGER FOR RECOMMENDATION.

Councilman Dellinger stated he understands there are presently two streets

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named Sunnyside Avenue and the residents want one changed to another name; one to the left of Central Avenue and the other off Independence Boulevard. He requested the City Manager to check into the matter and make a recommendation to Council.

CITY MANAGER REQUESTED TO REPORT COST ESTIMATE OF WIDENING TUCKASEEGEE ROAD TO CITY COUNCIL.

Councilman Dellinger stated he understands the present plans are to widen the bridge on Tuckaseegee Road but not to widen the street, and he believes there is sufficient funds on hand to also widen the street, which is badly needed. He asked that the City Manager have a survey made and advise Council the cost of the street widening.

PAUL V. GUTHERY, JR. APPOINTED VICE-RECORDER.

Councilman Smith moved the appointment of Mr. Paul V. Guthery, Jr., as Vice-Recorder. The motion was seconded by Councilman Hitch, and unanimously carried.

RESOLUTION REGARDING SALARIES OF JUDGES AND SOLICITORS OF THE CITY RECORDER'S COURT.

A resolution entitled: "Resolution Regarding Salaries of Judges and Solicitors of the City Recorder's Court" was introduced and read, and upon motion of Councilman Smith, seconded by Councilman Hitch, was unanimously adopted. The resolution is recorded in full in Resolutions Book 3, at Page 444.

CITY MANAGER REQUESTED TO INVESTIGATE AND MAKE REPORT ON NEED FOR ADDITIONAL PERSONNEL IN OFFICE OF CLERK OF RECORDER'S COURT, AND ALSO AS TO PROBLEM OF SPACE.

Councilman Whittington requested Mr. George Miller, Solicitor, to advise the Council relative to the Office of the Clerk of Recorder's Court being understaffed and in need of additional space. Mr. Miller stated, in his opinion, the office is definitely short-handed and are doing a great deal of overtime work; however, because of the lack of space, he does not know where additional personnel would be seated. Councilman Hitch moved that the City Manager and Personnel Director check into the matter and give the Council a report. Councilman Whittington asked Mr. Veeder to also report on whether the personnel is under Job Classification and to recommend regarding the office space they need.

CITY MANAGER REQUESTED TO INVESTIGATE CONDITION OF TWO HOUSES IN THE 1000 BLOCK OF EAST FOURTH STREET AND RECOMMEND WHAT CAN BE DONE TO IMPROVE THE SITUATION.

Councilman Hitch called attention to the deplorable condition in the 1000 block of E. 4th Street where two dilapidated houses and the yard are being used as a Junk Shop. He requested the City Manager to make an investigation of the condition and advise what can be done.

APPOINTMENT OF COMMITTEE TO COMPLETE CONSOLIDATION OF CITY AND COUNTY TAX DEPARTMENTS.

Mayor Smith appointed Councilmen Dellinger and Myers as a Committee to serve with County Commissioners McEwen and Brown to work on the completion of the Consolidation of the City and County Tax Departments.

CONSIDERATION OF ORDINANCE TO PERMIT THE SALE OF PACKAGED ICE-CREAM FROM TRUCKS ON CITY STREETS AND TO ESTABLISH LICENSE FEE PER TRUCK DEFERRED ONE WEEK.

Mr. Veeder, City Manager, advised that Ordinances have been prepared relative to the sale of packaged ice-cream from trucks on the city streets, and to establish the license fee per truck, if the Council wishes to consider them today. Councilman Smith moved that the matter be deferred for one week, which was seconded by Councilman Albea, and unanimously carried.

DRAFT OF RESOLUTION GOVERNING FUTURE CONSTRUCTION OF SANITARY SEWERAGE FACILITIES PRESENTED COUNCIL.

The City Manager presented the Council with copies of a draft of a Resolution Governing Future Construction of Sanitary Sewerage Facilities, for their review.

RESOLUTION APPROVING UNDERTAKING OF SURVEYS AND PLANS FOR AN URBAN RENEWAL PROJECT AND APPROVING FILING OF AN APPLICATION FOR FEDERAL ADVANCE OF FUNDS, ADOPTED.

Mr. Thomas Creasy, Attorney for the Urban Redevelopment Commission, presented the request of the Commission for permission to apply for an advance of \$44,000.00 in federal funds, through the Housing & Home Finance Administrator, to defray the cost of surveys and plans for the redevelopment of a 33 acre slum area, being the first phase of the urban redevelopment program. Mr. Creasy explained in detail the overall program, its purpose and its benefits to the City of Charlotte. He stated the Commission feels that in all good faith they cannot continue to request planning funds unless it is the firm intention to go through with the program.

Mr. Stan Brookshire, President of the Chamber of Commerce, called attention that in April, 1957 the Chamber endorsed the urban redevelopment program for Charlotte, and still favors it.

Mr. Martin Waters of Waters Insurance & Realty Company, speaking in opposition to the project, questioned the legality of urban redevelopment; stated it is a questionable use of eminent domain; that many widows, whose sole income comes from property within the area, will be deprived of this income and will be unable to reinvest funds received for the property to obtain a like yield. Secondly, he discounted the reduction in crime and removal of health hazards, stating it would be only a matter of shifting them to another area. Mr. Waters pointed out that Brooklyn consists of 238 acres and the so-called redevelopment of some 8 to 10 blocks in the 33 acre area, can only result in an increased degeneration in the remaining project area. He stated further the aims of the program, as expressed in the newspapers are admirable but the technique at getting at them is questionable. Mr. Waters proposed as a plan to accomplish the desired results - first, that Council think in terms of urban renewal and not urban redevelopment. He stated the word renewal means to build up or clean up. He recommended the adoption of a three point program, 1st, construct good streets in the Brooklyn area; extend 3rd Street through or put Caldwell Street through to bisect the area; 2nd, that emphasis be placed on analyzing housing standards in the area, and 3rd, find a legal device to mastermind attacking real estate titles, whereby titles may be made good. He stated he believes that private enterprise would then come in and accomplish the desired results without the use of federal funds.

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Mr. Charles P. Freeman, Jr, stated he does not own property in the Brooklyn area nor does he represent anyone who does; that he will support any program for slum clearance that is legally sound, morally right and feasible, but urban redevelopment is not the answer. He attacked the program on the grounds that it deprives the property owner of the rightful use of his property; that the Federal Courts say that urban redevelopment is a police matter to confiscate property; that in many of the states where the program has been declared legal, it was brought about by lobbyist and that many cities have suffered tremendous losses in not finding buyers once the land was cleared for sale, and his conservative estimate of Charlotte's loss is \$75,000,000.00. Mr. Freeman termed the program a Hitler-like form of tyranny, sponsored by a clique of self-styled civic leaders, with both Charlotte newspapers being members of the clique to the extent they have distorted the facts and made it impossible for interested citizens to receive accurate information as to the proposed Charlotte program. He stated that private industry is ready and willing to develop Brooklyn and the pending urban redevelopment program is stifling such development. He proposed a strong standard housing code for all sections of Charlotte and urged that Council not continue their support of the program.

Mr. Stan Brookshire, speaking in rebuttal, stated it is obvious that Mr. Waters and Mr. Freeman are speaking for a certain group of property owners in Brooklyn and not in behalf of the residents of the area, whose conditions are in need of improvement.

Mr. Paul Younts, former Chairman of the Urban Redevelopment Commission, spoke in defense of the present Commission, stating they are in no manner members of any clique endeavoring to jeopardize the citizens of Charlotte, but rather they are giving their time and efforts, without compensation to a job they were asked to do by their City Government. He stated that he owns property in Brooklyn and if the City wants it for the good of the community, they may have it. That he believes the only way to clear up slums is by eminent domain, and, while he is not for it, he does not believe anyone will get hurt in the long run. He urged the support of Council of the members of the Commission in trying to carry out a fine program for Charlotte.

Mr. James Glenn, Chairman of the Urban Redevelopment Commission, presented the members of the Commission, and stated they are serving without pay and accepted the responsibility to do something for the city that within their hearts they think is right, and if the Council thinks the program is good, then it should receive their vote.

Councilman Dellinger stated he does not believe in Federal Grants but whether Charlotte takes the money or not, it will go to some City, and our taxes will remain the same.

Councilman Smith stated he has reservations about it, but thinks it is well worth going into and he will vote for it to see if it is workable before going into the entire program.

Councilman Whittington stated he is in favor of the first phase of the program, and that he thinks the Council has a moral obligation to the City to clear up slum areas.

Councilman Hitch commended the fine and sincere efforts of the Commission. He stated his natural inclination is against eminent domain and does not think it is the American way; that he is afraid the cost of the program is not realized; however, he feels he has an obligation to discharge to the people of Charlotte and out of deference to them he will vote for phase one of the program and hope it will work out favorably.

Councilman Albea stated he has long considered the program and is ready to vote.

Councilman Myers stated that, briefly, it is our desire to do something about the blighted areas of Charlotte, which is a most disturbing factor; that he has a prepared statement as to his position in the matter.

Councilman Babcock stated he is firmly opposed to urban redevelopment. That he has stated this all along and by virtue of it the Charlotte Observer refused to endorse him. That Councilman Myers and he have expressed their opinion in a formal statement, which they request the newspapers to publish in its entirety or not at all. (Statement of Councilmen Myers and Babcock inserted).

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Mayor Smith stated he has sincerely tried to understand the program and to the best of his knowledge he believes it is for the well being of the majority of the people of Charlotte.

Councilman Dellinger introduced a Resolution Approving the Undertaking of Surveys and Plans for an Urban Renewal Project and Approving Filing of an Application for a Federal Advance of Funds, and moved its adoption. The motion was seconded by Councilman Albea.

Councilman Hitch asked Mr. Vernon Sawyer, Executive Director of the Redevelopment Commission, what it will cost the City of Charlotte? Mr. Sawyer replied there are two estimates; if a low resale value is used, the cost to the City is estimated at \$653,300.00 over a period of four years, which represents one-third of the cost. That if certain site improvement work is done by the City it would be credited and will reduce the cost to \$486,000.00. That if a higher resale value is used, the estimated cost is \$530,000.00, which with the credits would be reduced to \$363,000.00. That the cost to the Federal Government on the first figure is \$1,306,600.00 and on the second figure \$1,060,000.00. He called attention that these are of necessity estimated figures.

Councilman Smith stated he has been assured that every effort will be made to unfreeze the other phases of the program if someone should want to develop the area privately? Mr. Sawyer stated that is correct; that the entire idea is a cooperative effort between the City and private industry to redevelop our slum areas.

Mr. Glenn called attention that the Commission is an appointed one, without final authority, and everything is submitted for approval first to the Planning Board and with their approval then to the City Council. That no parcel of land can be sold without these approvals, and then it will be sold only at public auction.

The vote was then taken on the motion for the adoption of the resolution, and carried, with the votes cast as follows:

YEAS: Councilmen Albea, Dellinger, Hitch, Smith and Whittington.

NAYS: Councilmen Babcock and Myers.

The resolution is recorded in full in Resolutions Book 3, beginning at Page 445.

AGREEMENT AUTHORIZED WITH SAL RAILWAY COMPANY FOR RIGHT-OF-WAY UNDER THEIR TRACKS FOR CONSTRUCTION OF SANITARY SEWER LINES FROM RICHLAND AVENUE TO BEYOND SHARON-AMITY ROAD.

Councilman Smith moved approval of an Agreement with the Seaboard Air-line Railway Company for right-of-way under their tracks for the construction by the City of sanitary sewer lines from Richland Avenue to beyond Sharon-Amity Road. The motion was seconded by Councilman Albea, and unanimously carried.

CONTRACT AWARDED SAFETY ADVERTISING SERVICE FOR DECALS AND NUMERALS FOR USE ON CITY'S ROLLING EQUIPMENT.

Upon motion of Councilman Whittington, seconded by Councilman Babcock, and unanimously carried, contract was awarded the low bidder, Safety Advertising Service, Greenville, Tenn., for 790 Transparent Background Scotchcals, 1,066 Department Scotchcals and 1,895 Scotchcal Numerals, as specified, at a net delivered price of \$1,016.98.

The following net delivered bids were received:

Safety Advertising Service	\$ 1,016.98
Trade Printing Company	\$ 1,035.00
ALTERNATE BID	\$ 1,105.00
John S. McNett Company	\$ 1,063.30
ALTERNATE BID	\$ 1,161.30
Ad-Vue-Tizers, Inc.	\$ 1,104.20
Pictorial Screen Process	\$ 1,424.68
Ralco Decal Company	\$ 1,500.00
Velvetex, Inc.	\$ 1,574.75
Three Star Poster Company	\$ 1,769.88
McGee Displays, Inc.	\$ 1,998.11
Commerford Decal Company	\$ 2,034.09
Acme Sign Company	\$ 2,247.36

CONTRACT AWARDED THE FARRAR COMPANY FOR SCOTCHLITE MATERIAL.

Motion was made by Councilman Dellinger, seconded by Councilman Myers, and unanimously carried, awarding contract to the low bidder, The Farrar Company, Greensboro, N. C., for 6 Rolls #2270, 3 Rolls #2273 and 2 Rolls #2277 Scotchlite material, as specified, at a total price of \$3,788.00, subject to 2% cash discount, amounting to \$75.76, representing a net delivered price of \$3,712.24.

The following net delivered bids were received:

The Farrar Company	\$ 3,712.24
Minnesota Mining & Mfg. Co.	\$ 3,793.50
McGhee Displays, Inc.	\$ 3,952.00

CONTRACT AWARDED MCDEVITT & STREET COMPANY FOR GENERAL CONTRACT FOR ADDITION TO CHARLOTTE HEALTH CENTER TO HOUSE MENTAL HEALTH CLINIC.

Councilman Albea moved the award of contract to the low bidder, McDevitt and Street Company, on their Alternate Bid, for the general construction of the addition to the Charlotte Health Center, at a total net bid of \$49,900.00, subject to the approval of the Medical Care Commission. The motion was seconded by Councilman Dellinger, and unanimously carried.

The following net bids were received:

McDevitt & Street Company	(Base Bid)	\$51,300.00
Alternate Bid		1,400.00
John V. Barger	(Base Bid)	\$51,200.00
Alternate Bid		1,200.00
John W. Craig	(Base Bid)	\$52,136.00
Alternate Bid		1,410.00
Blythe & Isenhour	(Base Bid)	\$52,319.00
Alternate Bid		1,377.00
Laxton Construction Co.	(Base Bid)	\$52,500.00
Alternate Bid		1,400.00
Rea Construction Co.	(Base Bid)	\$55,850.00
Alternate Bid		1,400.00

CONTRACT AWARDED P. C. GODFREY COMPANY FOR PLUMBING FOR ADDITION TO CHARLOTTE HEALTH CENTER TO HOUSE MENTAL HEALTH CLINIC.

Upon motion of Councilman Albea, seconded by Councilman Dellinger, and unanimously carried, contract was awarded the low bidder, P. C. Godfrey Company for Plumbing for the addition to the Charlotte Health Center, at a total net bid of \$2,987.00, subject to the approval of the Medical Care Commission.

The following net bids were received:

P. C. Godfrey	(Base Bid)	\$ 2,987.00
J. V. Andrews	(Base Bid)	\$ 3,160.00
Acme Plumbing Company	(Base Bid)	\$ 3,315.00
Tompkins & Johnston	(Base Bid)	\$ 3,532.00
Toomey Bros.	(Base Bid)	\$ 3,541.00

CONTRACT AWARDED ROSS & WITMER COMPANY FOR HEATING FOR ADDITION TO THE CHARLOTTE HEALTH CENTER TO HOUSE THE MENTAL HEALTH CLINIC.

Motion was made by Councilman Albea, seconded by Councilman Dellinger, and unanimously carried, awarding contract to the low bidder, Ross and Witmer Company for Heating for the addition to the Charlotte Health Center, at a total net bid of \$8,136.00, subject to the approval of the Medical Care Commission.

The following net bids were received:

Ross & Witmer, Inc.	(Base Bid)	\$ 8,136.00
J. V. Andrews	(Base Bid)	\$ 8,190.00
Mechanical Contractors	(Base Bid)	\$ 8,900.00
A. Z. Price Associates	(Base Bid)	\$ 9,236.00
Tompkins & Johnston	(Base Bid)	\$ 9,241.00
Southern Comfort	(Base Bid)	\$ 9,934.00

CONTRACT AWARDED ROBINSON ELECTRIC COMPANY FOR ELECTRICAL WORK FOR ADDITION TO CHARLOTTE HEALTH CENTER TO HOUSE MENTAL HEALTH CLINIC.

Councilman Albea moved the award of contract to the low bidder, Robinson Electric Company for the Electrical Work for the addition to the Charlotte Health Center, at a total net bid of \$5,440.00, subject to the approval of the Medical Care Commission. The motion was seconded by Councilman Dellinger, and unanimously carried.

The following net bids were received:

Robinson Electric Company	(Base Bid)	\$ 5,440.00
Howard Electric Company	(Base Bid)	\$ 5,448.00
Pate Electric Company	(Base Bid)	\$ 5,660.00
Elam Electric Company	(Base Bid)	\$ 5,843.00
Broadhurst-Allen Company	(Base Bid)	\$ 5,910.00
Austin Electric Company	(Base Bid)	\$ 5,987.00

TRANSFER OF CEMETERY LOTS.

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

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- (a) Deed with Mrs Demetra Dross, for Lot 105, Section 4-A, Evergreen Cemetery, at \$252.00.
- (b) Deed with Mr Thomas A. Curtis, for Grave #6, Lot 105, Section 3, Evergreen Cemetery, at \$40.00.
- (c) Deed with Mrs Pauline Moore, for Lot 235, Section 4-A, Evergreen Cemetery, at \$126.00.
- (d) Deed with Mrs Maud E. Norkett, for Lot 288, Section 4-A, Evergreen Cemetery, at \$126.00.

ADJOURNMENT.

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



Lillian R. Hoffman, City Clerk