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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, March 12, 1962, at 3 o'clock p.m., with Mayor Brookshire presiding, and Councilmen Albea, Bryant, Dellinger, Jordan, Smith, Thrower and Whittington present.

ABSENT: None.

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INVOCATION.

The invocation was given by the Reverend Thomas MacLean, Pastor of Avondale Presbyterian Church.

MINUTES APPROVED AS CORRECTED.

Upon motion of Councilman Albea, seconded by Councilman Thrower, and un-animously carried, the Minutes of the last meeting on March 5th were approved as corrected in the 3rd item on Page 343 changing the name of "L. K. Fowler" to "L. K. Farrar".

JOHN C. BENNETT RECOMMENDS ESTABLISHMENT OF NIGHT TRAFFIC COURT.

Mr. John C. Bennett appeared before Council in behalf of the establishment of a Traffic Court for the City. He stated it appears that every time it is discussed by Council, it is passed on to the Bar Association for an opinion and the Bar objects and so nothing is done. Too, it seems that the public never appears in behalf of the establishment of such Court. That he believes it is agreed that a Traffic Court is necessary to maintain law and order on the highways; however, that it appears that law and order on the highways is mainly controlled by fear of individuals that their insurance will be cancelled but that is not good enough to protect lives on the highways. It is the duty of government to maintain law and order and he thinks the Council should go ahead and take forthright action, and he wished to suggest that it be a night court, which would be more convenient to the public.

Mayor Brookshire advised that both the legal and practical aspects of the establishment of a Traffic Court is before Council and being given very serious consideration.

PETITION PROTESTING ROUTING OF CITY COACH BUSES VIA HARRILL STREET FILED IN SUPPORT OF REQUEST ON MARCH 5TH THAT BUS ROUTE BE DISCONTINUED.

Mr. Wm. C. Hedrick, Jr., 1304 North Harrill Street, asked if a decision has been made regarding his request at last week's meeting that the City Coach Company's new bus route via Harrill Street be removed?

Mr. Veeder, City Manager, advised that Mr. Case and Mr. Turner of City Coach Company appeared before Council today prior to this meeting, to discuss this, as well as other changes in bus routings, and after this request was reviewed the Council informally expressed the opinion that it appears to be in the best interest of the general public to permit the Bus Company to continue to use Harrill Street. Mr. Hedrick stated he has a petition

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protesting the Bus on Harrill Street which he would like to file with the proper persons and he asked how he could carry the protest further? Mr. Veeder stated he will be glad to check any further information Mr. Hedrick has. Mr. Hedrick stated they object to the Bus because sooner or later the City will ban parking on one side of the street and it is only one block to a street wide enough for cars to park on both sides and for two busses to pass, and walking one block to a bus should not be an inconvenience to anyone. Mr. Veeder asked if the potential ban on parking is the principal objection represented by the signatures on the petition, and Mr. Hedrick stated it is. He stated that it will also create a hardship on Mr. Farrar whose store is on the corner of Belmont and Harrill Streets and he already has no parking on one side and if it is banned on the other side, he will not be able to unload his trucks. Councilman Whittington asked for the reason given by the Coach Company for routing the Bus via Harrill Street? Mr. Veeder stated, that basically it was to provide better service by splitting the area to serve all patrons of the area.

At the question of Mr. Hedrick as to how he should proceed, Mr. Veeder suggested if Mr. Hedrick thinks he has some arguments that would influence the Bus Company he would make them known to the Company. Mr. Hedrick then asked if the parking is banned on one side of the street what they could do about it? Mr. Veeder stated this is begging the question and he is not in position to comment on it at all. Mr. Hedrick stated that Harrill Street deadends at one end, and the Bus Company representative told him the traffic was such that it did not bother the Busses at all.

Mr. Veeder advised that he will have a copy of the Petition filed by Mr. Hedrick sent to Mr. Case and Mr. Turner.

Mayor Brookshire stated if Mr. Hedrick wants to make a direct approach to Mr. Turner it is his privilege. That as to the banning of parking, that is crossing bridges before we get to them. He advised that the matters discussed with Mr. Case and Mr. Turner are being considered by them and they are coming back to give Council a report in two weeks, and he is sure the information will be made public at that time.

REQUEST THAT RECOMMENDATION OF PLANNING BOARD BE REVERSED AND PETITION NO. 31 FOR CHANGE IN ZONING OF PROPERTY FACING QUEENS ROAD, BETWEEN COLONIAL AVENUE AND DARTMOUTH PLACE, FROM R-6MF TO R-6MFH BE GRANTED.

Mr. Ernest DeLaney, Jr., appeared before Council and requested a reversal of recommendation of the Planning Board disapproving the request of his client for a change in zoning of property facing Queens Road, between Colonial Avenue and Dartmouth Place, from R-6MF TO R-6MFH. He advised the property in question is next to The Little Theatre, and his client proposes to build a 50 unit apartment house, comprised of one bedroom, livingroom, breakfast room, kitchen and bath for youngsters coming to Charlotte, and he thinks it is one of the finest things that has happened to Charlotte during the 47 years he has lived here, as he has seen young professional men and young ladies come to Charlotte to work and there is no place to live except the YW and YM or in a private home. He presented the Architect's plans showing the location of the apartment on the site and the surrounding area.

Mr. Veeder called attention that this is Zoning Petition No. 31 attached to the Conference Agenda, and Councilman Albea stated this represents a second hearing of Mr. DeLaney on this petition. Mayor Brookshire advised Mr. DeLaney that Council has not yet considered the recommendations of the Planning Board on the Zoning Petitions.

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Mr. DeLaney stated he recognizes that he is somewhat imposing on Council and he does so only because he feels the Petition has merit and he wants only a minute to explain how important he feels the project is to newcomers to our city. He pointed out there is ample land around the project, more than is really necessary for the building and to acquire any more land would be just to require something that cannot be used. He advised that the Planning Board in their original recommendation, and Council in their original ordinance extended this zone to the corner of Colonial Avenue and Queens Road, and he is asking that it be extended four more lots towards Morehead Street, and there cannot be anything about the project that will adversely affect the plans for the planned development of the city, and too, it will be revenue producing for the city.

Councilman Albea asked if Mr. DeLaney has taken this up with the Planning Board and Mr. DeLaney stated he took it up with the Planning Board staff and was told they had to draw the line somewhere and so had drawn it at Colonial Avenue and there is no particular reason why it cannot go farther that the line had to be drawn somewhere, which is of course correct. Councilman Albea stated he thinks this is a poor excuse to say it would be alright to go ahead but they just had to draw the line somewhere, and he would want a better excuse than that.

DISCUSSION OF DRAINAGE PROBLEM FROM STREET ONTO PROPERTY AT 109 CRIGLER STREET.

Miss Nell Ingle, 109 Crigler Street, appeared before Council in regard to her request on March 5th that the water draining from the street onto her property be diverted and advised that again she is water-logged from Sunday's rain. Councilman Dellinger stated he called the City Manager this morning and asked him to look at the situation.

Mr. Veeder stated he and Mr. Bobo went out and looked at it this morning and Miss Ingle walked over the property with them and explained the situation as she saw it. He advised that her property is located practically in a bowl and the area around it on all sides slopes to her property and there is no question but she has a difficult storm drainage problem but the extent to which the City may be involved in it is perhaps questionable. That Miss Ingle has stated that prior to the street being paved she did not have the problem.

Miss Ingle stated that is correct, with the exception of once in 1947 when a flash flood came thru the County and everyone was flooded, and this is the third time she has been flooded since January 1st. That, in fact, they had so little drainage trouble through the years they did not have retaining walls in the basement, the basement was just dug out of the ground, and her house has stood there for 46 years. Therefore, it can only mean to her that the paving of the street is obliged to have created the flooding of her basement.

Mr. Veeder stated he and Mr. Bobo want to discuss the problem with the Engineering Department to try to decide how much responsibility involves the city. That there apparently has been a drainage problem here of many years duration which is borne out by the fact that the drainage pipe that is now on the property was put in about 1915 according to Miss Ingle. Miss Ingle stated the furnace has been off since last night and the basement is now being pumped out, and of course she has no heat.

Mr. Veeder stated he and Mr. Bobo will come up with some recommendation, and the thing they must, of course, be careful about is to make sure it is within the frame work of what we are permitted to do. That they will certainly do their best to find a solution that will be in the best interest of Miss Ingle and at the same time not put the City in the position of doing something we are not allowed to do. That we know that the water needs to be piped across her property but the question is whether the City can or cannot assume the responsibility.

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PAYMENT AUTHORIZED TO MCDUGLE, ERVIN, HORACK & SNEPP FOR LEGAL SERVICES IN CONNECTION WITH THE ACQUISITION OF RIGHTS OF WAY.

Councilman Whittington moved approval of the payment of \$130.35 to McDougle Ervin, Horack & Snapp, for legal services in connection with the acquisition of rights of way. The motion was seconded by Councilman Jordan, and unanimously carried.

PERMISSION GRANTED ERVIN CONSTRUCTION COMPANY TO CONNECT PRIVATE SANITARY SEWER LINES TO CITY'S SANITARY SEWER SYSTEM.

Motion was made by Councilman Thrower, seconded by Councilman Smith, and unanimously carried, granting permission to Ervin Construction Company to connect private sanitary sewer lines to the City's Sanitary Sewer System in Pineville Road, outside the city limits.

AGREEMENT BETWEEN STATE HIGHWAY DEPARTMENT AND ERVIN CONSTRUCTION COMPANY FOR ENCROACHMENT ALONG PINEVILLE ROAD IN CONNECTION WITH CONSTRUCTION OF SEWER LINE, AUTHORIZED CO-SIGNED BY CITY.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, an Agreement between The State Highway Department and Ervin Construction Company for encroachment in right of way along Pineville Road in connection with the construction of a sewer line was authorized co-signed by the City.

PAYMENT OF CLAIM OF R. E. MYERS AUTHORIZED.

Councilman Albea moved approval of the payment of claim of Mr. R. E. Myers, in the amount of \$16.00 for having car cleaned after it was splashed with tar by City forces, as recommended by the City Attorney. The motion was seconded by Councilman Whittington, and unanimously carried.

CLAIM OF MRS ELLA W. WOODS FOR DAMAGES TO CAR DENIED.

Upon motion of Councilman Whittington, seconded by Councilman Smith, and unanimously carried, the claim of Mrs Ella W. Woods, in the amount of \$450.00, for damages to her car allegedly caused by a hole in the pavement on West Boulevard was denied as recommended by the City Attorney by reason that West Boulevard is under maintenance by the State Highway Department and is not a part of the City street system.

STREETS TAKEN OVER FOR CITY MAINTENANCE.

Motion was made by Councilman Albea, seconded by Councilman Thrower, and unanimously carried, that the following streets be taken over for continuous maintenance by the City:

- (a) Commercial Avenue, from The Plaza to Blackwood Avenue.
- (b) English Drive, from Interstate #85 Service Road to Southwest Boulevard.
- (c) Abelwood Road, from English Drive to Burbank Drive.
- (d) Ludlow Drive, from Abelwood Road to Sutton Drive.
- (e) Sutton Drive, from English Drive to Abelwood Road.
- (f) Burbank Drive, from Sutton Drive to Southwest Boulevard.
- (g) Fowler Court, from Abelwood Road to end.
- (h) Tipperary Place, from Milton Road to 300' west of Vinetta Court.
- (i) Vinetta Court, from Tipperary Place 100' east.

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CONSTRUCTION OF SANITARY SEWER MAINS AUTHORIZED AT VARIOUS LOCATIONS.

Upon motion of Councilman Bryant, seconded by Councilman Smith, and un-animously carried, the construction of sanitary sewer mains was authorized at the following locations:

- (a) Construction of 1,145 ft. of sewer main in Kingscross Drive, at request of Ervin Construction Company, at an estimated cost of \$3,585.00. All costs to be borne by the applicant, whose deposit of the entire amount will be refunded as per terms of the contract.
- (b) Construction of 350 ft. of sewer main in Centre Street, at request of Ervin Construction Company, at an estimated cost of \$2,815.00. All costs to be borne by the applicant, whose deposit of the entire cost will be refunded as per terms of the contract.
- (c) Construction of 370 ft. of sewer main in Brooktree Drive, at request of Ervin Construction Company, at an estimated cost of \$1,230.00. All costs to be borne by the applicant, whose deposit of the entire amount will be refunded as per terms of the contract.
- (d) Construction of 304 ft. of sewer main in Catherine Street, at request of Woonsocket Spinning Company, at an estimated cost of \$2,240.00. All costs to be borne by the applicant, whose deposit of the entire cost will be refunded as per terms of the contract.

CONTRACTS AUTHORIZED FOR THE INSTALLATION OF WATER MAINS.

Motion was made by Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, authorizing the installation of water mains as follows:

- (a) Contract with Ervin Construction Company for the installation of 1,620 ft. of water mains and one hydrant in Sheffield Subdivision No. 2, inside the city limits, at an estimated cost of \$4,150.00. All costs to be borne by the City and applicant will guarantee an annual gross water revenue equal to 10% of the total construction cost.
- (b) Contract with Morris Speizman for the installation of 975 ft. of water mains and two hydrants in Oakhurst Industrial Park, inside the city limits, at an estimated cost of \$3,700.00. The City to finance all costs and applicant to guarantee an annual gross water revenue equal to 10% of the total construction cost.

ORDINANCE NO. 66-X GRANTING CERTIFICATE OF PUBLIC CONVENIENCE & NECESSITY TO THE AMBULANCE SERVICE OF CHARLOTTE, INC.

An ordinance entitled: "Ordinance No. 66-X Granting Certificate of Public Convenience & Necessity to the Ambulance Service of Charlotte, Inc" was introduced and read, and upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, passed its first reading.

CONTRACT AWARDED C. D. SPANGLER CONSTRUCTION COMPANY FOR CONSTRUCTION OF SANITARY SEWER TRUNKS & MAINS IN VARIOUS RESIDENTIAL SUBDIVISIONS.

Councilman Smith moved the award of contract to C. D. Spangler Construction Company, the low bidder, for the construction of Sanitary Sewer Trunks and Mains in various residential subdivisions, at their total bid price of \$61,328.15. The motion was seconded by Councilman Dellinger, and unanimously carried.

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The following bids were received:

C. D. Spangler Construction Company	\$61,328.15
C. M. Allen & Company	61,868.30
Noll Construction Company	62,848.45
A. P. White & Associates	63,074.00
Howie Crane Service Company	63,869.00
Ray D. Lowder, Inc.	66,385.35
C. W. Gallant, Inc.	70,606.22

CONTRACT AWARDED NOLL CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF TAGGART CREEK PUMPING STATION.

Upon motion of Councilman Thrower, seconded by Councilman Albea, and un-animously carried, contract was awarded the Noll Construction Company, the low bidder, for the construction of Taggart Creek Pumping Station, at their total bid price of \$30,620.00.

The following bids were received:

Noll Construction Company	\$30,620.00
Lee Construction Company	31,672.50
A. P. White & Associates	32,030.70
C. W. Gallant, Inc.	33,231.50
Boyd & Goforth, Inc.	36,514.00
Crowder Construction Company	37,769.00
Potts-Brown Company	42,963.00

CONTRACT AWARDED LAXTON CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF FIRE STATION #13.

Motion was made by Councilman Bryant, seconded by Councilman Thrower, and un-animously carried, awarding contract to Laxton Construction Company, the low bidder, for the construction of Fire Station #13, at their total bid price of \$48,300.00.

The following bids were received:

Laxton Construction Company	\$48,300.00
Foard Construction Company	52,573.00
G. T. Barnes	52,790.00
D. E. Waddell	52,883.00
Myers & Chapman	53,218.00
G. E. Vinroot	53,442.00
Reynolds Construction Company	53,685.00
R. Marrett Wheeler	58,252.00
B. W. Bartholomew	58,746.00
Hercules Construction Company	59,290.00

CONTRACT AWARDED FOARD CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF FIRE STATION #14.

Councilman Albea moved the award of contract to Foard Construction Company, the low bidder, for the construction of Fire Station #14, at their total bid price of \$45,654.00. The motion was seconded by Councilman Thrower, and un-animously carried.

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The following bids were received:

Foard Construction Company	\$45,654.00
D. E. Waddell	48,895.00
Myers & Chapman	49,379.00
G. T. Barnes	51,088.00
Laxton Construction Company	51,415.00
Reynolds Construction Company	52,125.00
R. Marrett Wheeler	52,425.00
G. E. Vinroot	53,427.00
B. W. Bartholomew	57,000.00
Hercules Construction Company	57,440.00

CONTRACT AWARDED MECHANICAL CONTRACTORS, INC. FOR MECHANICAL WORK ON FIRE STATIONS #13 AND #14.

Upon motion of Councilman Jordan, seconded by Councilman Thrower, and un-  
animously carried, contract was awarded Mechanical Contractors, Inc. for the  
Mechanical Work on Fire Stations #13 and #14, at their total combined bid  
price of \$13,800.00.

The following bids were received:

Mechanical Contractors, Inc.	\$13,800.00
J. V. Andrews	13,900.00
A. Z. Price & Associates	15,483.00
Tompkins-Johnston Company	17,894.00

CONTRACT AWARDED P. C. GODFREY COMPANY FOR PLUMBING WORK ON FIRE STATIONS #13 AND #14.

Councilman Smith moved the award of contract to P. C. Godfrey Company, the  
low bidder, for the Plumbing Work on Fire Stations #13 and #14, at their  
total combined bid price of \$13,300.00. The motion was seconded by Council-  
man Bryant and unanimously carried.

The following bids were received:

P. C. Godfrey Company	\$13,300.00
Acme Plumbing Company	13,500.00
J. V. Andrews	14,000.00
Tompkins-Johnston Company	14,919.00
A. Z. Price & Associates	14,634.00

CONTRACT AWARDED AMITY ELECTRICAL COMPANY FOR ELECTRICAL WORK ON FIRE STATIONS #13 AND #14.

Motion was made by Councilman Jordan, seconded by Councilman Whittington,  
and unanimously carried, awarding contract to Amity Electrical Company for  
the Electrical Work on Fire Stations #13 and #14, at their total combined  
bid price of \$8,545.00.

The following bids were received:

Amity Electrical Company	\$ 8,545.00
Reid Electric Company	9,999.00
Broadhurst-Allan Company	10,700.00
Ross Electric Company	10,980.00
Elam Electric Company	11,432.00

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ACQUISITION OF PROPERTY FROM E. C. GRIFFITH COMPANY ON NORTH SIDE OF WEST MOREHEAD STREET, BETWEEN SOUTH CEDAR AND WARNER STREETS, FOR RIGHT OF WAY FOR EXTENDING WEST MOREHEAD STREET NEAR SOUTHERN RAILWAY ADJACENT TO WEST SIDE GRADE CROSSING ELIMINATION PROJECT.

Upon motion of Councilman Jordan, seconded by Councilman Smith, and un-animously carried, the acquisition of property was authorized from E. C. Griffith Company between South Cedar and Warner Streets, containing 611 sq. feet, at a total price of \$1,833.00 for right of way for extending West Morehead Street near the Southern Railway, adjacent to the West Side Grade Crossing Elimination Project.

ACQUISITION OF PROPERTY FROM CLARENCE M. GORE AND LEILA V. GORE AT SOUTH-EASTERN CORNER OF WEST FOURTH AND SOUTH CEDAR STREETS, FOR RIGHT OF WAY FOR STREET WIDENING ON WEST FOURTH STREET ADJACENT TO GRADE CROSSING ELIMINATION PROJECT.

Councilman Thrower moved approval of the acquisition of a strip of land at the southeastern corner of West Fourth and South Cedar Streets, from Clarence M. Gore and Leila V. Gore, containing 1,051 sq. ft. at a total price of \$4,000.00, for right of way for widening of West Fourth Street adjacent to the West Side Grade Crossing Elimination Project, the motion was seconded by Councilman Whittington, and unanimously carried.

Councilman Dellinger stated he talked with Mr. Barrentine and Mr. Kinney about this and told them he thought it would be helpful if in the future the Council had more information as to whether there are buildings on these properties to be purchased etc, then action would not be held up as that would have right much to do with one's voting, and he asked that this information be secured in the future.

ACQUISITION OF PROPERTY FROM LEWIS P. WATTS AND WIFE, LOCATED ON NORTH SIDE OF WEST MOREHEAD STREET AT NE CORNER OF S. CEDAR STREET AND WEST MOREHEAD STREET, AND PROPERTY FROM ROSWELL TERRACE CORPORATION, LOCATED ON NORTH SIDE OF WEST MOREHEAD STREET BETWEEN WARNER AND ELDRIDGE STREETS, FOR STREET WIDENING INCIDENT TO GRADE CROSSING ELIMINATION PROJECT.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, the acquisition of the following two parcels of land for right of way on West Morehead Street for street widening incident to the Grade Crossing Elimination Project, was authorized:

- (a) 471 sq. feet of property from Lewis P. Watts and wife, Helen D. Watts located on north side of West Morehead Street at the northeast corner of S. Cedar Street and W. Morehead Street, at a purchase price of \$1,413.00.
- (b) 1,154 sq. feet of property from Roswell Terrace Corporation, located on the north side of West Morehead Street, between Warner and Eldridge Streets, at a purchase price of \$3,462.00.

ACTION ON ACQUISITION OF RIGHT OF WAY AND AGREEMENT FOR DAMAGES TO CHESAPEAKE PAPER STOCK COMPANY, FOR WEST SIDE GRADE CROSSING ELIMINATION PROJECT DEFERRED ONE WEEK.

The City Manager recommended the acquisition of right of way, and an agreement for damages to Chesapeake Paper Stock Company, situated between West Trade and West Fifth Street on the west side of the Southern Railway tracks,

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for the West Side Grade Crossing Elimination Project, as follows:

- (a) Payment for land needed for railroad right of way, in the amount of \$6,484.00, and land needed for widening of West 5th Street, in the amount of \$2,807.50.
- (b) Payment of \$50,909.50 for all other damages to existing facilities of the Company, including damages to business during construction necessary modification of building structure and realignment of normal work procedures on the property.

In explaining the details of the two proposals, Mr. Veeder presented a map showing the area involved and the location of Chesapeake Paper Company and gave the costs of each transaction involved. He stated there is no real problem as far as the Fifth Street property is concerned, that the problem is the Paper Company involving damages to the existing structure and the reconstruction of a portion of the building, and compensation for loss of business during the project construction. He explained that it will be necessary for them to load and unload cars about two blocks away for a period of probably one year instead of doing so right into the building, and that because of the elevation of the tracks the building must be re-designed so that in the future they will be serviced from the second floor level instead of ground floor as at present. Mr. Veeder advised this has been an involved transaction, and the people representing both the City and Railroad Company have done their best to evolve an approach to getting it reduced to the cheapest amount possible, and he thinks this is a satisfactory approach dollar-wise for the City.

In the discussion suggestions were made that the entire property be purchased outright and that portion be sold that is not needed for the right of way, and also that the property be condemned.

It was the consensus of opinion of Council that further study of the proposals should be made, and upon motion of Councilman Dellinger, seconded by Councilman Thrower, action was deferred one week.

#### TRANSFER OF CEMETERY LOT.

Councilman Jordan moved that the Mayor and City Clerk be authorized to execute a deed with Mr. H. E. Lester, Sr. and wife, for Lot 128, Section 2, Evergreen Cemetery, at \$240.00. The motion was seconded by Councilman Whittington, and unanimously carried.

#### CONTRACT AWARDED THE PENETRYN SYSTEM FOR INSPECTION OF SANITARY SEWER LINES.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, contract was awarded The Penetryn System, the low bidder, for inspection of sanitary sewer lines, at their total bid price of \$2,270.00.

The following bids were received:

The Penetryn System	\$ 2,270.00
Industrial Pipe Repair Corp.	2,500.00
National Power Rodding Corp.	3,500.00

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CONTRACT AWARDED DIEBOLD, INC. FOR MECHANICAL ELEVATOR TYPE ELECTRICALLY OPERATED CARD FILING EQUIPMENT.

Councilman Albea moved the award of contract to Diebold, Inc., the low bidder, for Mechanical Elevator Type Electrically Operated Card Filing Equipment, at their total bid price of \$5,577.45. The motion was seconded by Councilman Jordan, and unanimously carried.

The following bids were received:

Diebold, Inc.	\$ 5,577.45
Remington Rand	6,489.52

STATEMENT OF POLICY FOR HANDLING GRIEVANCES BY CITY EMPLOYEES ADOPTED.

A suggested procedure for receiving and handling city employee grievances, which was prepared by Mr. Earle, Personnel Director at Council request, was discussed.

Councilman Albea stated that he has carefully read the Procedure and finds nothing new in it from what the city has had all along; that if there has ever been a time when a city employee could not go through a procedure like this he does not know about it; that he has been dealing with labor and management for forty years and he sees nothing in this the city has not had all along; that this simply gives the impression the Council is giving the employees something they have never had and it is doing no such thing; that he was under the impression employees could do this and if they could not then something has been wrong and the Council has been asleep at the switch.

Councilman Dellinger expressed objections to the provision in Section (4), Procedure, whereby the employee must file his complaint in writing to the City Manager. He stated it appears to him that after the employee goes through all the preliminaries outlined, he should be able to discuss a grievance with the City Manager without putting it in writing; that most complaints come from employees who do not have facilities for corresponding, and he, personally, would prefer an employee coming to him and discussing a complaint rather than writing him a letter.

Mr. Earle advised that one of the primary reasons for this provision is to conserve the City Manager's time, and he called attention that the Procedure further provides that the employee's Department Head shall provide assistance to him in expressing his grievance in writing.

Mr. Veeder stated he feels that somewhere along the line a grievance should be reduced to writing in order to define the issue, particularly if it has proceeded from the employee to his Supervisor, to the Department Head, to the Personnel Director and on to him; that he probably would want to see and talk with the employee and also have his complaint in writing.

The suggestion was made by Councilman Bryant that the sentence be altered to give the City Manager the privilege of requiring the complaint in writing if he felt it was necessary because of some legal or technical difficulty that might arise. Councilman Whittington suggested that the employee might be given the alternative of making his complaint in writing or seeing the City Manager personally.

Mr. Veeder then suggested that it would be entirely satisfactory to strike out the two words "in writing" and also to strike out the entire next sentence reading, "At the employees request the department head shall provide assistance to the employee in expressing his grievance in written form".

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He stated he thinks it would be in the best interest of the employee when a grievance reaches him, after discussing it with the employee, not only to inform him verbally of his decision but also give it to him in writing.

Councilman Thrower stated he thinks a procedure to allow the employee a free hand in registering complaints is a good thing and probably the employees could do so before, but they are of the opinion they cannot and as long as the Council is willing to adopt a statement of policy it will show their willingness that the employees' problems be heard.

Councilman Smith stated it appears to him that everything an employee or anyone could possibly complain about is excluded in the last sentence of Section (3) Definition, "Grievances relating to salaries, fringe benefits, overtime, position classification, suspension, demotion and dismissal are excluded from these procedures." He stated the procedure or policy adopted should fully cover what the Council is attempting to do and not have the teeth taken out of it.

Mr Veeder called attention to the "suspension" in the sentence, that in the Police and Fire Departments this comes under the authority of the Civil Service Board and neither the Council nor City Manager have any authority in this regard. That there are established rules for the employees to follow which cover other portions of the sentence, while other portions are reviewed as they occur by the Personnel Director and himself, and generally fall outside standard grievance procedures.

Following the discussion of this sentence, Mr. Veeder stated he thinks the Council, Mr. Earle and himself are thinking along the same line, it is just a matter of expressing it, and he has absolutely no objections to striking out the entire sentence quoted by Councilman Smith.

Councilman Whittington moved the adoption of the proposed Statement of Policy as Amended, by striking out the last sentence under Section (3) Definitions, excluding grievances relating to certain things, and striking out the two words "in writing" in the second paragraph of Section (4) Procedure, appearing at the bottom of Page #2 and striking out the entire first sentence in the third paragraph of Section (4) Procedure, appearing at the top of Page #3, and the Personnel Director incorporate the Statement of Policy in booklet or sheet form and a copy be given to each city employee. The motion was seconded by Councilman Bryant, and unanimously carried.

Councilman Albea stated for the record that he voted for this but still contends the Council is not doing a thing for city employees they have not had the right to all the time, that it is just being done in order to say something has been done for the employees, but he cannot afford to vote against the motion.

Mayor Brookshire responded to Councilman Albea's statement saying the Council is at least providing in writing a clarification of the Policy, whatever the Policy may have been heretofore, and distributing the information to the employees to create a better understanding.

#### INCENTIVE AWARDS PROGRAM FOR MOTOR TRANSPORT DEPARTMENT CONTINUED FOR SIX MONTHS.

Councilman Smith moved that the Incentive Awards Program for the Motor Transport Department be continued for a six months period as it is highly recommended by Mr. Noe, Superintendent of the Department as the first six months trial of the program has worked so successfully. The motion was seconded by Councilman Albea, and unanimously carried.

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CITY ATTORNEY TO GIVE WRITTEN OPINION ON QUESTION OF ESTABLISHMENT OF A TRAFFIC COURT FOR CONSIDERATION AT NEXT COUNCIL CONFERENCE.

Councilman Smith asked for a discussion on the question of the establishment of the proposed Traffic Court. Councilman Whittington stated he heartily agrees as he thinks the Court should be set up and has thought so for the past six months, and would like it discussed now as he must leave in ten minutes. Councilman Smith stated he thinks it should be approached not as a Traffic Court per se but as two courts operating in the same courtroom, with two Judges, and two Solicitors working the same day, one working in the morning and the other in the afternoon, and what cases each would handle be strictly an administrative matter among themselves. He asked if there is any law that would preclude the City doing this?

Mr. Morrissey, City Attorney, stated he could answer the question in less than ten minutes but thinks the Council would have questions that would extend beyond that time and thinks the matter is of sufficient importance that it be discussed at a time when full consideration could be given it.

Councilman Smith asked if the City Attorney would give the Council a written opinion on the question, so they could study it, and Mr. Morrissey stated he would be glad to do so.

Councilman Bryant asked that it be listed on the Conference Agenda next week.

COUNCILMAN WHITTINGTON LEAVES MEETING AND IS ABSENT FOR REMAINDER OF SESSION.

Councilman Whittington left the meeting at this time and was absent for the remainder of the session.

PAYMENT OF CLAIM OF MRS VIOLA H. LEDFORD FOR INJURIES AUTHORIZED, AND CITY MANAGER INSTRUCTED TO HAVE CITY PROPERTY COVERED BY LIABILITY INSURANCE.

The City Attorney presented a claim of Mrs Viola H. Ledford for \$5,000.00 for injuries sustained from a fall in the lobby of City Hall, and advised the claim was first presented last November, and it was recommended at that time that the City offer to settle for actual medical expenses incurred, in the amount of \$116.00. That Council deferred action in November pending a determination as to whether the City Hall was covered by liability insurance. That the claimant's attorney has resubmitted the claim and therefore it is again presented with recommendation that the claim be settled in the amount of \$116.00. That the answer to the question of whether City Hall is covered by liability insurance is negative.

Mr. Veeder stated it is his recollection that the Insurance Advisory Committee was advised that Council had authorized carrying this liability insurance and he was under the impression they had taken care of it, but apparently they have not.

Councilman Albea moved that Mrs Ledford be paid \$116.00 for medical expenses as recommended, and the City Manager be instructed to tell the Insurance People to insure the City Hall and other city property that in his judgment should have this coverage. The motion was seconded by Councilman Dellinger, and unanimously carried.

ADJOURNMENT.

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

*Lillian R. Hoffman*  
Lillian R. Hoffman, City Clerk