

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 28, 1960, at 4 o'clock p.m., with Mayor Smith presiding, and Councilmen Albea, Babcock, Dellinger, Hitch, Myers, Smith and Whittington being present.

ABSENT: None

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INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED AS CORRECTED.

Upon motion of Councilman Smith, seconded by Councilman Hitch, and un-animously carried, the Minutes of the Adjourned Meeting on March 15th were approved as submitted, and the Minutes of the last meeting on March 21st were approved as corrected, eliminating the phrase in the 23rd and 24th lines of the item relative to the Proposal for Operation of Ambulance Service as recorded on Page 301 of the Minutes of said meeting, reading as follows: "and he does not know what terms they will want to stay out of the ambulance business", and inserting a phrase in the 30th line thereof, between the words "service" and "but", reading as follows: "unless they are compensated for calls initiated by the Police and Fire Departments which are uncollectable".

REPORT AND RECOMMENDATIONS ON FIRST PHASE OF PLAN FOR COMMUNITY SAFETY PROGRAM APPROVED IN PRINCIPLE AND FOURTEEN ITEMS TO BE PROVIDED BY CITY AUTHORIZED EXPEDITED.

Mr. Bill Terrell, Chairman of the Safety Committee, presented the following report of the proposed administrative organization and items which the City must provide to make it a workable program:

"Some two months ago your committee on traffic safety composed of Mr. Whittington, Mr. Smith and Mr. Babcock asked me to act as temporary chairman, select a committee to study the traffic situation here, study and make recommendations to you as the best and most practical way to set up some permanent safety organization which would alleviate and minimize traffic accidents and also expedite the safe flow of traffic in the area.

Very fortunately, Mr. Donald Denton of the American Commercial Bank, Mr. Marshall Pickens of the Duke Endowment and Mr. Coleman Roberts of the Carolina Motor Club agreed to serve on this committee. After many meetings and discussions with individuals of various groups and organizations we are prepared to submit our report and recommendations on the first phase of this project.

As you know, at least four formal attempts have been made in the past to set up a safety organization and each has failed. To avoid pitfalls and another unsuccessful effort your committee studied some of the factors which caused earlier failures, and we will mention a few of the more important ones.

1. Lack of adequate financing.
2. Lack of public interest and support.
3. Organizational efforts included relatively small groups of citizens and organizations.
4. Public opposition to support these moves because the local governments had not fulfilled their responsibilities.

To insure continuous life of such an organization we feel it is necessary to organize it so that it will qualify for membership in the United Community Services. To further secure prospects of continuous life and to keep the cost of operation as low as possible it is felt the Chamber of Commerce with the support of 4000 members should be asked to join this effort.

Your committee has talked with the presidents and the executive vice presidents of both of these organizations and the prospects of their participation is good; however, no formal application has been made to either organization because everyone involved is of the opinion the City Council must agree that the suggested plan is workable and feasible; and further still, must indicate clearly that you will support this project by approving in general principle the plan submitted.

According to the gist of the conversations held with these gentlemen the budget of the safety organization would be included by the United Community Services and the money raised through United Appeal. This sum would be turned over to the Chamber of Commerce and it would direct the operation of the safety organization.

From what we have observed the present administration seems to be in accord with the thinking of your committee. Your tangible interest in this matter is most encouraging toward the establishment of a successful safety organization.

Several of the points mentioned in what the "City must Provide" have already received your approval and authorization. For various practical reasons some of the things you have authorized have not been put into effect. As an example, Police personnel is not up to authorized strength. In connection with this single point it appears it will be necessary to thoroughly study the police salary scale. There has been substantial effort to upgrade the personnel and additional requirements made of them.

None of us want taxes to be any higher than necessary, but we must take a very realistic view of this matter. Through 1958 we had an annual turnover of approximately 13.5% in the Police Department which is about 2.5 times higher than it should be. We are sure it is even higher now. Most of the desirable men lost have gone to higher paying jobs.

It is costly to lose men after two or three years service. At that point they are becoming really worthwhile for the first time. The amounts of money and time spent on the first two years training are substantial. If we lose many men at this point we have far offset any savings effected by unrealistic salary scales.

Your committee does not feel that a salary increase will settle the entire problem but it is one point that appears to need attention.

The equipment to make chemical tests on persons involved with driving under the influence of alcohol has been purchased and will be in use after training personnel in its application.

A Pedestrian Ordinance has been drawn and will be submitted to your presently.

The setting up of a Traffic Court requires North Carolina Legislative action and the local Bar Association has a very intelligent plan for your approval so that it can be enacted at the next session of the Legislature.

If you gentlemen of the council give substantial approval of this plan, the next step is to prepare application to the United Community Services and The Chamber of Commerce to get them to include the Safety Organization in their operations. We, therefore, want your very, very frank comments and consideration of this matter at this time, after which we suggest your approval or rejection in principle to this plan.

FUNCTIONS OF SAFETY ORGANIZATION AND ITS STAFF

1. Maintain working contact with all Departments of Local Governments concerned with traffic matters. Act in advisory capacity to these Departments, including budget preparations. This includes reconciling local needs with National Safety Council recommendations.
2. Form and direct Citizens Safety Organization, including the setting up and operation of Citizens Sub-Committees.
3. Keep membership of Citizens Safety Organization informed of traffic problems with recommendations to alleviate same.
4. Study systems and methods used successfully in other cities and areas that might be used to advantage here.
5. Work with State and National groups to achieve uniform traffic systems.
6. Study local Traffic ordinances. Use Citizens Safety Organization influence to have it standardized and brought up to date, conforming to the Model Municipal Ordinance of the Uniform Vehicle Code.
7. Sponsor special traffic safety programs that will appeal to and protect elderly pedestrians.
8. Openly support public officials on good plans designed to improve traffic problems. If the situation demands, organize the public, especially influential members of the Citizen Safety Organization, to attend meetings and speak out for whatever support is necessary. Particularly "get the monkey off the back of Public Officials." This includes the City Council and the County Commissioners.
9. Arrange safety programs for all types of organizations in the area, thereby keeping the public aware of the necessity of public interest and public backing.
10. Assist the Police, the Courts, the Engineering in securing adequate needed equipment and personnel to successfully carry out their official activities. The Citizens Safety organization can help create favorable public opinion that is absolutely necessary to back the needs for modern accident investigative equipment, needed motorcycles, additional cars, officers, etc.
11. The Citizens Safety Organization must keep the City Council and the County Commissioners informed as to their responsibilities in regard to traffic safety and traffic flow. The Professional Staff must furnish the members of the Citizens Safety Organization and the public with the facts on the needs, or the ammunition, so to speak, with which to support a successful overall program

CITY MUST PROVIDE

1. Adequate* Traffic Division Personnel (inside and outside).
2. Adequate* Traffic Division Equipment (outside-cars, motorcycle etc.)
3. Adequate* Traffic Division Equipment (inside-Records, Office Space etc.)
4. Coordination of City Department Heads on Traffic Matters.
5. Coordination Traffic Education in Schools.
6. Set up Traffic Court. (North Carolina legislative action required.)
7. Maintain adequate Engineering to meet future as well as present needs.
8. Prepare for distribution Traffic Manuals and Digests of Traffic Ordinances and Point System for Violations.
9. Enact Modern Pedestrian Ordinances.
10. Notice to Traffic Division of Street Construction.
11. City Planning regarding traffic matters.
12. Removal of Citation Bureau from under jurisdiction of the Police Department.
13. Issuance of all warrants by Clerk of Court rather than by Police Desk Sergeants.
14. Chemical Test for alcoholism used by Police Department in operating under the influence cases.

* ("Adequate" as used above means National Safety Council's recommendation adjusted to meet local conditions.) "

Mr. Terrell stated that the organization chart for the program shows a coordinating committee of public officials. That under it, the Recorder's Court is broken down into a traffic division and a criminal division, and legislation to this effect must be enacted by the General Assembly to get traffic violators out of criminal court. That the School program is divided under the High Schools into a Behind the Wheel Driver Training and Classroom Traffic Safety Training, that the Schools will cooperate in this work. That if the Council approves the plan, the United Community Services will be asked to include it under the United Appeal and turn the funds over to the Chamber of Commerce to be administered. That the Safety Organization will not be restricted to the Chamber of Commerce, but made up of all groups.

Councilman Smith stated in view of the report, he wants to point out that the City will be called on for interim funds, and he moves that we accept in principle the report as submitted by Mr. Terrell and that the Council expedite supplying the fourteen items to be provided by the City. The motion was seconded by Councilman Hitch, and unanimously carried.

OFFER OF BOARD OF FIRE & CASUALTY UNDERWRITERS ASSOCIATION OF GRANT TO A MEMBER OF THE POLICE DEPARTMENT TO ATTEND NORTHWESTERN UNIVERSITY ACCEPTED.

Mr. Donald Denton, President of the Board of Fire & Casualty Underwriters

Association, advised that sometime ago Chief James addressed the Association on the work and needs of the Police Department and they were so impressed they authorized him to offer a grant of \$3,000 to \$5,000 to the City to be used by a member of the Police Department designated by the Chief to attend Northwestern University for Police Officers, provided the person promises to remain in Charlotte afterwards and continue in Police work.

Mayor Smith expressed the City's appreciation for the offer, which he accepted.

HEARING ON PETITION OF TOWNS LAND & DEVELOPMENT COMPANY FOR CHANGE IN ZONING OF PROPERTY ON SOUTH SIDE OF GRANVILLE ROAD WEST OF QUEENS ROAD TO BE CONTINUED FROM HEARING ON APRIL 18TH TO HEARING ON MAY 16TH.

Mr. Robert L. Kurtz, Attorney for Towns Land & Development Company, asked that his client's petition for a change in the zoning of their property on the south side of Granville Road west of Queens Road from R-1 to R-2, scheduled to be heard by the Council and Planning Board on April 18th, be continued to the next hearing date on May 16th as the persons interested in the petition will not be able to attend the meeting on April 18th. The Council agreed to continue the hearing on April 18th to May 16th as requested.

ORDINANCE NO. 652 AMENDING CHAPTER 21, ARTICLE II, SECTION 5 OF THE CITY CODE TO AMEND THE PERIMETER ZONING ORDINANCE TO INCLUDE AN OFFICE-INSTITUTION CLASSIFICATION, ADOPTED.

Upon motion of Councilman Smith, seconded by Councilman Babcock, and un-animously carried, Ordinance No. 652 Amending Chapter 21, Article II, Section 5 of the City Code amending the Perimeter Zoning Ordinance to include an Office-Institution Classification, was adopted as recommended by the Planning Commission. The ordinance is recorded in full in Ordinance Book 12, beginning at page 457.

ORDINANCE NO. 656 AMENDING CHAPTER 21, ARTICLE II, SECTION 5 OF THE CITY CODE TO AMEND THE BUILDING ZONE MAP TO CHANGE ZONING ON PROPERTY ON WEST SIDE OF PARK ROAD, ON PETITION OF PARK ROAD CITIZENS, DENIED.

Councilman Hitch moved that Ordinance No. 656 Amending Chapter 21, Article II, Section 5 of the City Code to amend the Building Zone Map to change zoning on property on the west side of Park Road, from R-1 and R-2 to Office-Institution on petition of Park Road Citizens, be denied. The motion was seconded by Councilman Whittington. Mr. Shaw, City Attorney, stated the Planning Board advises the petition presented by the opposition represents 64% of the adjacent property owners and those opposite the property, and therefore comes under the 20% rule. The vote was taken on the motion, and carried, by the following vote:

YEAS: Councilmen Hitch, Dellinger, Smith and Whittington.

NAYS: Councilmen Albea, Babcock and Myers.

DECISION ON ORDINANCE NO. 653 AMENDING CHAPTER 21, ARTICLE II, SECTION 5 OF THE CITY CODE TO AMEND THE BUILDING ZONE MAP BY CHANGING ZONING ON PROPERTY ON EASTWAY, SHAMROCK AND SPRINGWAY DRIVE, CONTINUED ONE WEEK.

Councilman Albea moved that Ordinance No. 653 Amending the City Code by changing zoning on property on Eastway, Shamrock and Springway Drive

by changing that portion of the property adjacent to the Shamrock-Eastway intersection and disapprove changing the portion fronting on Springway and adjacent to the Springway-Eastway intersection, as recommended by the Planning Board, be adopted. The motion was seconded by Councilman Whittington. A substitute motion was offered by Councilman Myers, that the property be rezoned in accordance with the Plat he submitted, which will provide no change in the Springway Drive frontage. Following the discussion, Councilman Hitch offered a second substitute motion that the question be continued for one week. The motion was seconded by Councilman Whittington, and unanimously carried.

ORDINANCE NO. 654 AMENDING CHAPTER 21, ARTICLE II, SECTION 5 OF THE CITY CODE TO AMEND THE BUILDING ZONE MAP BY CHANGING ZONING ON AMITY COUNTRY CLUB PROPERTY FROM R-1 TO R-2, DENIED.

Upon motion of Councilman Albea, seconded by Councilman Hitch, and unanimously carried, Ordinance No. 654 Amending Chapter 21, Article II, Section 5 of the City Code to change the zoning on the property of Amity Country Club, on Sharon-Amity Road, from R-1 to R-2 was denied, as recommended by the Planning Board.

ORDINANCE NO. 655 TO AMEND CHAPTER 21, ARTICLE II, SECTION 5 OF THE CITY CODE TO AMEND THE BUILDING ZONE MAP BY CHANGING PROPERTY ON HOSKINS RD. FROM B-1 TO INDUSTRIAL ON PETITION OF ERVIN CONSTRUCTION COMPANY, CONTINUED TO APRIL 18TH.

Councilman Myers moved that the decision on Ordinance No. 655 be continued one week, which was seconded by Councilman Dellinger.

Councilman Smith stated he has learned the Light-Industrial Zoning Classification applies only within the old city limits and he believes if it were established in the Perimeter Area the change in zoning of the property in question to its more restricted usage than that of Industrial would be acceptable to the neighborhood; therefore, he moved that the question be continued until the Light-Industrial classification can be established. It was determined that the hearing on its establishment could be on April 18th and the question was continued until that date. The motion was seconded by Councilman Whittington, and unanimously carried.

RESOLUTION PROVIDING FOR A PUBLIC HEARING ON APRIL 18TH ON ORDINANCE NO. 666 TO AMEND THE PERIMETER ZONING ORDINANCE BY ESTABLISHING A LIGHT-INDUSTRIAL CLASSIFICATION THEREIN, ADOPTED.

Upon motion of Councilman Smith, seconded by Councilman Babcock, and unanimously carried, a Resolution Providing for a Public Hearing on April 18th on Ordinance No. 666 to Amend the Perimeter Zoning Ordinance by establishing a Light-Industrial classification in the Perimeter Area was adopted. The resolution is recorded in full in Resolutions Book 3, at page 494.

ORDINANCE NO. 657 AMENDING CHAPTER 21, ARTICLE I, SECTION 2 OF THE CITY CODE TO AMEND THE BUILDING ZONE MAP BY CHANGING PROPERTY ON CAMP GREENE STREET, ON PETITION OF MARSH LAND COMPANY, ADOPTED.

Councilman Myers moved that Ordinance No. 657 Amending Chapter 21, Article I, Section 2 of the City Code to amend the Building Zone Map by changing property on both sides of Camp Greene Street from R-2 to B-1, on petition

of Marsh Land Company, be approved as recommended by the Planning Board as to that portion on the west side of Camp Greene Street, and modify that portion on the east side to a line parallel with Freedom Drive, approximately 421 feet from Freedom Drive, in accordance with the plat he submitted. He stated the petitioner prefers this zoning on the east side to that recommended by the Planning Board. The motion was seconded by Councilman Hitch.

Councilman Albea offered a substitute motion that the recommendation of the Planning Board be upheld. The motion did not receive a second and was lost.

The vote was then taken on the original motion by Councilman Myers, and carried, with the votes cast as follows:

YEAS: Councilmen Myers, Babcock, Dellinger, Hitch, Smith and Whittington.
NAYS: Councilman Albea.

The ordinance as adopted is recorded in full in Ordinance Book 12, at page 459.

ORDINANCE NO. 665 AMENDING CHAPTER 2 OF THE CITY CODE RELATING TO PEDESTRIAN CONTROL AND SAFETY, ADOPTED.

Councilman Albea moved the adoption of Ordinance No. 665 Amending Chapter 2 of the City Code relating to Pedestrian Control and Safety, which was seconded by Councilman Whittington, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, beginning at Page 460.

EFFECTIVE DATE OF ENFORCEMENT OF ORDINANCE NO. 665 RELATING TO PEDESTRIAN CONTROL AND SAFETY TO BE AT THE DISCRETION OF THE CHIEF OF POLICE.

Police Chief James stated:

"In recommending to the city council an ordinance to prohibit jay-walking, the Charlotte Police Department has attempted to present a law that is fair to the pedestrians and motorist.

Pedestrian ordinances are controversial. In order to be effective the police must have the backing of the citizens, and most of all, the "merchants".

Mr. Bill Terrill, Safety Chairman, has secured endorsements from several groups and will work closely with the police department in our educative program.

Pedestrians must be taught rules of safety to protect their lives just as the motorist is taught the rules of safe driving.

Before instructing members of the department to enforce the pedestrian ordinance the following is recommended:

1. Special course of training for police corner men.
2. Intense campaign of education directed toward pedestrian and motorist.
 - a. Distribution of pamphlets, literature, posters and the use of news, T.V. and radio media to educate the public and 'most of all why we are pleading for acceptance' -- to prevent pedestrian fatalities.

3. Warning tickets through December 31, 1960 --Enforcement effective January 1, 1961.

NOTE: Immediate enforcement of that part of the ordinance which requires the pedestrian to give right of way to the motorist while crossing in the middle of the block.

4. Recommend to Traffic Engineering, improvement that may be applied, such as: crosswalk marking and any beneficial changes in traffic signals.

The most effective weapon in any traffic safety campaign is the threat of arrest if the law is broken. In obtaining compliance, the police department must be certain that the enforcement is administered courteously, and with common sense.

I have attempted, with the help of a lot of people, to request enactment of adequate legislatives to cope with our problem. If the public will not heed to said ordinance, I will return at a later date requesting changes or deletion of the ordinance."

Following the discussion as to the recommendation of Chief James that warning tickets be issued through December 31, 1960, and the enforcement of the ordinance become effective January 1, 1961, Councilman Dellinger moved that the Council suggest to Chief James that pending the public educational period as to the program, he considered delaying giving citations for only 90 days. The motion was seconded by Councilman Whittington.

Councilman Smith offered a substitute motion that the effective date of enforcement be at the discretion of Chief James. The motion was seconded by Councilman Hitch, and carried, with the votes cast as follows:

YEAS: Councilmen Smith, Babcock, Hitch and Myers.

NAYS: Councilmen Albea, Dellinger and Whittington.

RECOMMENDATIONS OF CITY MANAGER AND CITY ENGINEER AUTHORIZED FOLLOWED AS TO REQUEST OF LEX MOSER FOR SANITARY SEWER TO SERVE HIS PROPERTY ON ROADWAY OFF THE 3800 BLOCK OF STATESVILLE AVENUE.

Mr. Lex Moser was again present relative to his request that the sanitary sewer line being constructed along Statesville Avenue be constructed at a sufficient depth to serve his property on a roadway off the 3800 block of the street.

Mr. Cheek, City Engineer, again stated the proposed maximum depth of the sewer main necessary to serve all property abutting on Statesville Avenue is 11 feet, and in order to accomodate the Moser property, it will be necessary to lower the line to a depth of 16 feet, at an estimated extra cost of \$1,900.00, and the assignment of this extra cost to the benefited property owner is a well established policy. Also, as the property is located on a private driveway some 420 feet off Statesville Avenue, Mr. Moser would also be required to bear the cost of the connecting main, the combined total cost of lowering the main and extending it to his property is estimated at \$4,000.00.

Mr. Moser asked if he went down to a depth of 11 feet except on the rise would it not serve his property, and Mr. Cheek stated it would not, that the line would have to be lowered to 16 feet.

Mr. Cheek stated further that lowering mains to serve property outside a drainage area is unnatural and highly undesirable and the lines are

difficult to maintain and expensive to replace. That the extra cost must be paid by the beneficiary and it has been suggested that Mr. Moser deposit sufficient funds to install a trunk line in the Lake Jo drainage area to serve his warehouse naturally, and he would then have an opportunity to recover a substantial portion of his deposit when revenue requirements are met.

Mr. Veeder, City Manager, stated their recommendations remain, that 1st, Mr. Moser file with the City the \$6,000.00 to install a trunk line in the Lake Jo drainage area to serve his property naturally, or 2nd, that Mr. Moser pay the \$4,000.00 for the excess depth of the main to serve his property.

Mr. Moser stated his only request is that the main that is being constructed be put in to a depth to serve his property but not at his expense. Councilman Smith asked if he did not state he would pay the \$2,000.00 to lower the line to the 16 ft. to serve his property, and Mr. Moser replied that he thinks the two houses on his street should pay their part of the \$2,000.00. That the City could guarantee the sewer contract and let them tap onto it and they could pay the City.

Councilman Myers moved that the recommendations of the City Manager and City Engineer be followed. The motion was seconded by Councilman Babcock, and unanimously carried.

LEASE AND CONSTRUCTION CONTRACT AUTHORIZED WITH PARK & RECREATION COMMISSION FOR ENLARGEMENT OF MEMORIAL STADIUM.

Upon motion of Councilman Hitch, seconded by Councilman Babcock, and unanimously carried, a Lease and Construction Contract for the enlargement of Memorial Stadium was authorized with the Park & Recreation Commission.

NAMES OF "DARWOOD DRIVE" AUTHORIZED CHANGED TO "DARBROOK DRIVE" AND OF "CAROTHERS ALLEY" TO "CAROTHERS STREET".

Upon motion of Councilman Dellinger, seconded by Councilman Babcock, and unanimously carried, the name of Darwood Drive was authorized changed to Darbrook Drive, and name of Carothers Alley changed to Carothers Street.

PAYMENTS FOR SERVICE IN OBTAINING RIGHTS OF WAY FOR SANITARY SEWER EXTENSIONS, SEWER OUTFALL AND TRUNK LINE AUTHORIZED MADE TO HENRY G. NEWSON AND GRIER, PARKER, POE AND THOMPSON.

Motion was made by Councilman Hitch, seconded by Councilman Babcock, and unanimously carried, authorizing payment for service in obtaining rights-of-way, as follows:

- (a) Payment of \$360.00 to Mr. Henry G. Newson for services in obtaining right-of-way agreements in connection with sanitary sewer extensions to Amity Gardens, Walker Road and Stewart Creek.
- (b) Payment of \$550.00 to Grier, Parker, Poe & Thompson, Attorneys, for services in obtaining right-of-way agreements in connection with sanitary sewer outfall along Sugaw Creek and trunk line from Yardley Place to Monroe Road.

EMPLOYMENT OF TAX ATTORNEY AUTHORIZED TO FILL VACANCY WHO CAN HANDLE WORK OF SECURING RIGHTS-OF-WAY FOR CITY.

Councilman Dellinger expressed objections to the continued payment of

fees to outside attorneys for obtaining rights-of-way for the city; he estimated that as much as \$3,000.00 has been paid in fees in the last few months. The City Attorney stated that in a major program, such as the present necessity of obtaining rights-of-way for the extension of sewer lines to the annexed area, it is impossible for the city's limited legal staff to process them, and particularly so since the resignation of the City's Tax Attorney, Mr. Wilmoth.

Councilman Dellinger moved that the Council look into the possibility of replacing Mr. Wilmoth with an attorney who can obtain some of the necessary rights-of-way in addition to his usual duties. The motion was seconded by Councilman Whittington, and unanimously carried.

CONDEMNATION PROCEEDINGS AUTHORIZED STARTED FOR RIGHTS-OF-WAY ACROSS PROPERTIES OF CARL G. SEMENDINGER AND AMON L. BAUCOM FOR SANITARY SEWER LINES CONSTRUCTION.

Upon motion of Councilman Smith, seconded by Councilman Myers, and un-animously carried, condemnation proceedings for rights-of-way were authorized started, as follows:

- (a) That condemnation proceedings be started for 505.83 ft. by 10 ft. right-of-way across the property of Mr. Carl G. Semendinger, for the Bennett Lane sanitary sewer.
- (b) That condemnation proceedings be started for 1,566.58 ft. by 10 ft. right-of-way across the property of Mr. Amon L. Baucum, for the North Tryon Street sanitary sewer.

CONSTRUCTION OF SANITARY SEWER MAINS AUTHORIZED.

Motion was made by Councilman Babcock, seconded by Councilman Hitch, and unanimously carried, authorizing the construction of sanitary sewer mains as follows:

- (a) Construction of 802-ft. of sanitary sewer mains and 433 ft. of sewer trunks in Glendale Acres, inside the city limits, on request of Meriwether Company, Inc., Pierre Company and Cargo Company, at an estimated cost of \$5,900.00. A deposit of the entire cost is required, to be refunded as per terms of the contract.
- (b) Construction of 1,250-ft. of sanitary sewer main in Wyanoke Avenue, inside the city, on request of Mr. Russell Cannaday, at an estimated cost of \$4,400.00. A deposit of the entire cost is required, to be refunded as per terms of the contract.

CONTRACT AUTHORIZED WITH J.N. PEASE & COMPANY FOR ENGINEERING SERVICES IN CONNECTION WITH WATER AND SEWER FACILITIES.

Councilman Albea moved approval of a Contract with J. N. Pease & Company, for engineering services in connection with water and sewer facilities. The motion was seconded by Councilman Hitch, and unanimously carried.

PAYMENT AUTHORIZED TO GEO. G. SCOTT COMPANY FOR SERVICES RENDERED IN CONNECTION WITH THE OPERATION OF THE OFFICE OF THE CLERK OF RECORDER'S COURT FROM JANUARY 31ST THROUGH MARCH 5TH, 1960.

Councilman Smith moved that payment of \$6,200.00 be authorized to Geo. G. Scott Company for services rendered in connection with the operation

of the Office of the Clerk of Recorder's Court from January 31st through March 5, 1960, and \$6,200.00 was authorized transferred from the Emergency Fund (Code 110) to Special Appropriations (Code 110-109-F-1) for the said purpose. The motion was seconded by Councilman Babcock, and unan- imously carried.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

Upon motion of Councilman Albea, seconded by Councilman Dellinger, and unan- imously carried, construction was authorized of Two 30-ft. driveway entrances on Sugaw Creek Road and Two 30-ft. entrances on Cinderella Road, all for the northeast corner lot of Sugaw Creek Road and Cinderella Road.

CONTRACT AWARDED MAGEE-HALE PARK-O-METER COMPANY FOR 190 PARKING METERS.

Motion was made by Councilman Smith, seconded by Councilman Hitch, and unan- imously carried, awarding contract to Magee-Hale Park-O-Meter Company for 190 Model "H" Park-O-Meters in the total amount of \$10,393.00, less trade-in allowance of 165 Micro Meters in the total amount of \$2,145.00, representing a net delivered price of \$8,248.00, on a percentage payment plan of 50% of the proceeds of meter receipts per month to Magee-Hale- Park-O-Meter Company and 50% to the City of Charlotte.

The following net delivered bids were received:

Magee-Hale Park-O-Meter Company

Bid #1	\$ 9,873.35
Bid #2	\$ 7,835.60
Bid #3	\$10,393.00
Bid #4	\$ 8,248.00
Bid #5	\$10,393.00
Bid #6	\$ 8,248.00

The Dual Parking Meter Company

Bid #1	\$10,136.50
Bid #2	\$ 7,879.80
Bid #3	\$10,450.00
Bid #4	\$ 8,123.50
Bid #5	\$10,450.00
Bid #6	\$ 8,123.50

The bids of Dual Parking Meter Company do not meet the specifications.

Duncan Parking Meter Division of Motor Products Corp.

Bid #1	Alternate	\$ 9,088.17
Bid #2	"	\$ 7,387.44
Bid #3	"	\$ 9,566.50
Bid #4	"	\$ 7,776.25

The bids of Duncan Parking Meter Division do not meet the specifications.

TRANSFER OF CEMETERY LOTS AUTHORIZED.

Upon motion of Councilman Whittington, seconded by Councilman Albea, and unan- imously carried, the Mayor and City Clerk were authorized to execute deeds for the transfer of the following cemetery lots:

- (a) Deed with Mrs Farie Q. Beecher, for Graves #1 and #2, in Lot 104, Section 3, Evergreen Cemetery, at \$80.00.
- (b) Deed with T. Carl Williams, for Grave #3, in Lot 19, Section 7, Oaklawn Cemetery, at \$40.00.
- (c) Deed with W. A. Holmes and wife, for Lot 296, Section 4-A, Evergreen Cemetery, at \$126.00.
- (d) Deed with Mrs Margaret Monroe Smith, for Lot 369, Section 3, Evergreen Cemetery, at \$252.00.
- (e) Deed with A.A. Tisdale, Sr. and wife, for northwest quarter of Lot 89, Section T, Elmwood Cemetery, transferred from Mrs. H.P. Roberts, at \$1.00 for transfer deed.

CLAIM OF CALLIE MCINTYRE CRISCO FOR PERSONAL INJURIES REFERRED TO CITY ATTORNEY FOR RECOMMENDATION.

Mr. Veeder, City Manager, advised that Notice of Intent to bring Claim against the City by Callie McIntyre Crisco, for personal injuries sustained while ice-skating at the Coliseum on January 1, 1960, has been filed by her attorney, Mr. William H. Morrow, Jr. Councilman Dellinger moved that the claim be referred to the City Attorney for recommendation. The motion was seconded by Councilman Smith, and unanimously carried.

TRANSFER OF FUNDS AUTHORIZED FROM GENERAL FUND-RESERVE FOR UNAPPROPRIATED INCOME, TO FEDERAL AIRPORT PROJECT NO. 9-31-017-5910.

The City Manager advised that Mr. Livingston, City Accountant, advises that the revenue is not coming in at the Airport sufficiently to pay the contractors for the addition to the Terminal Building, and he would like authority to transfer funds from the sale of land at the Irwin Creek Disposal Plant to the School Board, in the amount of \$21,965.43, to the Airport as a loan until the end of the year when the revenue will be sufficient. That Mr. Livingston advises that authority for the use of monies from the sale of properties by the Council as they think best is contained in the Local Government Laws. He recommended that the Council authorize the City Treasurer to deposit the said \$21,965.43 in the General Fund - Reserve for Unappropriated Income and transfer \$21,000.00 from this Account to Federal Airport Project No. 9-31-017-5910. Councilman Smith moved that the funds be deposited and transferred as recommended. The motion was seconded by Councilman Whittington, and unanimously carried.

ADJUSTMENTS AUTHORIZED IN SALARY RANGE OF CONSTRUCTION MANAGER AND BILLING AND COLLECTING MANAGER IN WATER DEPARTMENT AND OF THE SUPERINTENDENT OF STREETS, EFFECTIVE APRIL 1, 1960.

Upon motion of Councilman Dellinger, seconded by Councilman Whittington, and unanimously carried, adjustments in the salary range of the following three positions were authorized, effective April 1, 1960, as recommended by the City Manager:

Construction Manager, Water Department - Salary range 23 to 26.

Billing & Collecting Manager, Water Department - Salary range 22 to 24.

Superintendent of Streets - Salary range 23 to 26.

DISCUSSION OF INCREASE IN SALARIES OF POLICEMEN.

Councilman Dellinger recommended that adjustments be made in the salaries of Policemen now and not wait until the new budget year.

The City Manager stated the salaries of city employees are out of line and must be brought in line, but he has reservations about singling out one group. That he has discussed the Police salary question with Chief James and it would take \$16,000 to \$20,000 for Patrolmen alone and the other employees in the department must be considered.

Councilman Dellinger stated that Chief James says he has a \$47,000 surplus, and it would appear that Policemen are more important than improvements to the building, for which some of this amount has been used; that more men are needed in the department to cut down on the numerous break-ins.

The City Manager stated he has information on starting salaries for Patrolmen in other cities, which he will be glad to present.

Councilman Myers expressed the opinion that since a general salary increase study for all employees is being made, he would prefer taking no action and wait for recommendations from the departments. Councilman Babcock also expressed the opinion that action should be deferred until recommendations are made by the Department Heads and City Manager.

APPOINTMENT OF JERRY C. TUTTLE TO CIVIL SERVICE BOARD.

Councilman Smith nominated Mr. Jerry C. Tuttle for appointment to the Civil Service Board, effective May 15th upon the expiration of the present term, and moved his appointment.

Councilman Albea nominated Mr. Kenneth M. Clontz to succeed himself and moved his reappointment.

Councilman Dellinger expressed objections to rushing appointments, and called attention that the Council made a gentlemen's agreement to allow nominations to remain open for a week.

The vote was then taken on the first nomination, for the appointment of Mr. Tuttle, and carried, by the following vote:

- YEAS: Councilmen Smith, Babcock, Hitch, Myers and Whittington.
- NAYS: Councilmen Albea and Dellinger.

Councilman Albea moved that the appointment be made unanimous, which was seconded by Councilman Dellinger, and unanimously carried.

NOMINATIONS FOR APPOINTMENT ON PARK & RECREATION COMMISSION HELD OPEN FOR ONE WEEK.

Councilman Hitch nominated Mr. Hugo Heidenreich to the Park & Recreation Commission at the expiration of the present term and moved his appointment.

Councilman Dellinger nominated Mr. E. M. McEwen to succeed himself on the Commission and moved his reappointment.

Mr. Joe Grier, Chairman of the Park & Recreation Commission, stated that Mr. McEwen has been an extremely valuable member of the Commission and is presently Chairman of their Finance Committee.

Councilman Whittington offered a substitute motion that the two nominations be held open for a week. The motion was seconded by Councilman Babcock, and unanimously carried.

NOMINATION FOR APPOINTMENT TO THE AUDITORIUM-COLISEUM AUTHORITY HELD OPEN FOR ONE WEEK.

Councilman Babcock nominated Mr. J. B. McMillan for reappointment to the Auditorium-Coliseum Authority and moved his appointment and that it remain open for one week. The motion was seconded by Councilman Smith, and unanimously carried.

CITY ATTORNEY DIRECTED TO PREPARE CONTRACT WITH RODDY A. BRANDES FOR AMBULANCE SERVICE.

Councilman Smith advised that in the original proposal of Mr. Roddy Brandes to furnish Ambulance Service, he requested that the city grant him \$1,250.00 per month, at \$12.50 per call for Police and Fire Department instigated uncollectable calls. That after discussing the proposal with Mr. Brandes, it is now agreed to advance him \$500.00 per month at a rate of \$10.00 per Police and Fire instigated uncollectable call; that the service will be put into effect July 1st and at the end of the quarter he will present the city a bill for the uncollectable calls and the city will pay the difference if any; that this will be the only ambulance service with this arrangement; that he will handle any calls of any race, creed or color. He stated further that Mr. Brandes has agreed to take over any ambulance service that goes out of business. He stated that Mr. Brandes will contact the Welfare Department about charity cases and, he presumes, the County will come into the picture on that. Councilman Smith stated he is asking for Council's general approval of the overall plan.

Councilman Myers moved that the City Attorney be directed to prepare a contract on this basis and to include a provision whereby the operator is required to furnish a financial statement at the end of each year. The motion was seconded by Councilman Babcock, and unanimously carried.

PROPOSAL TO APPOINT COMMITTEE TO STUDY AND RECOMMEND REGARDING THE CITY'S LONG RANGE FINANCIAL PROGRAM.

Councilman Whittington stated that after trying to make a brief examination of our financial picture after the Bond Attorneys made a ruling that we could not deduct the sewer bonds from the City's bonded debt to improve our bond position, he would like to propose and move that a Committee of citizens be appointed to make an examination of the City's financial picture along with the City Manager and City Treasurer, and bring in their recommendations for a long range financial program, and he recommended that Mr. Herbert Wayne and Mr. Murray Atkins be requested to serve on the Committee. Councilman Dellinger stated he thinks we have competent advisors in our own organization; that Mr. Ledbetter has done a superb job and is well qualified to give us expert advise on all financial questions. Councilman Babcock stated he is of the opinion that the information the Committee would need would have to come from Mr. Ledbetter. Councilman Hitch seconded the motion and stated he believes Mr. Whittington is referring to long range financial plans, and he is of the opinion that it would be helpful to have a Committee's recommendation, and, of course, any decision would be made by the Council. Councilman Myers stated his reaction is that a capital budget would go back to the

City Manager and he thinks the Council should look to Mr. Veeder for recommendations on a capital budget.

Councilman Whittington said if the Council does not concur in the proposal, he would withdraw the motion, and the second to the motion was also withdrawn by Councilman Hitch.

PROPOSAL THAT FOREMAN OF STREET CREWS ACT AS TRUCK DRIVER.

Councilman Whittington stated he has noticed that street crews patching holes in the city and similar work consist of a foreman, truck driver and the laborers, which he does not think is good business and he does not see why the driver cannot be the foreman. Mr. Cheek, City Engineer, stated this is correct in most cases, that the truck driver is used to go back for needed material and if he served as the foreman than the crew would be left unattended. He stated further that they have a number of crews where the foreman does drive the truck on jobs that will require no additional material, etc. Councilman Smith stated he thinks matters of this kind have to be left to the discretion of the City Engineer. No action was taken on the question.

COUNCILMEN SMITH AND MYERS APPOINTED BY MAYOR SMITH TO HAVE CONFERENCE WITH GEO. CUTTER RELATIVE TO THE ESTABLISHMENT OF SETBACK LINES ON FOURTH STREET BETWEEN THE UNDERPASS ON EAST FOURTH STREET AND MINT STREET.

Councilman Myers moved that the Council in voting its intent to establish a setback line on Fourth Street from the Underpass on East Fourth to Mint Street, authorize the City Manager to appoint three independent Realtors to negotiate with Mr. Cutter and bring back their recommendations. The motion was seconded by Councilman Albea. Councilman Dellinger expressed objections to negotiating with Mr. Cutter and stated he feels he should make the move. Councilman Smith suggested that the Mayor appoint Mr. Myers and him to go to see Mr. Cutter and bring a report on the conference to Council next week. Mayor Smith stated he was delighted to appoint them. Councilman Myers then withdrew his motion.

COUNCIL URGED TO ATTEND PRESENTATION OF THOROUGHFARE PLAN ON APRIL 8TH.

The City Manager urged the attendance of the Council at the meeting to be held in the Health Center on Friday, April 8th at 3 o'clock p.m. when the Thoroughfare Plan will be presented by Mr. Babcock, Director of the N. C. State Highway Commission. He advised the Mayor will invite the Chamber of Commerce and others, and he is hopeful there will be a large attendance.

CITY ATTORNEY RECOMMENDS AMENDMENT TO CHARTER TO PROVIDE FOR PAYMENT ON DAMAGES AND/OR MEDICAL EXPENSES UP TO \$200.00 CAUSED BY OTHER REASONS THAN NEGLIGENCE OF VEHICLES OPERATED BY CITY.

The City Attorney suggested there should be included in the City's legislative matters for presenting to the State Legislature provisions whereby the City would be authorized to pay for damages and/or medical expenses not exceeding \$200.00 caused by reason other than the negligence of vehicles operated by the City. He cited as an example, the case of the lady who fell and was injured on the front terrace of the City Hall and payment on her medical expenses was prohibited under this technicality.

MAYOR ASKS COOPERATION OF COUNCIL IN THE CONDUCT OF BUSINESS IN COUNCIL MEETINGS.

Mayor Smith ask the cooperation of the Council in the conduct of the city's business in Council Meetings and that they abide by their agreement to ask for the floor when they wish to speak and only one person speak at one time. He stated he does not want to be arbitrary and is trying to conduct the meetings for the best interest of the city and with the least confusion possible.

ADJOURNMENT.

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



Lillian R. Hoffman, City Clerk