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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Monday, November 4, 1968, at 3:00 o'clock p.m., with Mayor Stan R. Brookshire presiding, and Councilmen Sandy R. Jordan, Milton Short, Gibson L. Smith, James B. Stegall, Jerry Tuttle and James B. Whittington present.

ABSENT: Councilman Fred D. Alexander.

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#### INVOCATION.

The invocation was given by Reverend L. K. Stephens, Minister of Grace Baptist Church.

#### MINUTES APPROVED.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, the minutes of the last meeting, on Monday, October 28, were approved as submitted.

ORDINANCE NO. 79-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE AMENDING THE ZONING MAP OF THE CITY OF CHARLOTTE BY CHANGING THE ZONING OF PROPERTY ON THE SOUTH SIDE OF GLENWOOD DRIVE, EAST OF I-85.

Petition No. 68-75 by Hugh A. Caldwell and Parks E. Malcolm for a change in zoning from R-6 and O-6 to O-6 and B-1 of a tract of land fronting 300 feet on the south side of Glenwood Drive, beginning about 195 feet east of Interstate Highway 85, was presented for Council's consideration. Council was advised that the Planning Commission recommends the portion requested for B-1 be denied and the portion requested for O-6 be approved.

Councilman Short moved adoption of the subject ordinance changing the zoning of the portion of the property requested from R-6 to O-6 and denying the portion requested for B-1 as recommended by the Planning Commission. The motion was seconded by Councilman Whittington, and carried by the following vote:

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

The ordinance is recorded in full in Ordinance Book 16, at Page 33.

ORDINANCES ORDERING THE REMOVAL OF WEEDS AND GRASS PURSUANT TO THE CITY CODE, ADOPTED.

Motion was made by Councilman Jordan, seconded by Councilman Tuttle, and unanimously carried, adopting the subject ordinances, at the following locations:

- (a) Ordinance No. 80-X ordering the removal of weeds and grass on property adjacent to 3509 Ellington Street.
- (b) Ordinance No. 81-X ordering the removal of weeds and grass on property adjacent to 2017 Double Oaks Road.

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- (c) Ordinance No. 82-X ordering the removal of weeds and grass on property at rear of 1101 Beatties Ford Road.
- (d) Ordinance No. 83-X ordering the removal of weeds and grass on property at rear of 315 Fox Street.
- (e) Ordinance No. 84-X ordering the removal of weeds and grass on property adjacent to 1704 Russell Street.
- (f) Ordinance No. 85-X ordering the removal of weeds and grass on property on Lots 8, 9, 11 and 12 Davidson Circle.
- (g) Ordinance No. 86-X ordering the removal of weeds and grass on property adjacent to 115 West Boulevard.

The ordinances are recorded in full in Ordinance Book 16, beginning at Page 34.

**ORDINANCE NO. 87-X AMENDING ORDINANCE NO. 939-X, THE 1968-69 BUDGET ORDINANCE AUTHORIZING THE TRANSFER OF A PORTION OF THE GENERAL FUND CONTINGENCY APPROPRIATIONS.**

Councilman Short moved adoption of the subject ordinance authorizing the transfer of \$10,482.00 of the general fund contingency to be used for the purpose of teaching homemaking skills to persons of low income. The motion was seconded by Councilman Whittington, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 16, at Page 41.

**ORDINANCE NO. 88-X AMENDING ORDINANCE NO. 939-X, THE 1968-69 BUDGET ORDINANCE AUTHORIZING THE TRANSFER OF \$1,206,326.00 OF THE UNAPPROPRIATED FUND BALANCE OF THE \$5,500,000 REDEVELOPMENT BOND ISSUE.**

Councilman Tuttle asked the City Manager if he has checked into the subject ordinance and it is recommended for Council approval? Mr. Veeder, City Manager, replied this is in accordance with Council's prior discussions on the subject and is as recommended by the Redevelopment Commission. The Commission has a letter of consent from the federal government; assuming the federal government proceeds with approval of the project, this should be in keeping with Council's wishes; that the letter of consent is not formal approval but is the next thing to it.

Councilman Tuttle moved adoption of the subject ordinance authorizing the transfer of \$1,206,326.00. The motion was seconded by Councilman Stegall.

Councilman Smith asked what will be the effect if HUD does not approve this project; will this be spending bond money on urban renewal that has not been approved? Mr. Veeder replied there is a letter of consent so that any money that is spent will be properly credited to the project when the project receives formal federal approval. Councilman Smith stated if you spend bond money on the Dilworth project on a letter of consent and for some reason the project is not approved, where does the City stand? Mayor Brookshire replied the project has already been approved by HUD and the money set aside. Mr. Veeder stated the project has been approved by HUD as it meets all their standards, and with the letter of consent they say once it is funded, there will be no problem. This allows the city to proceed faster than otherwise; it permits the city to move ahead with the acquisition of land before the formal planning process that HUD requires is completed.

The vote was taken on the motion and carried unanimously.

The ordinance is recorded in full in Ordinance Book 16, beginning on Page 42.

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**EXCHANGE OF PROPERTY BETWEEN CHARLOTTE PARK AND RECREATION COMMISSION AND J. MASON WALLACE APPROVED SUBJECT TO COMMISSION DISCUSSING THE TRANSACTION WITH THE SCHOOL BOARD.**

Mr. Joe Grier, Attorney for the Charlotte Park and Recreation Commission, stated the Park Commission owns approximately 15 acres of land on the Old Monroe Road that was a gift approximately eight years ago by the Mason Wallaces. That the Park Commission has been told that in Mr. Mason Wallace Sr.'s will there is a codicil that upon Mr. Wallace's death, the Park Commission will receive the adjoining 5 acres on which the Wallace homeplace is located.

Mr. Grier stated the Wallace's are doing some development on the same tract of property as it fronts on Independence Boulevard; in effect the rear of the Commission's property which fronts on Monroe Road. In connection with that development and laying out the streets, it was indicated that the property which had been conveyed to the Commission sometime ago as well as the property that had been included in the proposed codicil would be useful in connection with that development. It was suggested that the interest of the recreation program might be enhanced by exchanging that property for a larger tract of property of equivalent value on out Monroe Road approximately 1/2 mile adjacent to Woodberry Forest Subdivision. The suggestion was that the 15 plus 5, a total of 20 acres, be exchanged for a 30 acre tract of land immediately adjacent to the Woodberry Forest Subdivision. Mr. Grier stated the Commission has had the matter under consideration for two or three weeks and the Land Acquisition Committee has considered the matter, and the Commission held a meeting on Friday afternoon and resolved by the following resolution that it was in the best interest of the public to make the exchange:

"WHEREAS, the Charlotte Park and Recreation Commission is the owner in fee simple of a 15.12 acre tract of land on the Old Monroe Road in the vicinity of East Mecklenburg High School, said land having been donated to the Commission by J. Mason Wallace, and the Commission has an expectancy under the will of the said J. Mason Wallace of the adjoining 5.34 acre tract on which is located the J. Mason Wallace residence, a total of 20.46 acres inclusive of road rights of way; and

WHEREAS, J. Mason Wallace has offered to convey to the Commission 30 acres of property on Old Monroe Road adjoining the WOODBERRY FOREST Subdivision in exchange for the present and future right of the Commission in the 20.46 acre tracts; and

WHEREAS, the Charlotte Board of Realtors by appraisal dated October 11, 1968, appraised the fair market value of the 20.46 acres at \$98,760.00 and the 30 acres at \$82,500.00, a copy of said appraisal being filed with this Resolution; and

WHEREAS, the Charlotte Park and Recreation Commission, after due consideration and taking into account the uncertainty of expectancy with respect to 5.34 acres of the 20.46 acre tract and the relative usefulness of the two tracts for recreational purposes has determined that the two tracts are of substantially equal value and that it is in the public interest to accept the offer of J. Mason Wallace and to make the exchange:

NOW, THEREFORE, BE IT RESOLVED that the officers of the Charlotte Park and Recreation Commission are authorized and directed to execute such deeds and other instruments as may be necessary to make the exchange described above, including renunciation of its interest in the 5.34 acre tract under the will of J. Mason Wallace;

BE IT FURTHER RESOLVED that the City Council be requested to give its consent to the exchange."

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Mr. Grier stated under the City Charter, title being in the Commission, the Commission has the right to make such an exchange with the consent of the City Council. Mr. Grier stated in the appraisal by the Charlotte Board of Realtors, they did not take into consideration that a part of the land is not owned, but exists only with respect to the expectancy under Mr. Wallace and his will.

Councilman Smith asked if the School Board has had any comments on this transfer? Mr. Grier replied it has not been discussed with the School Board; their property is on the other side of Old Monroe Road. Mr. Grier stated this proposal was advanced by the Wallaces' in the spirit of asking the Park Commission to consider whether it would be to the advantage of recreation to make this change, and Mr. Wallace stated on more than one occasion that if the Commission had any question about the advantage of the change from the Commission's point of view, that he and his family were content for the Commission to continue to own the land that had already been donated, and the Commission should only approve it if it felt there was an advantage in making the exchange.

After further discussion, Councilman Whittington moved that the transaction be approved and that Mr. Grier ask the Park and Recreation Commission to discuss this with the School Board so they will know what is taking place.

The motion was seconded by Councilman Tuttle, and carried unanimously.

**RIGHT OF ENTRY AGREEMENT BETWEEN CITY AND PARK & RECREATION COMMISSION FOR INDEPENDENCE BOULEVARD EXPRESSWAY AND KINGS DRIVE WIDENING PROJECT, AUTHORIZED.**

Councilman Whittington moved that the Mayor and City Clerk be authorized to execute a right of entry agreement between the City of Charlotte and the Charlotte Park and Recreation Commission for right of entry on the Independence Boulevard Expressway and Kings Drive Widening Project. The motion was seconded by Councilman Jordan, and carried unanimously.

**RESOLUTION AUTHORIZING THE REFUND OF CERTAIN TAXES WHICH WERE LEVIED AND COLLECTED IN ERROR.**

Motion was made by Councilman Tuttle, seconded by Councilman Stegall, and unanimously carried, adopting the subject resolution authorizing the refund of taxes in the amount of \$1,940.37 which were levied and collected in error and for which the City-County Tax Collector has certified the proper written demand has been made for the refunds and the taxes in question were paid in error.

The resolution is recorded in full in Resolutions Book 6, at Page 209.

**ENCROACHMENT AGREEMENTS WITH STATE HIGHWAY COMMISSION FOR CONSTRUCTION OF SANITARY SEWER LINES IN BEATTIES FORD ROAD, AUTHORIZED.**

Councilman Short moved approval of two encroachment agreements with the State Highway Commission for the construction of an 8-inch sanitary sewer line in Beatties Ford Road to serve the McCrorey Branch of the YMCA. The motion was seconded by Councilman Whittington, and carried unanimously.

CONTRACTS FOR THE INSTALLATION OF WATER MAINS, AUTHORIZED.

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

- (a) Contract with Walker D. Jordan, owner, for the installation of approximately 550 feet of 2" water main in Huntington Park Drive, inside the city limits, at an estimated cost of \$991.00. The City will finance all construction costs, and the applicant will guarantee gross water revenue equal to 10% of the total construction cost.
- (b) Contract with Young Men's Christian Association of Charlotte, McCrorey Branch, Joseph W. Grier, Jr., President, for the installation of approximately 1,115 feet of 8" water main in Beatties Ford Road, inside the city limits, at an estimated cost of \$5,600.00. The City finance all construction costs and the applicant will guarantee an annual gross water revenue equal to 10% of the total construction cost.
- (c) Contract with Young Men's Christian Association of Charlotte, McCrorey Branch, Joseph W. Grier, Jr., President, for the installation of approximately 1,485 feet of 8" water main in Beatties Ford Road, outside the city limits, at an estimated cost of \$8,200.00. The total cost of the water main will be borne by the City, under the provisions of paragraphs "A", "B", "C", and "D-1" of the Water and Sewer Extension Policy adopted by City Council on April 17, 1967.
- (d) Contract with Tyvola Mall, Inc., Latt W. Purser, President, for the installation of approximately 683 feet of 6" water main, 240 feet of 2" water main and one fire hydrant in the southeast corner of Tyvola Road and South Boulevard, inside the city limits, at an estimated cost of \$3,500.00. The City will finance all construction costs and the applicant will guarantee an annual gross water revenue equal to 10% of the total construction cost.

APPRAISAL CONTRACTS AUTHORIZED.

Motion was made by Councilman Tuttle and seconded by Councilman Stegall, to approve the following appraisal contracts;

- (a) Contract with Lionel D. Bass, Sr., for appraisal of one parcel of land for the Sugar Creek Road - North Tryon Street Intersection.
- (b) Contract with B. Brevard Brookshire for appraisal of one parcel of land for the Sugar Creek Road - North Tryon Street Intersection.
- (c) Contract with Zollie A. Collins for appraisal of two parcels of land for the Sugar Creek Road - North Tryon Street Intersection.
- (d) Contract with Stuart W. Elliott for appraisal of two parcels of land for the Sugar Creek Road - North Tryon Street Intersections.
- (e) Contract with William L. Frickhoeffter for appraisal of one parcel of land for the Sugar Creek Road - North Tryon Street Intersection.
- (f) Contract with Daniel O. Hennigan for appraisal of one parcel of land for the Sugar Creek Road - North Tryon Street Intersection.

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- (g) Contract with Leo H. Phelan, Jr., for appraisal of one parcel of land for the Sugar Creek Road - North Tryon Street Intersection.
- (h) Contract with Alfred E. Smith for appraisal of two parcels of land for the Sugar Creek Road - North Tryon Street Intersection.
- (i) Contract with C. W. Todd for appraisal of one parcel of land for the Sugar Creek Road - North Tryon Street Intersection.

Mr. Veeder, City Manager, stated the State Highway Department has expressed a willingness to have the City do the appraisal on the negotiation on the Sugar Creek Road - North Tryon Street Intersection Project, and the State Highway will pay. This is another example of the cooperation of the Highway Department where the City's people will do some work with Highway Department money in order to get the job done.

The vote was taken on the motion and carried unanimously.

#### TRANSFER OF CEMETERY LOTS.

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

- (a) Deed with Mrs. Jean L. Little, for Grave No. 3, in Lot No. 19, Section 3, Evergreen Cemetery, at \$60.00.
- (b) Deed with J. Milton Panetti, Jr., for Grave No. 6, in Lot No. 177, Section 2, Evergreen Cemetery, at \$60.00.

#### PROPERTY TRANSACTIONS AUTHORIZED.

Councilman Tuttle moved approval of the following property transactions, which were seconded by Councilman Jordan:

- (a) Acquisition of right-of-way of 100 square feet of property off Independence Boulevard, from Southern Car Wash, Inc., at \$1.00, for sanitary sewer easement to serve Southern Car Wash, Inc.
- (b) Acquisition of right-of-way of 2,402 square feet of property off Independence Boulevard, from Beverly Development Company, at \$1.00, for sanitary sewer to serve Southern Car Wash, Inc.
- (c) Acquisition of 13,950 square feet of property and one single story brick dwelling on Berryhill Lane, from Charles Edward Piercy and wife, Brenda L. Piercy, at \$15,000, for Airport Expansion Project.
- (d) Sale of two parcels of vacant land (Parcel No. 225 and 225A) to the State Highway Commission, at \$864.00, for the Interstate 77 right-of-way.

The vote was taken on the motion and carried unanimously.

#### DECISION ON RIGHT OF WAY EASEMENTS FOR SANITARY SEWER TO SERVE QUEEN CITY SPEEDWAY, INC., DEFERRED UNTIL SEVEN MEMBERS OF COUNCIL ARE PRESENT.

Councilman Tuttle moved that decision on the following right of way easements be deferred until seven members of Council are present:

- (a) Acquisition of right-of-way of 7,007.8 square feet of property on the south side of West Boulevard, from Gerogie S. Grey, at \$710.00, for sanitary sewer to serve Queen City Speedway, Inc.

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- (b) Acquisition of right-of-way of 50 square feet of property on West Boulevard, from Queen City Speedway, Inc., at \$1.00 for sanitary sewer to serve Queen City Speedway, Inc.
- (c) Acquisition of right-of-way of 9,350.2 square feet of property on the south side of West Boulevard, from Sara S. Morrison and husband, W. H. Morrison, at \$940.00, for sanitary sewer to serve Queen City Speedway, Inc.

The motion was seconded by Councilman Whittington, and carried unanimously.

**CONTRACT AWARDED TRAFFIC ENGINEERS SUPPLY CORPORATION FOR TRAFFIC SIGNAL HEADS.**

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, contract was awarded the low bidder, Traffic Engineers Supply Corporation, in the amount of \$6,688.75, on a unit price basis, for traffic signal heads.

The following bids were received:

Traffic Engineers Supply Corp.	\$ 6,688.75
Eagle Signal Division of E. W. Bliss Company	7,787.50
Southeastern Safety Supplies	8,006.75
Econolite	9,002.50

**CONTRACT AWARDED SOUTHEASTERN SAFETY SUPPLIES, INC. FOR ACTUATED CONTROLLERS FOR TWO MAJOR INTERSECTIONS.**

Councilman Whittington moved award of contract to the low bidder, Southeastern Safety Supplies, Inc., in the amount of \$12,116.00, on a unit price basis, for two ground-mounted full actuated controllers for controlling traffic at two major intersections. The motion was seconded by Councilman Stegall, and carried unanimously.

The following bids were received:

Southeastern Safety Supplies, Inc.	\$12,116.00
Econolite, Division of Tamar Electronics, Inc.	14,100.00

**CONTRACT AWARDED ROSENBLATT & ASSOCIATES, INC. FOR TRAFFIC LOOP DETECTORS.**

Motion was made by Councilman Jordan awarding contract to the low bidder, Rosenblatt & Associates, Inc. in the amount of \$4,130.00, on a unit price basis, for 35 traffic loop detectors. The motion was seconded by Councilman Stegall and carried unanimously.

The following bids were received:

Rosenblatt & Associates	\$ 4,130.00
Traffic Signals Div. Link Group	4,373.25
Fischer & Porter Company	4,900.00
Econolite Division of Tomar Electronics, Inc.	4,987.50
Southeastern Safety Supplies, Inc.	6,247.50

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**CONTRACT AWARDED C. D. SPANGLER CONSTRUCTION COMPANY FOR CONSTRUCTION OF SANITARY SEWER TO SERVE COVENTRY WOODS SUBDIVISION.**

Motion was made by Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, awarding contract to the low bidder, C. D. Spangler Construction Company, in the amount of \$20,610.00, on a unit price basis for construction of sanitary sewer to serve Coventry Woods Subdivision.

The following bids were received:

C. D. Spangler Construction Co.	\$20,610.00
Sanders Brothers, Inc.	21,305.50
Thomas Structure Company	23,130.00
Boyd & Goforth, Inc.	23,678.00
Dickerson, Inc.	23,974.00

**CONTRACT AWARDED LAPOINTE CHEVROLET COMPANY FOR AUTOMOBILES FOR POLICE DEPARTMENT.**

Upon motion of Councilman Stegall, seconded by Councilman Short and unanimously carried, contract was awarded the low bidder, LaPointe Chevrolet Company, in the amount of \$135,974.89, on a unit price basis, for 61 - 8 cylinder automobiles for Police Department.

The following bids were received:

LaPointe Chevrolet Co.	\$135,974.89
Town & Country Ford, Inc.	136,949.23
Young Ford, Inc.	137,637.86
Carolina Chrysler Plymouth, Inc.	137,969.85

**CONTRACT AWARDED CAROLINA CHRYSLER PLYMOUTH, INC. FOR AUTOMOBILES.**

Motion was made by Councilman Whittington, seconded by Councilman Stegall, and unanimously carried, awarding contract to the low bidder, Carolina Chrysler Plymouth, Inc., in the amount of \$36,746.98, on a unit price basis for 17 - 8 cylinder automobiles for use by various city departments.

The following bids were received:

Carolina Chrysler Plymouth, Inc.	\$36,746.98
Town & Country Ford, Inc.	36,806.08
Young Ford, Inc.	37,136.63
LaPointe Chevrolet Co.	40,102.68

**CONTRACT AWARDED CAROLINA CHRYSLER PLYMOUTH, INC. FOR AUTOMOBILES FOR FIRE DEPARTMENT.**

Councilman Stegall moved award of contract to the low bidder, Carolina Chrysler Plymouth, Inc., in the amount of \$4,857.33, on a unit price basis, for one 8 cylinder station wagon and one 8 cylinder automobile for use in the Fire Department. The motion was seconded by Councilman Whittington and carried unanimously.

The following bids were received:

Carolina Chrysler Plymouth, Inc.	\$ 4,857.33
Town & Country Ford, Inc.	4,905.59
Young Ford, Inc.	4,944.09
LaPointe Chevrolet Co.	5,709.63

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CITY MANAGER REQUESTED TO REVIEW BUDGET AND BRING BACK RECOMMENDATIONS TO COUNCIL ON USE OF THE MONEY AVAILABLE FROM THE ONE CENT SALES TAX WITH THE PRIORITY TO BE THE TAX ROLLBACK.

Mayor Brookshire stated inasmuch as the Supreme Court has upheld the constitutionality of the one cent sales tax, he suggests that Council request Mr. Veeder and his staff to immediately review the budget, with particular thought given to those items in the budget approved by Council in July for which current funds or bond money were not available, and report back to Council with some recommendation on the wise use of the sales tax now available.

Councilman Tuttle stated so long as in this recommendation and review includes the first order of business - that is the refund or credit to the people who made this possible to whom Council promised an 11 cent rollback.

Mr. Veeder, City Manager, stated he has started a review and projection of revenues for next year so that some realistic projections can be made as to what the fiscal situation may be for 1969-70. That it seems this is important to provide Council with the information upon which it can make judgments on the use of this money.

Mr. Veeder stated basically there are three alternatives:

- (1) To make use of the money during the current fiscal year for number of projects and uses Council has discussed earlier.
- (2) To do nothing with the money except to lay it aside to be used to finance the rollback of taxes for fiscal 1969-70.
- (3) To do something between these two. Use a portion of the money for projects we wish to move ahead on in this fiscal year, and reserve a portion of the money to meet the commitment that Council made to the voters prior to the approval of the sales tax.

Mr. Veeder stated at present they are trying to do some revenue and expenditure projections that will help evaluate the situation, and this will be available for Council shortly.

Councilman Jordan stated he thinks the third alternative is the one to use setting aside a portion of these funds to be used next year. Councilman Smith stated he thinks Council should set aside at least one million dollars for the next Council, whoever they are, earmarked for reducing the taxes 11 cents; that he does not think we can rationalize taking part now and assign part for the next budget; that he thinks Council is under obligation to actually set aside at least one million dollars.

Mayor Brookshire stated he would hope that Mr. Veeder would offer all the alternatives possible and then Council can debate and decide later.

Councilman Whittington stated he thinks there are two things Council has to do. First we promised the people when this money was available we would roll the tax back 11 cents, and we cannot do this until next year; we can either budget the money or hold it in escrow and then it is available for the next Council to cut back. Second, he thinks Council should put back these things that we can do that were taken out of the last budget; that he is thinking about urban renewal in Brooklyn as an example.

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Mayor Brookshire asked that Mr. Veeder and his staff be given an opportunity to study this with some thoroughness and come back with alternatives and recommendations to Council.

Councilman Tuttle stated this is what he wants but he wants Mr. Veeder to know that to Council the priority is the 11 cent rollback.

**FREEWAY, FROM THE PLAZA TO NORTH TRYON STREET NAMED BRODIE S. GRIFFITH EXPRESSWAY.**

Councilman Jordan stated in the past it has been in order to name public streets and highways in honor of men who have contributed much to our city. That few men have devoted to this city their time, talents, efforts, loyalty, and measures comparable to those of Mr. Brodie S. Griffith, Associate Publisher of The Charlotte News.

Councilman Jordan stated as a token of appreciation from this community and at the suggestion of Highway Commissioner, George H. Broadrick, he respectfully moves, and considers it an honor, that the new freeway from The Plaza to North Tryon Street be named The Brodie S. Griffith Expressway, and appropriately marked as such. The motion was seconded by Councilman Tuttle.

Mayor Brookshire stated this motion coming from Mr. Jordan is magnanimous as he knows of no one who has worked more assiduously to see that project put on the books and started.

Councilman Whittington stated he agrees; that Mr. Jordan had some 60,000 names on a petition at one time to get this road, and he, probably more than anyone else, is responsible for it being built. Also, Mr. Broadrick and the Highway Commission were very helpful by taking a million dollars of bond money passed during Governor Moore's administration to help build the expressway; but the leading force in this, without question, was Mr. Jordan. That he is sure all Council Members, and all citizens, are grateful to him for his efforts in that behalf.

The vote was taken on the motion and carried unanimously.

**DISCUSSION OF SUBJECTS TO BE PLACED ON AGENDA FOR COUNCIL CONSIDERATION DURING CONFERENCE SESSIONS.**

Councilman Whittington stated to continue the discussion of the conference sessions, he thinks Council should go back to the format used previously by having the matters the City Manager wishes to discuss placed on the agenda; also, he thinks that it is most important that Mr. Veeder schedule meetings in these conferences with department heads. That Council should have the opportunity to sit down across the table with department heads in conference session and discuss matters in order to have a better relationship between departments and the Manager's office. Also, Council members should give the Manager matters in the conference session that would not delay the formal meeting such as traffic signals, street lights and things of this nature.

Councilman Smith stated Council does not want to break down what is set up, and that is, go through the City Manager on these things, and the Manager bring in a department head when he needs one to back him up rather than Council have the department heads present per se; that he thinks Council should work through the City Manager with these departments.

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Mr. Veeder, City Manager, stated the Conference Session serves a very useful purpose in terms of Council having an increased opportunity to learn first hand of the progress of some programs that have been initiated and if Councilmen have ideas on revamping an idea they would have some basis for considering it. That as to having department heads present in the Conference Session, he believes it should be on a basis of having something prepared that went out to Council Members in advance or having a presentation made. That he would like to expand this more so than before the conference sessions were discontinued; that this is a means of communication to keep Council informed to make the judgements that need to be made; but he thinks this should always be on a basis of something specific. That he has some reservations about just inviting the department heads to sit in.

Councilman Whittington stated he does not agree with the City Manager nor with Mr. Smith; that he is not trying to bring a department head into a conference session and do anything that would not go through the City Manager. To some degree an immunity is built up between the department head and the general public in that they do not come into conference sessions or Council Meetings unless it is something directly affecting them. To him this would be a better way where we would have this relationship. That he thinks if a department head had a problem and wanted to bring it to Council, he should do so in a Conference Session.

Councilman Stegall stated he agrees with Mr. Whittington to a point; that often the department heads are not aware of some of the problems that confront Council in decisions it has to make; in this way they can become more familiar with the problems that come up at these Meetings.

Councilman Whittington stated during the conference session held prior to this meeting, he suggested that on a monthly basis - one time a month - that Mr. Veeder have a part of the department heads in the conference session to discuss with Council programs they may have. That he thinks this would be good relations.

Mayor Brookshire stated it is a safe premise that the relationship of this City Council to the department heads is through Mr. Veeder; that he is sure Mr. Veeder can use these conference sessions to advantage in having the department heads to appear from time to time and make reports to him and to the Council on progress. Realizing that we are not attempting to do business in there, the advantage has to be in keeping Council informed from time to time on progress of the city from various departments of the city, in projects that are underway.

Councilman Smith stated Mr. Veeder has a meeting every week with the department heads and that is his communication.

#### **POLICE OFFICERS COMMENDED FOR PICKING UP LADY WITH INFANT DURING RAINSTORM.**

Councilman Whittington stated today at lunch a gentleman came up to him and said he saw a police car pick up a lady with her infant child in a rainstorm at Memorial Hospital this morning as she was waiting for a bus. That this is the sort of thing that someone notices and commendations to many of our departments do not come often. He requested the City Manager to try to find out from Chief Goodman what car this was and let the officer know this deed of kindness was observed, and thank them for what they did.

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ORDINANCE NO. 89 AMENDING CHAPTER 11, SECTION 18 OF THE CODE OF THE CITY OF CHARLOTTE ADDING A NEW CLASSIFICATION ENTITLED: "CHILD CARE CENTERS".

Councilman Short stated he has a proposed ordinance which is intended to correct only the most obvious and elementary problems in day care centers and which Council has considered on several occasions. That the principal question which concerned the councilmen was whether the City should, in the interest of safety, license day care operations down to the smallest center - that is a person keeping one child who is not a blood relation to the operator - or whether in the interest of seeing that some of the medium size centers were not run out of business that the licensing should apply only to the larger operations. That he thinks this ordinance as originally proposed by the Committee is a good compromise. The provision of the ordinance is that those who are keeping five or less children who are not blood relations will not be required to obtain a license, but those who are keeping more than five who are not blood relations will be required to obtain a license. That it occurs to him a day care operator in keeping five children can do this much more safely than would be true of a larger number of children.

Councilman Short moved the adoption of the subject ordinance amending Chapter 11, Section 18 by adding a new classification No. 68.1 entitled Child Care Centers, with the license fee to be \$1.00 and that March 1, 1968 be the effective date of the ordinance. The motion was seconded by Councilman Whittington.

Councilman Whittington stated he hopes the City Manager will instruct the Building Inspection Department and the Fire Department regarding this, and ask for the cooperation of the Mecklenburg County Health Department, and that the inspections by the Health Department be made by a graduate nurse. That he has had a lot of sad commentaries since Council started talking about child care centers of the abuse and neglect and the use of drugs that some of the centers are using on young children under two years of age; that the parents who have called him said they could document this evidence. That he thinks the Health Department can do more of this type of checking than the Inspection or the Fire Department.

After further discussion, the vote was taken on the motion and carried unanimously.

The ordinance is recorded in full in Ordinance Book 16, at Page 43.

Councilman Short suggested to the City Manager that a copy of this ordinance go out with water bills, or some other means where this can be put into the hands of citizens as there are many, many centers and there are some that will have to do various rearranging before March 1.

DISCUSSION OF AN ORDINANCE PROHIBITING THE ADMINISTERING OF SLEEP INDUCING DRUGS TO CHILDREN UNDER A CERTAIN AGE.

Councilman Short stated he also has an ordinance which was prepared at his request by Mr. Underhill, Acting City Attorney, making it illegal to give sleep inducing drugs to children under a certain age, and he would suggest twelve (12) years of age.

Councilman Tuttle stated he thinks this is an excellent suggestion but he asked why the age of twelve? Mr. Short replied it appears the day care centers sometime keep elementary school children after school; that when a child goes to Junior High School, which is beyond the age of twelve, presumably he is on his own in the afternoon.

After further discussion, Councilman Jordan requested that Council be allowed to study this ordinance for a week.

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DISCUSSION OF PENALTY FOR FIRE BOMBS.

Councilman Smith asked the City Attorney to bring back a report next week on the penalty for placing fire bombs - these bottles with gasoline and a wick. Mr. Underhill, Acting City Attorney, stated this is regulated on a state level and there are no city ordinances except for something that might be covered by the Fire Prevention Code. Councilman Smith stated there is a lot more of this happening than gets in the press; that he does not think Council should go to sleep on this as this represents a real threat.

Mr. Underhill stated the city is limited by charter and state laws to misdemeanors - 30 days or \$50.00 and that is the city's top limit.

Councilman Short suggested that Mr. Underhill give Council a short brief on this with the next Council agenda.

YOUTH OF CITY AND CIVIC ORGANIZATIONS THANKED FOR WAY IN WHICH HALLOWEEN OBSERVED.

Councilman Stegall stated he observed personally on Halloween night that Charlotte probably had the quietest and safest Halloween we have had, and he moved that Council go on record thanking the organized groups - churches and civic organizations - who held special programs, and also go on record thanking the youth of our community; there was less fire crackers and less vandalism and less damages of all nature. The motion was seconded by Councilman Whittington, and carried unanimously.

DISCUSSION OF USE OF REAL ESTATE OWNED BY CITY AND POSSIBLE SALE OF PROPERTY.

Councilman Smith stated he saw in the Mecklenburg Times that the city was selling property at Cherry and Third Streets, and asked if this was brought before Council before it was advertised? That it is a small strip at the Third Street and Fourth Street interchange. The City Manager replied Council is the only one who can sell the property; perhaps this is an invitation for people to make a proposal to find out if it is worth going through the motion to offer it for sale. Mr. Veeder stated he would give Council a report on this.

Mayor Brookshire asked if the real estate department has found any time to analyze the inventory of real estate and offering it for sale, as he has been hopeful that we might get something done on this. Mr. Veeder replied as a result of Council's discussions several weeks ago, the real estate office has made a preliminary run through of all city owned property towards the end of a possible use for scattered site housing; that there was some interest from the Housing Authority towards the end of evolving a project making use of whatever sites are available; this is being carried on now and is about completed and hopefully they can put together enough places so the Housing Authority can go ahead with some housing projects. That some private realtors have investigated the parcels that are available and their efforts have not produced anything of any consequence in terms of clients or the possibility of sale of any of the parcels.

COUNCILMAN SMITH LEFT THE MEETING AT THIS TIME AND WAS ABSENT FOR THE REMAINDER OF THE SESSION.

Councilman Smith left the meeting at this time and was absent for the remainder of the Session.

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REPORT ON PROPERTY ON KINGS DRIVE.

Mr. Bobo, Administrative Assistant, reported the owner of the property on Kings Drive advised the plans for the motel have been drawn and they have taken bids, but one of the lien holders has a temporary restraining order; they hope to satisfy the lien holder this week and if so, construction will be started immediately. That regardless of whether construction is started this week, they will start cleaning up the weeds and moving the debris.

NEXT COUNCIL MEETING SCHEDULED FOR MONDAY, NOVEMBER 18.

Councilman Jordan moved that the next regular council meeting be scheduled for Monday, November 18 as Monday, November 11 is Veterans Day and a holiday for the City. The motion was seconded by Councilman Stegall.

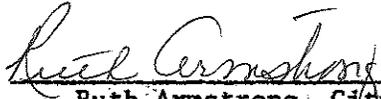
Councilman Tuttle made a substitute motion that the next regular meeting be scheduled for Tuesday, November 12. The motion was seconded by Councilman Short for discussion.

After discussion, the vote was taken on the substitute motion and failed to carry for the lack of an affirmative vote.

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

ADJOURNMENT.

Motion was made by Councilman Jordan, seconded by Councilman Stegall, and unanimously carried, the meeting was adjourned.

  
Ruth Armstrong, City Clerk