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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 Wednesday, November 5, 1958, at 4 o'clock p.m., with Mayor Smith presiding, and Council members Albea, Baxter, Brown, Dellinger, Evans, Foard and Wilkinson being present.

ABSENT: None

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INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Brown, seconded by Councilman Wilkinson, and unanimously carried, the Minutes of the last meeting on October 29th were approved as submitted.

PLANNING BOARD REQUESTED TO MAKE RECOMMENDATION RELATIVE TO REQUIREMENT THAT DEVELOPERS CONSTRUCT SIDEWALKS ON BOTH SIDES OF STREETS IN SUBDIVISIONS.

Councilman Baxter stated that after listening to a talk at lunch today by Mr. Shane MacCarthy, Executive Director, President's Council on Youth Fitness, Washington, D. C., he is of the opinion that the interest of the pedestrian should be given more attention, and moved that the Planning Board be requested to make recommendations to the Council relative to requiring developers to construct sidewalks on both sides of the streets in all subdivisions. The motion was seconded by Councilwoman Evans, and unanimously carried.

PARK & RECREATION COMMISSION REQUESTED TO STUDY MATTER OF OPENING STREETS OVER WEEKENDS AS PLAY AREAS.

Councilwoman Evans stated that in view of the information received from the talk by Mr. Shane MacCarthy, Executive Director, President's Council on Youth Fitness, Washington, D. C., she would like the Council to ask the Park & Recreation Commission to consider opening streets for play on Friday nights, Saturdays and Sundays, or whatever time over the weekend they find satisfactory, and she moved that the Commissioners be requested to study this recommendation, and that the Traffic Engineer consult with them on the subject. The motion was seconded by Councilman Brown, and unanimously carried.

TRAFFIC ENGINEER DIRECTED TO MAKE RECOMMENDATION AS TO INSTALLATION OF TRAFFIC SIGNAL AT INTERSECTION OF ROSWELL AVENUE AND COLONY ROAD.

Councilman Baxter moved that the Traffic Engineer be requested to investigate and recommend to the Council the advisability of installing a traffic signal at the intersection of Roswell Avenue and Colony Road, now that the widening of Roswell Avenue has been completed. The motion was seconded by Councilman Dellinger, and unanimously carried.

CITY MANAGER REQUESTED TO MAKE REPORT TO COUNCIL AS TO WHY STREET DEPARTMENT EMPLOYEES ARE NOT FURNISHED COATS BY CITY, AS IS DONE IN OTHER DEPARTMENTS.

Councilman Dellinger stated that he has been advised by employees of the Street Department that they are furnished work pants by City but no coats, while employees of the Motor Transport Department are furnished both coats and pants. Councilman Dellinger requested the City Manager to investigate and advise the Council why these employees are not also furnished work coats.

ACTING CHIEF OF POLICE AUTHORIZED PAID STARTING SALARY OF CHIEF OF POLICE, RETROACTIVE TO AUGUST 15, 1958, UNTIL SUCH TIME AS PERMANENT CHIEF OF POLICE IS APPOINTED BY COUNCIL.

Councilman Dellinger moved that the Acting Chief of Police be paid the starting salary for the Chief of Police, in the amount of \$7,500.00, until such time as a permanent Chief of Police is appointed, and that the payment of this salary be retroactive to August 15, 1958. The motion was seconded by Councilman Foard.

Councilwoman Evans stated that she thinks if the Acting Chief is given the job to do then he is entitled to the income but unless given full authority then he is not. Mayor Smith replied that the Acting Chief has full authority. Councilwoman Evans stated that he does not think so. Mr. Yancey, City Manager, stated he cannot understand that, and was not aware that Acting Chief Selvey had any such opinion. Councilman Dellinger stated that the Council is not setting a precedent in this matter, as it has been done in other cases; that there are many extra duties the Chief has to do that cost him money, and he has no car allowance; therefore, he thinks it is only right that he be compensated. He advised the increase in his salary will be about \$1,500.00, and he assumes the amount has been budgeted. The City Manager stated that the salary of Chief is budgeted and is intact.

The vote was then taken on the motion by Councilman Dellinger, and un-animously carried.

REPORT BY MAYOR SMITH RELATIVE TO APPOINTMENT OF CHIEF OF POLICE AND REORGANIZATION OF THE DEPARTMENT.

Mayor Smith stated that sometime ago he was asked by the Council to proceed with procuring names to fill the vacancy of Chief of Police. That with the exception of names of persons now employed in the Police Department which have been presented to him, he is unable to offer any others. That the reason is that applicants for the position have eliminated themselves because the only authority he had was to offer a pay scale for the position beginning at a salary of \$7,500.00. Therefore, he would like to recommend that the City not now appoint a permanent Chief of Police but leave it status quo until such time as the Council finds that an appropriate salary can be offered. That under these conditions, he recommends that our present Acting Chief remain in an Acting capacity and a permanent Chief not be appointed, and the appointment of a permanent Chief be left to the time of the seating of the new City Council on the first Monday after the first Tuesday in May, 1959.

Mayor Smith then presented the following statement of recommendations to the Council:

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APPOINTMENT OF CHIEF OF POLICE
AND REORGANIZATION OF THE DEPARTMENT

Recommendations in connection with consideration of the employment of the Chief of Police for the City of Charlotte, North Carolina.

Since Charlotte is now in a period of transition from small city to taking her place as one of the largest and most important cities in the South, it is my belief that we should employ as our Chief of Police a man thoroughly experienced in all fields coming under the jurisdiction of this most important job in our City Government - i.e. Administration, Criminology, Traffic Control, Juvenile Delinquency, Training of new personnel, Public Relations, et cetera.

In order to attract to this important position a man of the calibre we need and desire, we should give careful thought to bringing the remuneration into line with the responsibilities entailed.

Of the numerous persons suggested for this position which have come across my desk, most of the men of the calibre we desire have eliminated themselves for various and sundry reasons, the main one being the financial considerations involved. Of the few remaining, the minimum salary requested is \$12,000 per year, the maximum is \$15,000 per year. It, therefore, appears that it will be impossible to employ a man with the necessary qualifications for this job at the salary of \$7,500 per year which we are now empowered to offer, therefore

I recommend: That we give careful consideration to providing a sufficient salary for the position of Police Chief of Charlotte of from \$12,000 to 15,000 per annum.

Regardless of your decision upon the Chief, I believe it is necessary that we arrange for an upgrading of rank and the creation of several new positions within our Police Department, therefore

I recommend: That we create a new position of Assistant Chief.

I recommend: That all present Captains now heading departments, be upgraded to the rank of Deputy Chief.

I recommend: That the Captaincy vacancies thus made be filled from the ranks of our most qualified present Lieutenants.

I recommend: That the Lieutenantcy vacancies thus made be filled from the ranks of our most qualified present Sergeants.

I recommend: That the Sergeantry vacancies thus made be filled from the ranks of our most qualified present Patrolmen.

I recommend: That we create a new rank of Major, or Inspector, for an ample number of men who, under the direction of the Chief, will assume the responsibilities of administering the Chief's orders to the men under his command, on a basis of shifts, or divisions, whichever might work out better, under such a system. The duties of these men to have to do with training programs, courtesy programs, inspections of side arms, uniforms, personal appearance, et cetera.

I recommend: That we take steps through our Legislative Committee to revise our Civil Service Procedure, in order that the

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Chief may have somewhat broader powers from a disciplinary standpoint before having to take such actions directly to the Civil Service Commission as is now required.

I recommend: That our Civil Service Commission be appointed by a Judge of the Superior Court, leaving the appointment of the Chief of Police under the jurisdiction of the City Council.

I recommend: That a sufficient amount of money be set up in the annual budget of the Police Department each year, and that this be allowed and set aside for the specific purpose of furnishing to our Assistant Chief, the Deputy Chiefs, and the Captains any additional training or education in any of the schools that may become available, pertaining to their particular lines of duties, or any other phases that would add to the efficiency of our Police Department—such as courses offered by the F.B.I training programs, those courses occasionally offered at Northwestern University, or any others that might become available. This opportunity for education and advancement to be made available to our men, but not mandatory.

Mayor Smith stated these are the recommendations he offers for Council's consideration.

Councilman Baxter moved that the Council accept the recommendations as information. The motion was seconded by Councilman Albea.

Councilwoman Evans stated that the Council should in no way reduce its activities in the procurement of a Chief of Police and Collector of Revenue.

Mayor Smith stated that the appointment of the Chief and Assistant Chief is at the will of the Council. That he would not want to usurp the powers of the next Council.

The vote was then taken on the motion of Councilman Baxter, and unanimously carried.

PROCEEDINGS AGAINST LAND OWNERS FOR RIGHT-OF-WAY FOR INSTALLATION OF AIRPORT LIGHTS, NOW IN HANDS OF CLERK OF SUPERIOR COURT.

Councilman Brown asked the City Attorney what the status is of the condemnation proceedings regarding land at the Airport for the installation of lights. Mr. Shaw, City Attorney, replied that there has been two hearings within the last ten days, and he is now waiting to see if the Clerk of Superior Court has authority to appoint a board of condemnation commissioners.

INSTALLATION OF BLINKER LIGHT AT CALDWELL AND MOREHEAD STREETS AUTHORIZED INVESTIGATED.

Councilman Brown stated that the traffic signal at Caldwell and Morehead Streets has been removed since the abandonment of A.G. Junior High School, and people traveling on Morehead Street are accustomed to it being located there and not having to watch out for traffic on Caldwell Street, and he thinks it is important that a blinker light be installed in its stead. He requested the City Manager to have the Traffic Engineer check into the matter and report to Council his recommendation.

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STATUS OF COMMITTEE'S RECOMMENDATION FOR APPOINTMENT OF COLLECTOR OF REVENUE GIVEN BY COUNCILMAN BROWN.

Councilman Dellinger asked Councilman Brown what the status is of the Committee on the Recommendation of a Collector of Revenue? Councilman Brown replied that they have the applicants for the position in a brochure form, and some are pretty good. That they are working on both this and the reorganization of the tax departments, but offices must be found to locate the reorganized department.

CITY SCHOOL BOARD REQUESTED BY COUNCILMAN BAXTER TO VACATE OFFICES IN CITY HALL BY JANUARY 1, 1959.

Councilman Baxter requested the City Manager to write the City School Board and tell them that it is expected that the offices they occupy will be available on January 1st. Councilman Albea expressed opposition to insisting that the School Board vacate their present quarters and stated that the school work is certainly of the same vital importance as that of another department that would be housed in the school offices.

CONTRACT WITH DUKE POWER COMPANY FOR FURNISHING ELECTRICAL POWER TO CITY HALL.

Upon motion of Councilman Dellinger, seconded by Councilman Baxter, and unanimously carried, the Mayor and City Clerk were authorized to execute a new contract with Duke Power Company for furnishing electrical power to the City Hall.

CONNECTION OF PRIVATE SANITARY SEWER LINES BY ERVIN CONSTRUCTION COMPANY TO CITY'S SANITARY SEWERAGE SYSTEM, AUTHORIZED.

Councilman Brown moved that Ervin Construction Company be permitted to connect private sanitary sewer lines, to be constructed in Starmount Subdivision outside the city limits, to the City's Sanitary Sewerage System, upon condition that they comply with all laws, rules and regulations now in effect, or which may hereafter become effective relative to property similarly situated. The motion was seconded by Councilman Baxter, and unanimously carried.

Mr. John D. Shaw, City Attorney, called attention to the fact that this is providing facilities in the territory to be annexed on January 1, 1960, and the Council will be confronted with the problem of negotiating with the owners of private sewer lines for permission on the part of the City to use or acquire such lines. The City Manager recommended that a clause be inserted in this contract with Ervin Construction Company, and in all future contract of like nature, to the general effect that the City shall have the right and privilege of connecting to and using these lines without any charge for tapping fees or other payments. The Council concurred in the recommendation to insert the clause in all such contracts.

Councilman Dellinger moved that the matter be continued until next week. The motion was lost for lack of a second.

STREETS TAKEN OVER FOR MAINTENANCE.

Motion was made by Councilman Dellinger, seconded by Councilman Brown, and unanimously carried, taking over for maintenance the following streets:

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- (a) Enfield Road, from 175 ft. west of Dunaire Drive, thence east 670 ft.
- (b) Dunaire Drive, from 250 ft. north of Enfield Rd, thence south 1,340 ft.
- (c) Havenwood Road, from Dunaire Drive east 260 feet.
- (d) Denson Place, from Tipperary Place west 500 feet.
- (e) Lubbock Place, from Denson Place north 475 feet.
- (f) Tipperary Place, from 200 ft. south of Denson Place, thence north 565 ft.
- (g) Colebrook Road, from Tipperary Place east 630 feet.

CONTRACT WITH RUSSELL CANNADY FOR INSTALLATION OF WATER MAINS IN WALNUT HILLS SUBDIVISION.

Councilman Brown moved that contract be authorized with Russell Cannady for the installation of 3,825-feet of water mains and four hydrants in Walnut Hills Subdivision, at an estimated cost of \$10,500.00. The City to finance all costs and applicant to guarantee a gross annual water revenue equal to 10% of the total cost. The motion was seconded by Councilman Foard, and unanimously carried.

CONTRACT WITH TRAFFIC ENGINEERS SUPPLY CORPORATION FOR LANE SIGNALS, AUTHORIZED.

Motion was made by Councilman Albea, seconded by Councilman Baxter, and unanimously carried, authorizing contract with the only bidder, Traffic Engineers Supply Corporation, for 15 - B015 Winko-Matic Lane Signals with legend "Keep Off" in red, and 14 - B015 Winko-Matic Lane Signals with legend "Use this Lane" in green, all as specified, at a total net delivered price of \$2,885.50.

EXTENSION OF SICK LEAVE TO EMPLOYEES OF ENGINEERING, STREET, ACCOUNTING AND WATER DEPARTMENTS.

Upon motion of Councilwoman Evans, seconded by Councilman Baxter, and unanimously carried, the extension of sick leave was granted the following employees:

- (a) Extension through November 30th to J.B. Cherry, Engineering Department employee, and to Allen Blair, Tom Martin and Henry Porter, Street Department employees.
- (b) Extension through December 31st to Kenneth Craven, Accounting Department employee and to Russell Alexander, Water Department employee.

TRANSFER OF CEMETERY LOTS.

Motion was made by Councilman Dellinger, seconded by Councilman Wilkinson and unanimously carried, authorizing the Mayor and City Clerk to execute deeds for the transfer of the following cemetery lots:

- (a) Deed with Charlie R. Caldwell and wife, for Graves 1,2,5 & 6, in Section 7, Oaklawn Cemetery, at \$200.00.
- (b) Deed with Joseph T. Holder and wife, for Graves 3,4,7 & 8, in Section 7, Oaklawn Cemetery, at \$200.00.
- (c) Deed with J. A. Grooms, for Lot 266, Section 7, Oaklawn Cemetery, at \$250.00.
- (d) Deed with Mrs Willie M. Isenhour, for Perpetual Care on Lot 159, Section Q, Elmwood Cemetery, at \$140.00.

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REAPPOINTMENT OF ELMER E. ROUZER TO URBAN REDEVELOPMENT COMMISSION.

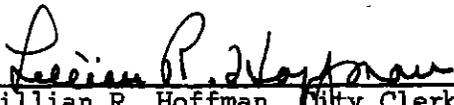
Upon motion of Councilman Brown, seconded by Councilman Albea, and un-animously carried, Mr. Elmer E. Rouzer was reappointed to the Urban Redevelopment Commission for a term of five years.

EMPLOYMENT OF METER READER AND METER READER HELPER IN WATER DEPARTMENT.

Councilman Wilkinson moved that the employment of an additional Meter Reader and Meter Reader Helper in the Water Department, and allowance for one car, be authorized as recommended by the City Manager. The motion was seconded by Councilman Brown, and unanimously carried.

ADJOURNMENT.

Upon motion of Councilman Brown, seconded by Councilman Dellinger, and un-animously carried, the meeting was adjourned.



Lillian R. Hoffman, City Clerk